



CONSTITUTIONAL HISTORY OF  
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Third Session of the Twenty-Eighth Legislature

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 13,

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today our guests in the west gallery are students from Central High School of Commerce, Toronto, and the Adult Education Centre, Dundas Street West, Toronto.

Statements by the ministry.

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, following the interest shown by young people in Toronto in becoming trained, responsible babysitters, and the suggestion in recent press stories that babysitters should be licensed, I would like to announce to the House, a fresh-off-the-press booklet, prepared by The Department of Social and Family Services to help today's young people be better sitters.

We believe that babysitting is such an important part of today's way of life that we have taken steps to see that all young people, both boys and girls are made aware of it. We have sent copies to every senior public school, and every junior and senior high school. We have sent copies to organizations which deal with young people who are at an age to babysit, the Girl Guides, Boy Scouts, the Ys and the church groups for these ages.

Babysitting is no game. A human life has been entrusted in the hands of a babysitter, and it requires careful training and judgement on the part of the person who takes on this responsibility.

This book, "Can You Baby-sit Tonight?", a copy of which is on each member's desk, I believe, gives helpful information on safety and health facts. But looking after children involves more than protecting them. A busy child is a happy one. In this book are ideas on how to meet the special needs of children of all ages, with particular examples for each age group.

I call upon all the members of this House, Mr. Speaker, to make a concerted effort to see that young people across Ontario read this book, and keep it for reference. It is books such as this, and programmes such as the conference held by the Hospital for Sick

Children, which will prevent incidents such as the unfortunate one which received coverage recently in the press.

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, it is my privilege this time to introduce to you and the members of this House, a new and most attractive publication by my department, entitled, "White-tailed Deer in Ontario". This 24-page booklet, which will be distributed to the House, is a factual report for the layman. Ontario's most popular big-game animal is included in details on appearance, habits, range, life history and the effects of pressure and hunting, with considerable emphasis on the management of our deer populations.

This is the first of a number of new publications which I hope to present to the members from time to time, Mr. Speaker, and I think you will agree that it represents a considerable upgrading of public information material. It is now available to the members at no charge from my department, and I sincerely hope the members and their families will enjoy reading it as much as I did.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I would ask the Minister of Lands and Forests if he was present at the meeting that some of his colleagues had with the Governor Milliken of Michigan? If so, what part he had to play in the decision to permit the governor not to permit game fishing on Lake St. Clair?

**Hon. Mr. Brunelle:** Mr. Speaker, unfortunately I could not attend that meeting, due to a previous commitment made several weeks ago. However, as he knows, my colleagues, the Minister of Energy and Resources Management (Mr. Kerr), the Minister of Lands and Forests (Mr. Wells), and the Minister of Municipal Affairs (Mr. McKeough) attended, along with representatives from my department, the OWRC and other departments concerned. Either myself or the Minister of Energy and Resources Management will be pleased to give a statement tomorrow on the res-

this joint meeting with the federal, provincial and U.S. authorities.

**Mr. Nixon:** Mr. Speaker, a question of the Minister of Trade and Development. Has he programmes that are going to be used by communities whose unemployment rates are now above six per cent for some immediate assistance in expanding the rate at which jobs are going to be made available in those areas?

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, that is a very difficult question for this government to answer when it is not responsible for creating the unemployment.

**Mr. Nixon:** That is the sort of answer that helps the whole situation.

**Hon. Mr. Randall:** I am not finished yet.

**Mr. Nixon:** As long as you continue to pass the buck then you are—

**Hon. Mr. Randall:** I am not finished yet.

**Mr. Nixon:** Do not say somebody else is responsible while—

Interjections by hon. members.

**Hon. Mr. Randall:** If you will just sit down; if you will just listen for a moment, I will tell you what is happening.

**Mr. Nixon:** All right, tell us.

**Hon. Mr. Randall:** Now, I will tell you. We went up to London last Friday afternoon—

**Mr. Nixon:** And you unloaded a lot of political hay.

**Hon. Mr. Randall:** No, we did not.

**Mr. Nixon:** You did.

**Hon. Mr. Randall:** We went up to London last Friday afternoon to talk about this very thing. In London there were 6,802 persons unemployed at the end of March, 1970. This was 4,220 males and 2,582 females out of 105,600 people; that is 6.2 per cent. As we pointed out to them, we do not have any programme through the Ontario Development Corporation that will absorb great numbers of people being thrown out of work in every urban area. If you think it is happening only in London, let me read these figures to you.

**Mr. Nixon:** It is happening in Brantford.

**Hon. Mr. Randall:** In Cornwall, 10.2; Niagara Falls, 9.4; Orillia, 9.3; Owen Sound, 6.4;

Brantford, 6.3; Chatham, 6.1; Welland, 6 cent; Belleville, 5.9; Kingston, 5.8; Peterborough, 5.8; St. Catharines, 5.6; Sarnia, London, 4.9 and Windsor, 4.8. Mr. Speaker, these were at the end of December, 1969. I am sure that they have gone up considerably since then.

**Mr. I. Deans** (Wentworth): What do you plan to do?

**Hon. Mr. Randall:** Just a minute. Keep your mouth shut and listen.

**Mr. Deans:** Do not be nasty.

**Hon. Mr. Randall:** Mr. Trudeau has on record as saying that he does not care how unemployment goes to six or seven per cent.

**Mr. Nixon:** He did not say that.

**Hon. Mr. Randall:** And, believe me, that is exactly where it is going.

Interjections by hon. members.

**Hon. Mr. Randall:** He did say that. He said it was going to six or seven per cent and he said it is his inflationary programmes that are throwing these people out of work today.

**Mr. Nixon:** And you are going to sit back and make political hay out of things like that.

**Hon. Mr. Randall:** No, I am not.

**Mr. Nixon:** Certainly you are. It is typical of your attitude.

**Hon. Mr. Randall:** You are just not going to get this government to take on those kind of responsibilities.

Interjections by hon. members.

**Hon. Mr. Randall:** We are not going to take on those responsibilities for the federal government. We make no bones about it.

**Mr. Nixon:** What are you going to do? \$122 million we voted—

**Hon. Mr. Randall:** Sure for ODC, and for working.

**Mr. Nixon:** You are a disgrace to the Conservative Party.

**Hon. Mr. Randall:** It is working in every town we give it to, you know that.

Now let me ask you a question. Could you designate the city of London, Hamilton, Windsor or Toronto this afternoon, and announce any kind of a programme?

Interjections by hon. members.

**Hon. Mr. Randall:** We have got a programme. It worked until they put in that programme with the federal government; make no mistake about it.

Mr. Speaker, I was asked a question. I have had a hard job answering it. I can see I have lots of resistance because the opposition does not want the facts—that is exactly the way it is going.

**Mr. Nixon:** False and misleading.

**Hon. Mr. Randall:** No, it is not. You know that no practical government has sufficient money, nobody has any money to buck a federal programme at the present time in curbing inflation. And the federal government has gone on record. Let me remind you of something else.

**Mr. J. B. Trotter (Parkdale):** If you are so hopeless, why do you not resign?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Why do you not talk to your federal friends like that?

**Hon. Mr. Randall:** Talk to your federal friends. Take your problems up there.

**Hon. Mr. Stewart:** That is where the real problem is.

**Hon. Mr. Randall:** That is where the real problem is.

**Mr. M. Shulman (High Park):** Mr. Speaker, on a point of order, please keep some order. We are not getting anything done today with these fools.

**Hon. Mr. Randall:** That is right. Tell them to keep quiet.

Interjections by hon. members.

**Hon. Mr. Randall:** Mr. Speaker, I have read off some of these unemployment figures. I am sure my colleagues to the left can read off some of the welfare figures that are also climbing.

**Mr. Nixon:** They are very frightening figures.

**Hon. Mr. Randall:** They are climbing in these urban centres because of the anti-inflationary programme of the federal government. I do not say whether it is right or wrong but I say that Mr. Trudeau has gone on record as saying that if unemployment rises to six or seven per cent, he could not care less.

**Mr. Nixon:** Nonsense. He did not say that.

**Hon. Mr. Randall:** He said that before he went to Europe.

**Mr. Nixon:** You are wrong, absolutely wrong.

**Hon. Mr. Randall:** I am not.

**Mr. Speaker:** Order, order! The hon. member is now repeating himself; he has said the same thing a couple of times. Perhaps he would—

**Mr. Nixon:** He cannot think of any other else to say.

**Mr. Speaker:** Perhaps he would mention the answer to the question.

**Hon. Mr. Randall:** I have given the answer to the question, Mr. Speaker. What we want is Japanese prices and American wages and this is not going to work in this economy of Canada's. I suggest to you it is about time the federal government looked at what is causing unemployment today in every corner of Ontario. Do not expect the provincial government to come up with sufficient money to solve every problem in every town and every city; we just do not have that much of money.

The ODC programme under EIO is working and we have new companies going in every day of the week where they are designing. But if you think we can designate London and Toronto and Windsor, then you have more money than we have and you had better bring it forward, because we do not have those kinds of funds.

**Mr. Nixon:** A supplementary question so that we can have the minister's statement in a more orderly manner for the record. Is he saying to the House, then, with a budget of \$4 billion available for this administration?

**Mr. Speaker:** Order! The hon. leader is asking a question.

**Mr. Nixon:** Is he saying that with a budget of \$4 billion to this administration, \$122 million earmarked for his own responsibility as Minister of Trade and Development, there is nothing that this administration can do to alleviate unemployment in the province?

**Hon. Mr. Randall:** Surely you must be kidding? You have seen almost 200 industries come in here every year with the programme that we have in Trade and Development. We have seen what happened. We have seen the government creating 100,000 jobs a year in this province and the manufacturers. And the federal government now with their programme,

said, rightly or wrongly, are destroying those jobs.

**Hon. J. H. White (Minister of Revenue):** That is true.

**Mr. Nixon:** You are shirking your duty.

**Mr. Speaker:** The hon. member for Wentworth has a supplementary question?

**Mr. Deans:** Mr. Speaker, a supplementary question. May I ask the minister if, in the face of the crisis situation, there are no special programmes being undertaken?

**Hon. Mr. Randall:** Yes, we are continuing with our ODC programme, but there are no special sums being dumped into that to take on cities like Windsor, Hamilton, Toronto, London, some of the big centres. It just does not have that kind of money. I look at the companies that are closing down because there is a lack of funds for inventory, and, as I said in London the other day, nothing happens in this economy until somebody sells something.

**Mr. Nixon:** You are not helping them sell it.

**Hon. Mr. Randall:** And if I show you the companies that are closing down—they cannot sell their goods because they cannot finance inventory, and the retailers cannot finance it and the credit controls are going on—

**Mr. S. Lewis (Scarborough West):** And they are foreign-controlled.

**Hon. Mr. Randall:** I suggest to you—

Interjections by hon. members.

**Hon. Mr. Randall:** Now, just a minute—

**Mr. J. Renwick (Riverdale):** And you are giving them all the answers.

**Hon. Mr. Randall:** If you had all the answers, you would be over here and we would be over there. I have looked at your economy; you are so far out in left field you do not know whether you are coming or going. You are the guys who want to drive out foreign capital. You do not want industry over here.

We bring in an industry and you say it is American and you do not want it. We have programmes working, Mr. Speaker, and we have created in this province over 100,000 jobs a year. We are still working on those programmes, but how we can train 200,000 people as fast as they get thrown out of work, I do not know. I do not have the

answer to that one. That answer lies Ottawa with the monetary problem.

**Mr. Speaker:** The member for Scarborough East has a supplementary?

**Mr. T. Reid (Scarborough East):** A supplementary question. Is the unemployment rate of people in Ontario in the age bracket 14 to 19 at present 13 per cent as reported in the *Labour Gazette*?

**Hon. Mr. Randall:** You mean they are up to 19 years old?

**Mr. T. Reid:** Yes.

**Hon. Mr. Randall:** I would not know; I do not think so. I think the major number of people that I know of, that I am conversant with, are those in, I would say, the 20 to 24 age group.

**Mr. T. Reid:** Is the minister not aware of the teenage unemployment rate as defined by the Dominion Bureau of Statistics in this province is now 13 per cent?

**Hon. Mr. Randall:** It has climbed, you

**Mr. T. Reid:** Climbed to 13 per cent.

**Hon. Mr. Randall:** No, I have not seen those figures with me. I have not checked them, but I know that unemployment among teenagers is increasing under the present programmes of the federal government.

**Mr. Speaker:** The Leader of the Opposition now has the floor for a further question.

**Mr. Nixon:** A question of the Premier. Will he inform the House when he intends to see that the health committee and the committee on commissions are organized so they can begin the work of the legislative branch?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, the organization of these committees depends upon the work they wish to do.

**Mr. Nixon:** There is no committee. How can they organize?

**Hon. Mr. Robarts:** The committees have been appointed by this House.

**Mr. Nixon:** No.

**Hon. Mr. Robarts:** Of course they have.

**Mr. Trotter:** They have been appointed but not called.

**Hon. Mr. Robarts:** The committee on commissions?

**Mr. Nixon:** There is no chairman.



**Hon. Mr. Robarts:** I will see that they are called, then, and put into organization. But the committees have been formed and they exist in this House.

**Mr. Nixon:** Mr. Speaker, a supplementary question. Would the Premier not agree that, even though the list of committee members is contained in *Hansard* as a result of unanimous motion passed by all members of the House, they cannot function until a meeting is called by the leader of the government, or someone delegated on that side by him and a chairman is appointed?

Secondly, would he not agree that the committee on commissions should certainly be dealing with the Ontario Water Resources Commission so that we can get the information associated with the mercury pollution, as those people have offered to testify before suitable government sources, such as the research people of the University of Western Ontario? Would he not agree that it is time those committees got underway?

**Hon. Mr. Robarts:** Yes, I will be happy to do that.

**Mr. Nixon:** Good.

**Mr. Speaker:** Supplementary?

**Mr. Shulman:** Will the Premier also call the committee on health, specifically?

**Hon. Mr. Robarts:** I will see that it is organized.

**Mr. Nixon:** I have another question. Now that abortions may be obtained in the state of New York without any residency requirements, would it be the policy of this government to pay the hospital and medical costs, as would be presently required to be paid by our insurance programme, if our citizens have this operation in the state of New York?

**Hon. Mr. Robarts:** Mr. Speaker, I have no idea. I will take that as notice.

**Mr. Speaker:** Has the Leader of the Opposition completed his questions?

**Mr. Nixon:** Yes, that is it.

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

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Minister of Trade and Development. Why has the minister not replied to the telegram of March 12 or 13, addressed to him from the hon. Allan McEachen, about the co-operation of the federal government if the Ontario government would take the initiative

in instituting a feasibility study of the Dunlop plant on Queen Street in Toronto?

**Hon. Mr. Randall:** Mr. Speaker, the telegram was received and I have asked the people to look at it and work with the Department of Labour. As soon as they come up with their findings, I will reply to the telegram.

**Mr. J. Renwick:** Well, Mr. Speaker, by way of supplementary question. Is it not unusual that the minister, who is so aggressive in other fields, is so slow in answering a telegram addressed to him on March 12 or 13 about this important matter?

**Hon. Mr. Randall:** It is a very important matter, but I think you have to have something to answer the federal minister. You just cannot give him some fast conviction and brush him off, as the hon. member would do.

**Mr. Trotter:** The minister is an expert at that.

**Mr. J. Renwick:** Mr. Speaker, my question would be to the Minister of Trade and Development or the Prime Minister. I am going to ask this specific question of the Minister of Trade and Development.

In regard to the report in today's *Toronto Daily Star* that Mr. Etchen has said that the money has changed hands so far as the Dunlop company's rubber tire manufacturing operation at Centralia Park is concerned, having regard to the telegram sent by the Minister of Trade and Development to the president of local 132 of the United Rubber Workers at Dunlop in which he stated he had saved the bicycle tire manufacturing for the province of Ontario, will the minister tell the House exactly what financial or other assistance was provided to Dunlop and the expense of it was to his department to the company, or what is going to be recovered from the company?

**Hon. Mr. Randall:** I am delighted to answer that question, Mr. Speaker, and to tell the story in the right perspective. There are a lot of rumours and accusations going around and they are not quite true, as usual. In regard to the story on that Dunlop operation in Centralia, I will read you a report I have

Dunlop has two operations in Centralia: the Chemline division, which is basically tank lining operation, and the bicycle tire operation, which is the only one in Canada. We first started negotiating with Dunlop in regard to the Chemline operation in Au-

1967. At that time the Dunlop company was appraising all of its operations, and they came to the conclusion with regard to Chemline that this operation was unprofitable and that it would be phased out within a short period of time.

The availability of facilities at Centralia induced the company to reconsider its decision to close this operation out completely. They commenced operations in Centralia in February, 1968, and employ an average of between 25 and 30 people.

The bicycle tire division had also met severe competition from imports and Dunlop had already decided to close this operation down. It approached ODC in May, 1968, to see if space was available at Centralia to relocate the bicycle tire operation there. I would again emphasize that here, as in the case of the Chemline division, there was a choice between closing out these two unprofitable lines entirely or relocating them in one of Ontario's slow growth areas in Huron county. Employment in the bicycle tire division averaged 50 to 60.

It can thus be seen that ODC had a choice of either permitting between 80 and 90 jobs to be lost completely to Ontario, or to have these jobs in Centralia—one of Ontario's slow growth areas.

The company has no special privileges. First, it pays the same rent—50 cents per square foot—as all other industries in the park. Second, it pays the same steam rates, hydro rates, water rates and local taxes as the other industrial tenants. And third, the company made inquiries about an EIO loan and was told that it did not qualify because it was not putting up new buildings and was installing used equipment. Neither did it receive a conventional loan.

Four, the hangars at Centralia were built for military purposes. In order to enable them to be used for industrial purposes, certain structural and other alterations had to be made, otherwise these buildings were not suitable for industry. For example, power had to be brought into the hangars, steam lines rerouted and ramps for trucks built. For each company we did whatever was necessary to put the building into reasonable order for industrial purposes. It should be noted that ODC gets the benefit of these structural alterations, because they are the property of ODC and are only leased to the companies. Therefore any improvements to the buildings, either paid for by ODC or by the companies, are of benefit to ODC.

And, fifth, when Dunlop approached with regard to the bicycle operation, the cost of relocating power and steam lines and other alterations for both the Chemline building and the bicycle tire plant building could not be accurately estimated. For example, at the time we had not put certain meters in the existing Chemline building. In order to cover these eventualities, we came to an agreement with the company that we would bear the cost of such changes for both of these hangars up to a maximum of \$50,000. It was clearly understood that if the cost fell below that figure, then they would pay the actual cost.

I would say, Mr. Speaker, that it should be noted that the figures of \$50,000 for the hangars for Dunlop compares with an additional outlay of \$80,000 on two hangars for the Lamp, to bring these up to acceptable industrial standards. A comparable cost for a hangar which the Damon Company is occupying is \$30,000. And since Dunlop went to Centralia, the labour rates have improved substantially; in the past two years, they have gone up an average of 25 per cent.

So, answering your question, there was a special inducement given to Dunlop. These businesses were going to be closed for Ontario, and we felt in this way we could keep them by relocating them in the converted hangars at Centralia. I think the bicycle business is here today because of the fact that Centralia was available.

**Mr. J. Renwick:** Mr. Speaker, by way of supplementary question. What is the term of the lease of the Dunlop company at Centralia plant?

**Hon. Mr. Randall:** Five years.

**Mr. J. Renwick:** Five years' lease. Is it a renewable lease?

**Hon. Mr. Randall:** Yes, it will be a renewable lease.

**Mr. J. Renwick:** Mr. Speaker, I have a further question of the Minister of Trade and Development.

Is the minister aware of the impending shutdown of the sheet glass manufacturing operation at the Pilkington Brothers (Canada) Limited plant in Scarborough, and if so, what knowledge does he have of it, and where that operation to be relocated, if it is known to him, or where is the market to be found within the province?

**Hon. Mr. Randall:** Mr. Speaker, I do not have any details with me on that. I am

my people would know about it. I will get the information to the hon. member.

**Mr. B. Newman** (Windsor-Walkerville): Moving into Windsor.

**Mr. J. Renwick:** Mr. Speaker, if I may ask by way of a supplementary question, again about the sheet glass manufacturing operation.

**Mr. Speaker:** Unless it has to do with elaborating the answer the minister is going to produce, there could not be a supplementary to a question not answered.

**Mr. J. Renwick:** As a further question then. Is the minister familiar with, or has he any knowledge of, the details of the impending shutdown or proposed shutdown of the sheet glass manufacturing operation of Duplate (Canada) Limited at Oakville?

**Hon. Mr. Randall:** No, I have not at the present time. Yes, I have some information here on Duplate, if that was Oakville; I did not have a chance to read it.

On April 10, 1970, this company announced the closing of its Oakville, Ontario plant. The company's plants are located close to its automobile company customers in Windsor, Oakville, Oshawa and Hawkesbury. For some years, Oakville has been kept operating on a breakeven basis, but with the current overall capacity of the plants and business volume as it is now, it has become uneconomical to continue to operate in Oakville. The business currently handled by Oakville will be transferred to Windsor.

Eighty-five hourly rated and 17 salaried employees are affected. Jobs at the Windsor plant will be offered to about 50 per cent of the above total. Operations will be continued at Oakville until about the end of June. The company is collaborating with Manpower to try to place the employees who will not be transferred. There are a few long-service employees; seniority in general is about four to five years.

The other one I have not got information on as yet.

**Mr. J. Renwick:** Mr. Speaker, a question of the Minister of Trade and Development in connection with the glass industry in the province of Ontario and the control of that industry by Pilkington Brothers (Canada) Limited, Pittsburgh Plate Glass Company, and by Duplate (Canada) Limited through shareholdings.

Would the minister look into the so-rationalization of the sheet glass manufacturing operations of those companies in the province of Ontario and the places where they are being relocated, and make a statement to the House about what is happening to that industry and its impact on employees in those plants, as soon as possible?

**Hon. Mr. Randall:** I will take the question as notice, Mr. Speaker.

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

**Mr. B. Newman:** I have a question of the Minister of Labour. May I ask the minister what provision his department is making to have publications, especially regulations of The Department of Labour printed in French so that in those areas in the province that are now designated as bilingual those wishing to write the exam in French may have the benefit of the regulations printed in French? As it is now, they are not allowed to write the exam in French.

**Hon. D. Bales** (Minister of Labour): Mr. Speaker, our regulations are not printed in French at the present time. I have had them under consideration, but there has been no decision made as yet. We are using interpreters in a variety of languages, in various branches, particularly in industrial training.

**Mr. B. Newman:** In my question of the minister, I made mention that the regulations were not printed in French and I asked for a decision—

**Mr. Speaker:** The minister has replied. The member for Port Arthur.

**Mr. R. H. Knight** (Port Arthur): Mr. Speaker, I have a question of the Minister. In view of the impending general election in the province of Quebec this year and the apparent growing support for independence in that province, I wonder if the Prime Minister could table some report on the programmes implemented in 1968 to accommodate persons of French language in this province? And, should the election go in favour of the Parti Quebecois, would the province of Ontario be prepared to accommodate a large influx of new residents from the province of Quebec?

**Hon. Mr. Robarts:** Mr. Speaker, the question that the member mentioned are present

the process of implementation. It is not the intention of this government to interfere in any way in the election in the province of Quebec.

**Mr. Knight:** A supplementary, Mr. Speaker. I wonder if the Prime Minister could explain why around this building there appears to be a wane in the interest in the French language, and whether the Prime Minister agrees that there seem to be fewer guides and persons who are able to accommodate persons speaking the French language in this building? Would the Prime Minister indicate whether he agrees with that?

**Hon. Mr. Robarts:** I am not aware of any lessening; we function as we always have. Where there is a need we provide for it, and I am not aware that there is any lessening of interest or any reduction of personnel.

**Mr. Knight:** Could I, by way of supplementary, Mr. Speaker, ask the Prime Minister whether he would give the House a report on—

**Mr. Speaker:** The hon. member has already asked that question.

**Mr. Knight:** No, this is another question, Mr. Speaker—

**Mr. Speaker:** The question, then, is not supplementary.

**Mr. Knight:** It is a supplementary question, sir. I wanted to ask the Prime Minister whether he would file a report to this House on how many persons there are in the service of this building, in the civil service, who can accommodate people in the French language? I am referring to guides, officers and so forth.

**Hon. Mr. Robarts:** I believe we have tabled this information before, Mr. Speaker. I will refer the question to the Minister of Public Works (Mr. Simonett) and other departments under whose control these people come. There is no problem in that if you put a question on the order paper we will answer it as to exactly who among the staff are bilingual.

**Mr. Speaker:** The Minister of Health has the reply to a question asked by the member for High Park.

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, last week the member for High Park asked me about a statement which appeared in a March issue of *Medical Economics*. It was part of a symposium called

"When You're Asked for an Abortion." That was a composite article made up of a symposium discussion by various doctors, and I quoted a Dr. Hackett as saying, and I quote from the article: "Yes, or to Planned Parenthood, which then refers her to Japan, England or Ontario." I have talked with Dr. Hackett. He cannot recall ever using Ontario in the context with Japan or England. He certainly realizes and agrees that there is no comparison, and he is at a loss to know why this is in the article and he is going to take it up with *Medical Economics*.

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

**Mr. Trotter:** A question of the Minister of Labour. I wonder if the Minister of Labour would be taking any action to amend the Ontario Human Rights Code so that employees would not be subject to lie detector tests by employers.

**Hon. Mr. Bales:** That really does not, Mr. Speaker, come within the ambit of the code itself; I think it comes within another branch of the law.

**Mr. Trotter:** By way of a supplementary question. Would the minister not take action no matter what branch of the law it comes under, it is under his department—to protect employees from employers in giving lie detector tests?

**Hon. Mr. Bales:** I think the question arises from a story that was in the paper about a week ago, involving one situation. But there are certain cases, I think, where employers have to be very careful as to the type of employee they are engaging, particularly if they are dealing with matters involving securities and so on. I think it should be very closely restricted, but I do not think it belongs in the human rights code.

**Mr. Lewis:** Oh, shame.

**Mr. Trotter:** By way of a supplementary question. Do I understand the minister to be in favour of employers giving employees lie detector tests?

**Hon. Mr. Bales:** No. I did not say that at all.

**Mr. Trotter:** It sounded like it.

**Hon. Mr. Bales:** I said it depended on certain situations, but I did not say I was in favour of it.

**Mr. Trotter:** Could the minister give us an idea?

**Mr. Lewis:** By way of a supplementary, Mr. Speaker. Would the minister care to tell us which situations require lie detector tests for purposes of employment?

**Mr. Speaker:** That is not a proper supplementary question.

**Mr. Lewis:** Well, it flows directly from his answer on the same subject.

**Mr. Speaker:** That is not a supplementary question; it is a hypothetical question. If the minister wishes to answer it, he may, but it is not a proper question.

**Mr. Lewis:** On a point of order, Mr. Speaker. It flows directly from the minister's reply; there is nothing hypothetical about it. I am asking him which situations he refers to in his reply. I do not think that is abusing the question period.

**Mr. Speaker:** Well, Mr. Speaker thinks otherwise, but if the minister wishes to answer, it is quite all right with Mr. Speaker.

**Mr. Trotter:** He has chickened out.

**Mr. Speaker:** The member for Middlesex South.

**Mr. K. C. Bolton (Middlesex South):** A question of the Minister of Transport.

Did he receive a letter said to be written by a police officer from the Komoka district on March 22, with reference to a car driving at excessive speeds for about 14 months or so, in which he was asked to lift the licence belonging to this car? Subsequent to this report, no reply was received by April 4, and on that day three persons in that car were killed, subsequent to a police chase. I wonder if he has any comment to offer on this letter, reportedly written to him on March 22?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, I have no recollection of the letter referred to by the hon. member, but I shall inquire into it, especially in view of the happening that he has just related.

**Mr. Speaker:** The minister then will take that as notice. The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** A question of the Minister of Agriculture and Food.

With the Ontario Broiler Chicken Marketing Board having announced drastic increases in quotas of chicken broilers in the next few months and with the thought of pushing the prices down so that they are competitive with Quebec birds coming into Ontario, is the

Ontario government planning any reimbursement or subsidy for farmers who undoubtedly will lose money selling their birds at around 18 cents per pound to compete with Quebec?

**Hon. Mr. Stewart:** Mr. Speaker, the member has referred to a situation and I have taken for granted that what will happen is what he has related it. No one has any idea whether that will happen or not. Any action that is being taken or contemplated is being taken by the Ontario Broiler Chicken Marketing Board is done in what they believe to be in the producers' best interests, and we have to leave it at that.

**Mr. Good:** Mr. Speaker, on a point of order. This is not a hypothetical case. Mr. Jansen has said, "we will sell the birds."

**Mr. Speaker:** Where is the point of order?

**Mr. Good:** The point is this: the minister has said that what I am asking is an assumption question.

**Mr. Speaker:** That is not a point of order. The minister is quite entitled to answer the question as he wishes.

**Mr. Good:** By way of a supplementary question then. Has the minister in this regard had any meetings with his counterpart in the province of Quebec, since Quebec does not wish to enter any type of federal marketing board? Has he met with them to discuss the possibility of voluntary quotas of importation of birds from Quebec into Ontario?

**Hon. Mr. Stewart:** Oh yes, Mr. Speaker. There have been meetings going back over a period of years with the province of Quebec both at the ministerial level and at the administrative level between the marketing boards, concerning the broiler problem. A satisfactory arrangement has been evolved between the two. I am hopeful that, with the new legislation that has been introduced, the federal government providing a national or regional marketing plan for various cultural food products in Canada, the Ontario broiler producers may see fit to work with the Ontario broiler producers in establishing some type of workable supply management geared to the market demands.

**Mr. Good:** Mr. Speaker, one further supplementary to wind up, related to the minister's answer to the first part of my question. Does he not agree with Mr. Jansen, the secretary-manager of the marketing board, when he announced that they are going to increase the quota by 20 per cent and that the

sell the birds regardless of what the price drops to? Does he not agree with him on that?

**Hon. Mr. Stewart:** I have no comment to make on it, because I have not seen the article on it, Mr. Speaker.

**Mr. Good:** Well, you should read a few things about what is going on.

**Mr. Speaker:** Order! Order! Order, please. The member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** My question is of the Minister of Labour, Mr. Speaker. Has the minister's department yet completed its survey regarding the impact of the last increase in the minimum wage, as he promised in the House it was doing? And in view of the fact that the "have not" province of Manitoba has increased their minimum wage by 15 cents per hour, is the minister contemplating a similar increase or something better for the prosperous province of Ontario?

**Hon. Mr. Bales:** Mr. Speaker, the reports are being finalized now, and they will be ready for consideration by my department and the government shortly.

**Mr. Speaker:** The Minister of Lands and Forests has a reply to a question asked by the Leader of the Opposition.

**Hon. Mr. Brunelle:** Yes, on Friday, Mr. Speaker, the Leader of the Opposition asked me whether we had consulted with the Attorney General (Mr. Wishart) about using the forensic laboratory for mercury sampling of fish. I am informed, Mr. Speaker, that The Department of Justice laboratory has neutron activation equipment which could be used in conjunction with the reactor at McMaster University to measure mercury in tissue. They have no experience, however, and would necessarily have a very slow production of results at first.

The first tests of fish done for us in Toronto have been done at the University of Toronto. At the present time, the tests are being done at the federal fisheries laboratory in Winnipeg. We have a laboratory at Wheatley and we have offered our services to the federal government. In addition, Mr. Speaker, as I mentioned on Friday, I have confirmed that the OWRC is presently sampling about 20 fish per day and they hope to double this capacity in the very near future.

**Mr. Nixon:** May I ask a supplementary question? Has the minister any results of the tests that have been accomplished during the

last week—particularly those undertaken fish obtained from other sources?

**Hon. Mr. Brunelle:** The information that I have received on the sampling, as I just mentioned, Mr. Speaker, is being intensified and is going on continually. I am pleased to inform you that the information we have received so far indicates a lower average mercury level than at first was indicated. I hope to have, in the very near future, more definite information on the sampling that has been going on during the past week or so.

**Mr. Nixon:** Is there any possibility that you will use the facilities of the forensic center? Or do you feel that there is no sense upgrading them, or at least getting them going for this mercury testing when you have other facilities?

**Hon. Mr. Brunelle:** I believe, Mr. Speaker, the fact that we have offered our facilities at Wheatley which, of course, is right in the area where the majority of the fish are being caught for the federal authorities, and the fact that OWRC are now doing 20 per cent and hope to be doing 40 in the very near future—these facilities, with the amount of personnel, who have to be highly experienced in this field, are sufficient for our purposes.

**Mr. Nixon:** Can you do mercury analysis at Wheatley? The neutron bombardment analysis?

**Hon. Mr. Brunelle:** As I just said, Mr. Speaker, the equipment would have to be obtained from Winnipeg. We have been offered some of the equipment from Winnipeg in conjunction with the equipment we have at Wheatley.

**Mr. Nixon:** I see. I did not understand.

**Mr. Speaker:** Has the member for Scarborough a supplementary? The member for Scarborough East has the floor then.

**Mr. R. F. Ruston (Essex-Kent):** Supplementary.

**Mr. Speaker:** Sorry; supplementary, member for Essex-Kent.

**Mr. Ruston:** Mr. Speaker, supplementary to the Minister of Lands and Forests on his report that, with regard to the fish, are the tests including the ones taken out of Lake Erie. This is the report that he said he did not think was as bad as originally thought? These from Lake Erie or other lakes?

**Hon. Mr. Brunelle:** These favourable reports that we are receiving are mainly from Lake Erie.

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

**Mr. T. Reid:** A question of the Minister of Labour. How many of the 0.25 million young people from 14 to 19 years of age, who are listed in the *Labour Gazette* of March, 1970, as being in the labour force, are today unemployed? Does this represent an unemployment rate of over 13 per cent?

**Hon. Mr. Bales:** Mr. Speaker, the last figures I have for unemployment generally were for the month of February, which came out in the middle of March. It is my recollection that at that time the figures for that age group were just over 10 per cent, not 13 per cent—is the figure given to me in reference to Ontario.

**Mr. T. Reid:** Were these figures for all of Canada or for Ontario?

**Hon. Mr. Bales:** For Ontario, not for Canada.

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** A question of the Minister of Health, Mr. Speaker. What action has the minister taken in the case of the 17-year-old unemployed lad, Sylvester Yonan, who was sent to the Ontario Hospital, Kingston, by the courts and subsequently was billed for \$2,600 by the minister's department? This is the case referred to by the member for Renfrew South (Mr. Yakabuski) some 11 weeks ago.

**Hon. Mr. Wells:** Mr. Speaker, I do not have any answer to that. I would have to take it as notice and check out the accuracy of the hon. member's facts. They are very often in doubt so—

**Mr. J. Renwick:** Withdraw!

**Mr. Shulman:** Withdraw!

**Hon. Mr. Wells:** In fact most of the hon. members—

**Hon. Mr. White:** It goes without saying.

**Mr. Speaker:** The Leader of the Opposition.

**Mr. Nixon:** I wonder if the Minister of Health could answer the question I put to the Premier a bit earlier. Would OHSIP pay the expenses of a person who is covered under

our OHSIP insurance for an abortion would be possible in the state of New York under their new legislation, which does not require a residency clause?

**Hon. Mr. Wells:** Mr. Speaker, this question is presently being considered by our department's legal staff and by various groups in order to formulate an answer. I cannot tell the hon. member what the answer will be at this time, but we will have it in due course.

**Mr. Speaker:** The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, I have a question of the Minister of Social and Family Services. Has the minister received a copy of the letter, or rather the original, that was sent to him by the Minister of Ontario Indians objecting to the manner in which welfare cheques are being sent to the outlets rather than to the individual? If not, what action does he intend to take? Are welfare cheques are being sent to retail outlets instead of directly to the recipient.

**Hon. Mr. Yaremko:** Mr. Speaker, the question has not yet been brought to my attention. I will check into the matter and take the appropriate action as notice.

**Mr. Speaker:** The hon. member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, a question of the Minister of Health. What are the results so far of the research into the danger of mercury pollution with regard to the poisoning of human beings? Is the research that this department has been carrying out? I understand this department has a programme investigating the potential danger of mercury poisoning of human beings in this province.

**Hon. Mr. Wells:** Mr. Speaker, we have not yet results from the testing of the population which began last week in the areas of Lake St. Clair and Windsor; but we will have it within two or three weeks.

**Mr. Shulman:** A supplementary question, Mr. Speaker, of this minister. In view of the findings which have been forwarded to him from doctors at the University of Western Ontario and the University of Guelph, has he begun a special programme of studying mentally ill to see if their findings correlate with those in the mental hospitals?

**Hon. Mr. Wells:** What is the hon. member relating this to?

**Mr. Shulman:** I am relating this to the studies by Dr. Karsted and Dr. Holsworth at the University of Guelph and the University of Western Ontario, who discovered in their post mortems that certain damage to myelin was occurring in the brains of animals as a result of taking in mercury. As a result of this, I am asking if the minister's department has begun any studies or is doing any post mortems on deaths occurring in mental hospitals to take advantage of this study and to determine if this is happening in human beings.

**Hon. Mr. Wells:** I do not know whether we have begun this, Mr. Speaker; but certainly if this paper has arrived, as the hon. member said, this will be considered. If it is thought necessary to do so, this will be done.

**Mr. Shulman:** A supplementary, sir. Inasmuch as this paper was published and was in the press some weeks ago, would the minister get cracking please?

**Mr. Speaker:** That is not a proper supplementary.

The member for Yorkview.

**Hon. Mr. Wells:** Other material raised by the member was in the press too and it was not accurate.

**Mr. F. Young (Yorkview):** Mr. Speaker, I have a question of the hon. Minister of Transport. In view of the fact that large numbers of passenger car tires made by B. F. Goodrich Company in the United States were recalled last Wednesday because they failed to pass endurance or strength tests required by federal motor vehicle safety standards, have tires been made in Canada to these same specifications, and if so have they been recalled here?

**Hon. Mr. Haskett:** Mr. Speaker, I am not able to answer the first part of the hon. member's question as to whether such tires have been made and if there has been identification of them and if they have been recalled. I would have to inquire; if I can find out for the hon. member I will inform him.

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

**Mr. R. S. Smith (Nipissing):** Mr. Speaker, I have a question of the Minister of Social and Family Services. Can the minister assure us that the rate increases he announced last week for general welfare recipients will be

applicable in all the municipal jurisdictions across the province from May 1?

**Hon. Mr. Yaremko:** Mr. Speaker, as I announced, the regulations are effective as of the first day of May. Of course the obligation under The General Welfare Assistance Act is upon the municipalities and relevant authorities to make that assistance available.

**Mr. R. S. Smith:** A supplementary, Mr. Speaker: Will he attempt to contact all municipalities and ask them to do this; or will he go on for a year or two years, as it did the last increase, before people in some areas of the province will receive the increase? It becomes discriminatory, because people in some areas receive it and others do not.

**Mr. Speaker:** Order! The hon. member asked his question.

**Hon. Mr. Yaremko:** Mr. Speaker, the machinery went into action as I was making my statement in the Legislature. The department was already moving to notify and contact the municipalities with respect to their obligations.

**Mr. Ruston:** A supplementary, Mr. Speaker: Is the minister aware that a number of municipalities have already had their budgets for this year and they may not have the funds available?

**Hon. Mr. Yaremko:** Mr. Speaker, that is one of the difficult aspects of bringing regulations of this kind into effect where there is a partnership involved, but we are hopeful that all municipalities across the province will be able to meet their relatively small share.

**Mr. T. Reid:** A supplementary question, Mr. Speaker: Are there any penalties imposed by the minister's department or some other department if a particular municipality does not make increased grants, as was stated by the minister in this House? Are there any penalties?

**Hon. Mr. Yaremko:** There are no penalties, Mr. Speaker, but the department has the authority under the Act to take action with respect to any recipient who is not getting what he is entitled to.

**Mr. T. Reid:** A supplementary. Will the minister take such action to ensure that people who are eligible in this province do receive increases, if any municipality does not make that increase available?

**Hon. Mr. Yaremko:** Mr. Speaker, if an instance is brought to my attention of course we will look into it and check into the matter.



**Mr. T. Reid:** Check into it or do something?

**Mr. Speaker:** Order! The member for Wentworth.

**Mr. Deans:** Mr. Speaker, I would like to ask the hon. Prime Minister a question in regard to the unemployment picture in the province of Ontario in relation to the questions that I asked last week and the week before. To the statement made today by the Minister of Trade and Development that the government does not see any way it could be influential or of assistance to the unemployed in the major metropolitan areas—is this a government policy?

**Hon. Mr. Robarts:** Mr. Speaker, that is a complete misinterpretation of what the minister said.

**Mr. Deans:** It is not!

**Hon. Mr. Robarts:** The minister said that he—

**Mr. Nixon:** That is what it sounded like. It sounded just like that.

**Hon. Mr. Robarts:** Well I do not care what it sounded like to the Leader of the Opposition. I heard it, and what he said was that the EIO programme is not applicable in the larger centres of the province.

I think it is quite obvious that the EIO programme was not developed by this government as a cure for unemployment. It was developed to encourage the establishment of industry in certain areas of the province where industry would not establish without some incentive. The minister simply said that if the purpose of this programme is to be changed so that it is to be used as a means of curing unemployment or relieving unemployment when that unemployment is being brought on by policies of the federal government—

**Mr. Nixon:** That is pure nonsense!

**Hon. Mr. Robarts:** —we simply do not have enough funds here to extend it to every centre. That does not mean this government will not have policies and does not have policies which affect unemployment, because it does. But I do not think it is feasible that we should alter the intent of the EIO programme from what it was set up to do in order that it could be used as a means of combatting unemployment.

Indirectly it does of course, because it creates jobs all over the province. It may not

necessarily create them in the area of gross unemployment; I think that is what the minister said, and it is a very logical policy for this government to have.

**Mr. Deans:** Well if I may, by way of supplementary question I would ask the Minister if he would be kind enough to check the record and make sure that what he has said is indeed what the minister says; because my recollection of it, sir, is that he did state categorically there was no particular programme underway at this time and that the government could not see any way to combat unemployment in the metropolitan area.

**Hon. Mr. Robarts:** Mr. Speaker, I think it is quite obvious that this government is in a position to start pumping public money to entice industry into areas where unemployment is created by policies put into effect by another level of government.

**Mr. Nixon:** That is pure nonsense. We have been doing this since the House started.

**An hon. member:** It is not pure nonsense.

**Hon. Mr. Robarts:** It is only nonsense, the eternal apologists for your friend Mr. Nixon in Ottawa. Come on, get with it. Come and do something for Ontario—

**Mr. Nixon:** All you do is open schools.

**Mr. Speaker:** Order.

**Hon. Mr. Robarts:** We have got all sorts of programmes in this province. We have consistently maintained in this province the lowest level of unemployment of any province in Canada over a long period of time. That has been done—

**Mr. Nixon:** But when things go bad, it is somebody else's fault.

**Hon. Mr. Robarts:** All those programmes are still continuing, but there is an element that has been put into this situation and if you are not bright enough to see it, we are.

**Mr. Nixon:** Well, that is political letter mail.

Interjections by hon. members.

**Mr. Nixon:** Of course, you are both right and wrong at the same time.

**Hon. Mr. Robarts:** As far as our programmes of retraining and all the programmes that are carried out by The Department

Education and by The Department of Labour in conjunction with Manpower training are concerned, certainly all these programmes are going on and will continue and will be intensified. And our endeavours to get secondary industry to come into this province and establish here will be continued, because we think that secondary industry is where the jobs are; that is why we have concentrated on the establishment of secondary industry in this province in all the time that I have occupied this seat in this House. But I do not think anybody can logically expect us to take the EIO programme and shift it from its original intent—

Mr. Lewis: We do not say that.

Hon. Mr. Robarts: —and turn it into a programme to combat unemployment.

Mr. Nixon: We expect something more than just sitting back and saying someone else is responsible.

Mr. Speaker: I do not think that we need any further supplementaries. This matter has been discussed with both the Minister of Trade and Development and the Prime Minister.

Mr. Deans: Mr. Speaker, you are becoming very arbitrary.

Mr. Speaker: The member for Kent.

Mr. J. P. Spence (Kent): Mr. Speaker, I would like to—

Mr. Speaker: There are many members who need and require an opportunity to ask questions and unless we give them an opportunity then I do not think that Mr. Speaker is doing right by the ordinary, individual member. The member for Kent.

Mr. Spence: Mr. Speaker, I have a question to ask of the Minister of Agriculture and Food. Does the Minister intend to take any action on those involved in payola in the fruit and vegetable industry in the province?

Hon. Mr. Stewart: This has been referred, and was referred at the time the report was received, to The Department of the Attorney General for his review of the matter. We have not as yet heard any report on it.

Mr. Spence: A supplementary, Mr. Speaker. Is the minister aware that the Attorney General or the Minister of Justice intends to take any action in this regard?

Hon. Mr. Stewart: I was not aware that at the moment.

Mr. Speaker: The member for Scarborough West.

Mr. Lewis: I have a question of Premier, Mr. Speaker. Is it true that the government is sufficiently concerned about performance of the Ontario Water Resources Commission that this spring it intends to downgrade the status of that commission to another branch of The Department of Energy and Resources Management?

Hon. Mr. Robarts: There is no such intention in the government.

Mr. Lewis: By way of supplementary. Will the Ontario Water Resources Commission then, remain a continuing autonomous entity through the months of May and June?

Hon. Mr. Robarts: Yes.

Mr. Speaker: The member for Waterford North.

Mr. Good: I have a question of the Minister of Agriculture and Food. Do meat inspection regulations in the province of Ontario permit the use of carcasses of animals for human consumption from which tumours such as cancer eye have been removed?

Hon. Mr. Stewart: Mr. Speaker, I am afraid that I did not catch the meaning of the question. Would the hon. member ask again?

Mr. Speaker: Would the member ask again so that the minister can get his meaning?

Mr. Good: Do meat inspection regulations in the province of Ontario permit the use of human consumption, of carcasses of animals from which tumours, such as cancer eye have been removed at the time of slaughter?

Hon. Mr. Stewart: Cancer eye, did you say?

Mr. Good: Yes, or any tumour.

Hon. Mr. Stewart: I should think that would all depend on the type of tumour. I do not think that there is a categorical answer one way or the other. Certainly, if any animal has any type of tumour or any other ailment that would adversely affect the meat of the carcass, the whole carcass is sent to the tank; it is discarded. But, if the part of the carcass to which the tumour may

attached or which it affects can be satisfactorily removed, leaving the balance of the carcass fit for edible consumption, then I should think that that part of the carcass could be available for human consumption. But it is entirely based on what the veterinarian inspector determines is right in protecting the interests of the consuming public.

**Mr. Good:** Would the minister look into the matter further and see if we have a comparable situation to the one in the United States, where I understand 130,000 such animals have been used this past year and now there is some concern regarding it? I am wondering if he would look into the matter here in Ontario.

**Hon. Mr. Stewart:** We did look into a matter similar to this, which I checked with our meat inspection branch people. I think the member is referring to an article that may have appeared in the press some time ago, and certainly we did check into that. This is the report that I got, because I was concerned about this at the time. As the member knows, there is a very rigorous inspection service provided for meat for human consumption at the federal level; we have adopted the same standards of sanitation and health requirements at the provincial level. So, the consuming public in Ontario can be assured that there is absolutely no danger whatever, as far as eating any meat products produced in this country is concerned.

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

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, a question of the Minister of Social and Family Services. Would the minister consider providing legislation that would make it mandatory that women be appointed to boards of governors of various homes for the aged?

**Hon. Mr. Yaremko:** Mr. Speaker, I know of no rule that prevents women from being appointed; in fact, I believe that women are serving on these boards. I certainly am in complete approval of women serving on these boards. They have a great role to play.

**Mr. Makarchuk:** By way of supplementary question. Is the minister aware that there are homes where there are no women serving on the board of governors?

**Hon. Mr. Yaremko:** There are such homes, but there is no action on the part of this government that permits or prevents women from serving on the board.

**Mr. Speaker:** The member for O... Was he on his feet?

**Mr. G. W. Innes (Oxford):** A question of the Minister of Agriculture and Food. In view of the temporary restraining order against the use of the pesticide methoxychlor in Washtenaw County, Michigan, for the reason that it presents great danger to life, is this department giving any consideration to investigating further?

**Hon. Mr. Stewart:** I will take that question as notice, Mr. Speaker.

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

**Mrs. M. Renwick (Scarborough Centre):** A question of the Minister of Social and Family Services.

What does the department intend to do about the proposed cutbacks from the Metro welfare department in the area of special services, assistance for drugs, eyeglasses, dentures, and so on? A two-part question, Mr. Minister. In the light of the fact that they are now spending \$3,500 that they have only \$3,500 left of their \$70,000 budget, would this government consider taking some financial responsibility in the area of special services, rather than let it continue to be supported 50 per cent by the federal government and 50 per cent by the Metro body?

**Hon. Mr. Yaremko:** Mr. Speaker, the Metro social services department has been in continuous touch with the Metro welfare department, and we are pleased to say—it is no longer the Metro welfare department, it is the social services department—and we are aware of the fact that they are having some financial problems in this field. Metro has been very generous in the past and has participated very fully in the programme, and we will be in touch with them to see how their programme is affected. However, I cannot give the member or the members of this House, Mr. Speaker, any assurance that budgetary decisions can be made during this coming year for greater participation in special assistance. There are areas of need which have a greater priority across the province than this, but the matter of special assistance is No. 1 priority when we are able to expand our programme.

**Mr. Trotter:** A supplementary question, Mr. Speaker. Would the minister be able to list those priorities so that the opposition might understand why such priorities are made and how the minister interpreted them?

**Hon. Mr. Yaremko:** Mr. Speaker, those priorities are enunciated by the actions and the policies of the government and the department from time to time.

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

**Mr. T. Reid:** I have a question of the Minister of Social and Family Services. Will the minister guarantee to the members of this House that all the people whom he stated would receive an increase in their benefits will, in fact, receive those increases even if a particular municipality, or municipalities, in this province does not implement them on May 1; even though this might mean that his department must pay 100 per cent of those increases in order for the minister's word to be kept?

**Hon. Mr. Yaremko:** It is an extremely hypothetical and wandering question. The legislation is on the books. The regulations have been passed and every authority is subject to the rule of law in this province. Whatever action has to be taken when the problem arises will be taken.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Health. Has the minister yet received the report on the investigation concerning DDT in humans in the Norfolk area?

**Hon. Mr. Wells:** Mr. Speaker, I have not seen the report. I am not not sure whether it has been received by the department. I have not seen it myself.

**Mr. Speaker:** Hamilton East.

**Mr. Gisborn:** A question of the Minister of Health. What progress has taken place in the mind of the minister in regard to the extension of the Ontario Hospital Insurance payments to all nursing homes in the province?

**Hon. Mr. Wells:** Mr. Speaker, as I have indicated in the House several times, this is under study by our department and by several very hard-working committees. In due course, we will tell you what is going to happen in that area.

**Mr. Speaker:** This completes the oral question period.

Petitions.

Presenting reports.

**Hon. Mr. Stewart:** Mr. Speaker, with your permission, I beg leave to table a study of the Ontario onion industry with special reference to marketing. The study was done at the request of the Ontario Onion Production Marketing Board following the vote which had been held in 1969, and which recommended that the Ontario onion marketing plan in existence at that time should not be continued.

Mr. E. F. Marritt, vice-chairman of the Ontario Food Council, was asked to conduct a study. Mr. Marritt had just returned from the United Kingdom where, as our trade development officer with The Ontario Department of Agriculture and Food at Ottawa House, he was instrumental in expanding export of Ontario onions to the United Kingdom market. In his position as vice-chairman of the Ontario Food Council at the time the study was done, he had ready access to information concerning producer and processor relationships. We have taken full liberty, Mr. Speaker, of forwarding copies of the report to the Prime Minister, the leader of the Opposition and the leader of the New Democratic Party (Mr. MacDonald), as well as to all members of the Legislature in whose constituency onions are grown commercially. However, anyone wishing a copy of this report should get in touch with the Ontario Food Council and they would be more than pleased to provide it.

**Mr. Speaker:** Motions.

Introduction of bills.

#### THE ONTARIO WATER RESOURCES COMMISSION ACT

Mr. T. P. Reid moves first reading of the bill intitled, An Act to amend The Ontario Water Resources Commission Act.

Motion agreed to; first reading of the bill.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, this amendment increases the penalty for polluting water in an area designated by the commission as a public source of water supply. It will increase the maximum fine to \$5,000 per day after the order is given.

**Mr. Lewis:** \$5,000 per day? That is a good start.

**Mr. Shulman:** Mr. Speaker, before the orders of the day, I wish to draw to the attention of the House that yesterday was the 30th anniversary of the massacre of thousands of Polish officers and intelligentsia

the NKVD. The Polish community of this city joined together yesterday with many other ethnic organizations and members of this House from all three parties to sponsor a request that the federal government raise this matter in the United Nations, which body has received, but not yet examined, the report on the matter. Sir, I request through you that this House should show our sympathy with the Polish people by giving our endorsement to the resolution.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 13th order, House in committee of supply; Mr. A. E. Reuter in the chair.

## ESTIMATES, DEPARTMENT OF TRANSPORT (continued)

On vote 2301:

**Mr. Chairman:** Are there any speakers on vote 2301 or was it completed? I understand 2301 was before the House.

**Mr. F. Young (Yorkview):** On 2301, Mr. Chairman. Some time ago an interprovincial council of ministers was formed to establish uniformity where it is desired in respect to matters pertaining to The Department of Transport. I wonder if the minister could tell us what progress has been made by this interprovincial council and what meetings have been held; what matters were discussed and what decisions might have been arrived at?

**Hon. I. Haskett (Minister of Transport):** Mr. Chairman, that is rather a tall order. Since the first convening of the conference of provincial ministers responsible for motor vehicle administration in the respective provinces, we have met twice a year. Certainly, in the last couple of years we have dealt with a great many problems. Following each conference, there has been a statement issued on the matters that were dealt with. I have had occasion to refer to some of them here in the House on various occasions.

The conference dealt with the matter of school bus specifications and safety. I think I was discussing that the other day with the hon. members. Having gone over the whole gamut by a technical committee under the CCMFA, the report came back to the conference of ministers as approved in principle. It was referred to a committee of our own people together with the Canadian Standards Association and that body, or an *ad hoc* committee, has finalized its report.

I expect it will be in our hands by the end of this month. I loaned my copy of the complete report to the hon. member for Scarborough. I hope the hon. member may have had the chance to see those specifications.

It would be my expectation that, having reached that level, we will now be able to move into making those standards acceptable as I believe they will be to all the provinces, and uniform in their adoption all over the country, preferably with a simultaneous action in all the provinces. Then we will have those standards in that very important area established. I would expect the implementation date of such a move might be January 1, 1971. That will mark a very significant improvement in our standards for school bus construction and equipment.

As the hon. member knows, we have a number of other matters, such as the standardizing of driver licensing requirements. That was one of the earlier moves we made for we found that there was a multiplicity of standards for driver licensing across the country. There was some desire on the part of people who had occasion to move from one province to province that, having qualified for a driving licence in one province, they should be entitled to transfer that licence to another province without having to undergo another test.

This was a very desirable objective, but it was not a practical one so long as our standards differed greatly. We found, in establishing an acceptable standard across the whole province, that we, in Ontario, had higher standards in some respects and we were below some of the provinces in other respects. We have evened out, and today we have achieved changeability of drivers' licences across the province. This was a real forward move insofar as the convenience to motorists was concerned.

We have been working together with the ministers from the various provinces and, through our working arm, the CCMTA—that is, the Canadian Conference of Motor Transport Authorities—which comprises the senior members from the departments in all the provinces, in the matter of classified licences. I am not sure that it was not the hon. member that raised the question of classified licences a year or so ago, and this is another target we have in mind.

We would like to have common standards for classified licences in all the provinces. I expect that that will be one of the things forthcoming from our next meeting—that we will have arrived at a standard acceptable to all the provinces by then.

I give these to the hon. member as instances. If he has any questions particularly, he might like to raise them.

**Mr. Young:** I appreciate the answer the hon. minister has given, Mr. Chairman. There are a couple of other things that he might comment on. The matter of standard traffic signs, for example; what has been achieved there? Has discussion taken place in the matter of running lights and their colours? On these two things specifically, I wonder if any real discussion has taken place and whether any decisions have been made.

**Hon. Mr. Haskett:** Mr. Chairman, the matter of uniform traffic signs was well established before our ministers' conferences began meeting. We have uniform traffic signs in principle across Canada and we in Ontario have been coming very rapidly into accepting the symbolized signs. We have been doing it by stages. We have been bringing in one group of signs after another as we establish them in Ontario and then we phase them in by replacements.

The member raises the question of lighting. We have not dealt with that, to my recollection, in the ministers' conference. I think we have to recognize that running lights must be adopted as standard across North America at one time and this would be a matter that could be dealt with more usefully by SAE, than by the Canadian ministers.

The member for Windsor-Walkerville (Mr. B. Newman) dealt with this very briefly when he spoke of rear-end signalling in his remarks on Friday. I think he realizes, as we all must, that we cannot unilaterally—by province, and probably not even in all Canada—make any very substantial change in rear-end lighting or running lights, without getting broader acceptance of the idea and moving forward slowly.

We play a role in the American Association of Motor Vehicle Administrators as well, and that body involves all the jurisdictions in North America. In region I of the American Association of Motor Vehicle Administrators, our own deputy is becoming the chairman, and so that gives you an idea of how closely we work with these people. Region I would include New York state.

Twice in this last short while we have had the general secretary of the AAMVA here. Early this year we had the administrator from New York state with us, and the new chairman of the National Highway Safety Bureau in the United States, Mr. Douglas Thoms, who has replaced Dr. Haddon as chairman

of that body, was in to see us. We keep close relations with them and I would say the hon. member that if there is to be a change in running lights, or rear-end signalling, it is a move that will have to be a continent-wide to be effective.

**Mr. Young:** Mr. Chairman, I think what the minister has said may have real validity, it seems to me that there could be agreement across the provinces within Canada. If there is something that we placed on the agenda and there was some agreement that the green should be designated at a certain time, if possible, as the running light, and the orange and the red for certain other things, as we have discussed in this House before, that seems to me that there is a real weapon to go to the other organizations within North America continent. One large measure of agreement having been achieved, perhaps it will be easier to get continent-wide agreement.

We congratulate the deputy minister, the way, on his elevation to the chairman of this region. We hope that he will be able to put some very constructive ideas forward there, and this is one of them I would like that he would discuss in that content. If we had Canadian agreement, then I think that would count heavily in the North American scene.

**Hon. Mr. Haskett:** Mr. Chairman, I would be very happy to see that a referral went to one or to both of these bodies, on this matter.

**Mr. Young:** Thank you.

**Mr. Chairman:** On vote 2301. The member for Windsor-Walkerville.

**Mr. B. Newman** (Windsor-Walkerville) will defer to my colleague in the back from York Centre.

**Mr. D. M. Deacon** (York Centre): Mr. Chairman, the other day I was making some comments about the very good intention of this minister—about the fact that so often we failed to take actions which would be called for by common sense and that seemed to be absolutely hemmed in by regulations. I felt that the department was being run by regulations—more than it was by the common sense that we need to apply in every department, to be sure that we had the decisions made that fit the need—and that the department is really set up to promote safety instead of to cause more accidents as a result of its regulations being so inflexible.

A point that I wanted to make—in following this up regarding regulations. The other day I asked the minister about office hours and on what basis the department would be closing its offices at 4 o'clock when most of the offices of the government closed at a quarter to five. He said, "well, I think they are open on Thursday nights. Maybe that is the reason for them being open only until 4 o'clock."

The fact of the matter is that the hours of this department—which is to serve the public—should be hours such that the ordinary people can get to it, either after work, or at some convenient time, or even Saturdays. After all, they are in business to serve the public, just as any merchant is in business to serve the public. I think it is important that the department introduce staggered hours, or whatever is necessary, in order that the department's services be available to the public at hours that allow them, without undue difficulty, to take their tests, or apply for their licences, or whatever is necessary.

For example, today the Pro Drivers' Club that has been taking a course during the Easter holidays is off school today. None of the students mind, but I think they are quite unnecessarily off school today so that they can take their test all day. Would it not be possible for a great deal of the testing to be done after hours—not just school children, but others taking tests—so that they do not have to take days off and lose pay as a result?

A question with regard to driving schools has been proposed by myself to the minister for some time and I still do not see any results. There are a great many driving schools in this city which are set up with no real check by the minister to make sure these are carrying out a proper service to the public. The minister has told me that this is a question which should come under The Department of Financial and Commercial Affairs. I say nonsense.

The Minister of Transport should not be passing off the responsibility. He is the one under whom the legislation for driving schools should come. And the licence for a driving school should be more than just paying a fee and someone being certified as a person who is qualified to teach. There should be introduction of regulations which would ensure that those who are purporting to be able to instruct the public are going to provide the proper course of instruction—are going to give the public value for their money.

I suggest the minister should introduce the proposals made to him by the association of driving schools that the department set up

proper standards, to ensure that those licensing driving schools in this province are going to provide the public with good value for their investment.

Another area where I believe this minister should change his approach is to recognize the need to get the public behind him in regard to many of the regulations. For example, helmets.

There is no question that the new regulations regarding helmets are a most important contribution to the safety of our province. Many youngsters have no idea of the danger in accident rate and of the lives that have been saved as a result of these regulations. They resent them. I think the department should distribute to high schools and through motorcycle clubs, and others, pamphlets which show the tremendous improvement in the safety record of motorcycles since helmets were made compulsory.

Hitchhiking was another law which was introduced last year by the minister and caused a great deal of resentment on the part of young people who saw themselves becoming less mobile as a result of this new legislation. And I suggest that the reasons for introducing legislation regarding hitchhiking be explained to the public in a much better way than it has been in the past. Regulations just introduced without any explanation—without there being information to say why it has been introduced—going to help get the proper public support that is so necessary for full co-operation on the part of everyone.

Take the results this year of high accident rates in snowmobiles. With any legislation which is brought down, I think it is important that the minister publish, at the same time, pamphlets to show why he is introducing these changed regulations.

Studded tires; reflectorization; vehicle checks. There are so many areas of regulations that this minister is carrying out through the department that are going to contribute to greater safety in this province. But do not keep those facts to yourself. Get them out into the garages. Get them out into motorcycle clubs into every possible area, in the school areas, every possible area where we can get to the public who are concerned, make them aware of what this department is doing and why.

It is terribly important it be understood why. Many, many times I hear people complaining under the regulations that have been introduced. There are good reasons for them, but it is very difficult to find and get information out to them that show the reasons why the legislation has been introduced.

I suggest that the department be sure to put out to garages the reasons for vehicle checks being done, reminding people why they should be doing it. The garages could put it out in mail folders when the bills go out to their customers. But there are many, many ways the department could get distribution of information which would get more public support behind the work it is doing.

With regard to this whole area of transportation, I am pleased that the minister has reorganized his department and is taking a comprehensive view of the whole business of transportation. As my colleague from Parkdale (Mr. Trotter) mentioned, the trouble in the past has been that we have only looked at the movement of vehicles rather than people. Too often we have looked at it that way.

I was very interested last week, when we went out to visit The Department of Highways. I looked at a chart of organization for some time, and I did not have my glasses on at the time, but I could not see anywhere about commuter service. Finally someone made it—

**Mr. Chairman:** Do these remarks come under transportation?

**Mr. J. B. Trotter (Parkdale):** This has to do with the vote on commuter—

**Mr. Deacon:** This has to do with transportation.

**Mr. Chairman:** We are on 2301.

**Mr. Deacon:** I am trying to get the point across—2301. This comes into the minister's approach and the requirements for the minister in this field.

**Mr. Chairman:** No, I am just suggesting that the hon. member is speaking specifically about matters which should be brought up under the last vote.

**Mr. Deacon:** I think the last vote is too restrictive, because it spells out what work is being done and there are broader areas of transportation policy I feel have to be brought up in this vote.

**Mr. Chairman:** As long as it is not brought up again under transportation it is probably all right.

**Mr. Deacon:** I am sure the chairman will bring me to order.

**Mr. Chairman:** If I remember it I will.

**Mr. Deacon:** Mr. Chairman, with regard to the comprehensive view of transportation, the fact is that in The Department of Highways there is only one real view of transportation and that is over roads. It is well illustrated by the fact that you have a hard time either of the directories of The Department of Highways to find any mention of the public transportation aspect of it. It is lost, put down in every chart.

There is a very small emphasis on public transport role, and I am concerned that this department is not doing enough. That the minister is not fighting hard enough for this aspect—this overall comprehensive approach to the movement of people and goods—with his colleagues. Somehow or other they do not realize, because maybe he is not as mean as he should be or riled enough, he should be among them, that this is a very key element to good planning in the province, to development of the province, we look at not just the roads, and even get it at the air, but we look at other long-range means of moving people and goods across this province.

The federal government at this time is having hearings in Guelph, as have been prescribed. This department's role at the time has been restricted only to trying to defend the continuation of existing service and that is not sufficient.

What are we doing to see that service expanded? We cannot be content with existing service that has not been satisfactory. What are you doing in your department to search better schedules—schedules that better meet the needs of the people in the areas to be served? Have you carried out any market surveys of what people need the way of movement for themselves and their goods?

It is interesting that a few years ago when Montreal the Canadian Pacific Railway and the CN decided to parcel out the Montreal commuter area between the two of them that they were not overlapping. When the CPR took over the west run it was losing money and it was losing money for quite a while. Then a new man took over the run. He analyzed, by a market survey, what people wanted, what they needed in the way of service, and he found that the service they were giving was just not fast enough.

Their problem was that the time taken for public transport was too long. He found a way of rescheduling the same trains, so they could cut 15 minutes or more off the time



it took people to make those trips, and it was not more than three or four years before the very substantial loss on that service was changed into a profit.

If The Department of Transport of this government was more concerned with how to develop the public service into a profitable going concern, then we might be getting somewhere. There is no point in just trying to argue the economics of an existing service. Let us find out why the existing service is not economical.

This department's work so far has been strictly trying to defend and analyse figures to show that the loss is not as bad as the railway shows it to be. What the department must do is show how the service can be improved—show means whereby the public can be better served and, in turn, give it better patronage as a result of the changes this department recommends.

Another thing that this department should be doing; it is so gentle in its approach to Ottawa. Let us get mad at Ottawa and say to them: "You have got the jurisdiction over these rail lines. You get busy and open them up, so we are not beholden entirely to these two traditional carriers."

**Mr. E. W. Sopha (Sudbury):** That is the trouble with you people. You are all sycophants of Ottawa.

**Mr. Deacon:** Why do we have to be worried about whether CN and CP are the only two rail carriers at the moment? Tell Ottawa to bring in legislation that will open up these rail lines, these very important and very valuable rights of way, to competition.

**Hon. J. H. White (Minister of Revenue):** Another railway?

**Mr. Deacon:** You do not need a new railway running side by side. You need people running the railways making use of the rights of way properly.

We have seen evidence time and time again of what happens when a railway wants to get the passengers off the line. It can run them empty by running the trains at the most inconvenient times, as they do out our way. They have the one-way wonder that leaves Union Station at 5 o'clock. You cannot take the train back into the city because there is not such a service into the city. It is a one-way service.

They have ways where you dial for a roomette to go to Chicago on the CPR train and you find that they are absolutely full, according to their booking service check.

When you get on the train, you find there is hardly anybody on it. Very poor service, because the train people just have been concerned about serving. They want to get the lines clear for freight.

If those rights of way were made available to those who wanted to carry passengers and there are those who do, then we will see quite a change.

It is interesting to compare, for example, the area of buses, what has happened to Gray Coach when competition has come from others over their routes. Trailways Canada said that they would like to provide a service from the north of Toronto to downtown Toronto. Gray Coach said, "We are already looking after everybody's needs service in this area."

Trailways found side roads and back roads that it could use without using the main Street corridor. In a matter of 15 years, it showed up a multi-million dollar business in an area where Gray Coach said there were no more customers to be served. Trailways found how to serve the customers.

Open up these rail rights of way to people like Trailways who might like to use that rights of way and get off the crowded roads. The means of using the open routes into the heart of this city and make it possible for people to move faster. To move faster, repeat, by public transportation, an investment in public transportation, than they can make in their cars.

You will never get that type of service from the CP or the CN. We can put a lot of laws in the world in there. They say you cannot lead a horse to water but you cannot make him drink and, in this drink, you can make regulations in the world for the CP and the CP about providing service, but if they do not want to do it, they are not going to do it. What we have to do is to open up these rights of way and make them available to those who want to serve the public, who do want to carry people, and carry people at the places where the people want to be carried.

I suggest to this minister that he has a lot to fill here. It is very important and he should be letting his colleagues know that this is the Department of Transport, not that engineering-bridge-building group out at Downsview. They should have the operation and the responsibility for moving people on the rights of way in this province. You have the licensing; you should have the responsibility for seeing there is a properly balanced approach to transportation in this province.

Mr. Chairman: Does the hon. minister wish to reply?

Hon. Mr. Haskett: Mr. Chairman, I thought I might just deal with several of the matters raised by the hon. member, both on Friday morning last and this afternoon. I think the approach of his presentation, the thrust, was that the department is rather bound by rigid rules to the extent that it is not able to use common sense at times.

He was bringing forth on Friday morning when we closed, as an example of that, our school-bus-stopping law which he felt was not flexible enough to take care of the *ad hoc* or temporary situation in the Niagara area, I think, around St. Catharines.

Mr. Deacon: I gave that as an example.

Hon. Mr. Haskett: Yes. I am sure many members will appreciate the dilemma in which we are. The hon. member has his view of that and we have a view. I know that we seek the same goal—that is, the greatest safety for the users of the road and, in this particular instance, the desire to eliminate the development of potential-collision situations with regard to school children.

In the St. Catharines area there were a couple of collisions as a result of school buses stopping, in keeping with the law, on the travelled portion of the highway and flashing their lights until the children had embarked or disembarked and crossed the road, as the case may be. Now we could have very easily taken that particular situation into consideration and said, "We will change the law for the particular situation and for this period."

That was a calculated proposition and the people from St. Catharines came to see us—the municipal officers and the school board people—and met with my colleague, the Minister of Highways (Mr. Gomme), and the representatives for the area—the hon. Provincial Secretary (Mr. Welch) and myself. I think we satisfied them that it was in the best interests of all that we adhere to fundamental sound principles and that we should retain our uniformity in the operation of that law.

I am not sold on that. It is not the only way, but it is the calculated judgment we have made that it is better to retain uniformity and put up with the inconvenience and the problem that exists there while that road is being built and the proper service roads are being completed, on to which the school bus will move, rather than change the regulations with respect to school bus-stopping.

Our judgment may be wrong on this, that is the best judgment we have.

Mr. Deacon: Could I interrupt the minister on that point?

What I am talking about, Mr. Minister, that all motorists know that when school lights are flashing they must stop; regardless of what direction they are coming, they must stop on that highway. My point is that if children do not have to cross the highway as is the case in Niagara and which could be the case in other places, and the school bus route is set out in such a way that it does not have to cross the highway and therefore there is no danger to the children—the traffic continuing to move—the school bus is instructed to pull off to the side. A landing point could be prepared for the children to disembark and the traffic continue to unimpeded.

In other words, set out your school routes in such a way that in places of potential danger of highway traffic being stopped there is no necessity for the flashers to be on. This is also true of the area north of Toronto about which I spoke to the minister some time ago. There is a four-lane section of highway and there is some question as to whether it is a divided highway or not. This is the area at Highway 7 and Jane Street. There are many rear-end collisions, if not accidents, at that location.

The same rule would have been possible if the school boards worked out with the department a route for the driver to follow which would not require the children to cross the highway, or would permit crossing of the highway on a traffic light control, in such a way ensuring there would be no danger to the children if the school bus lights were flashing. Do I make myself clear?

Hon. Mr. Haskett: Yes, I appreciate the member's point and I do not say that there is no merit in his approach to it. Insofar as the specific instance we were discussing concerned, the one on the Queen E., as a result of our discussions, the school boards and people reviewed their routes. They greatly reduced the number of stops, during the period of highway construction.

Most of the matters dealt with by the member relate specifically to individual vehicles or items to come up later—namely, the handling of operation of our driver examination stations and that kind of thing, and the various attempts we have made to meet local conditions and requirements—not always with success. For all that it might have been

desirable to arrange a shift in hours because of local demand, we have found that not always did it work out as we had hoped.

The new hours decided on proved less satisfactory to the community than the ones they had been following and we went back to regular hours again. As you know we operate in some places, indeed in a whole group of communities.

We changed the regular hours, and they seem to be working satisfactorily in some places and not in others. It was only a few months ago we announced that in Kingston and Windsor we would stay open on Saturdays. We have had substantial petitions from local people, one with 144 signatures, to revert to the former hours. So it is not an easy answer.

It may seem a good suggestion on the surface and the member for Windsor-Walkerville may have his views on the desirability of those hours of testing, but most of these matters, I think, can be dealt with under their respective items, under the various votes. The next vote, 2302, will cover all of the matters of driver examination—driver licensing and driver control, vehicle registration and vehicle safety inspections, and the whole of the highway safety programme. Those are all in vote 2302. I think they can come up in their various items.

But the member dealt rather extensively with the Canadian Transport Commission's hearings on abandonment of passenger rail services in the Bruce Peninsula area, which were held at Owen Sound and at Guelph. He put forward his view that some of these services, rather than being abandoned or curtailed, should be expanded; that we should have a more dynamic or positive approach to the whole thing. I appreciate the view and the impetus the hon. member gives to that view; also his suggestion that if the railways do not want to run their rights-of-way, perhaps they should be taken over and offered to bidders who would want to do the job. Well, that is rather speculative. But insofar as our submission to the Canadian Transport Commission or its railway committee is concerned, the member for Windsor-Walkerville asked me before the orders of the day on Friday if we would table our submission on those rail hearings, and I said I thought I could; it would be a public document and it would perhaps be widely carried in the press.

Well it perhaps has not been too widely carried, and I hoped to have it available to

table this afternoon. I think that both the last speaker would like to see it.

The hearings as such have been terminated but the overall hearing has not. On Monday morning, we made our submission in. A narrative portion was put on the table and I think it was excellent. And that is I hope to be able to table tomorrow.

I was not able to get it in today because there were a number of exhibits that had to be copied—maps and such—and I applied to the House for not having had it. It is a matter of it being physically impossible to do it today, but it will be ready for tomorrow. I am sure that all who are interested in following that submission will find that I have done a thoroughly competent job.

But that is not the end of it. We were able to obtain a delay in presenting our argument and our argument is not going to be rejected by the Canadian Transport Commission. These hearings until all of the transcripts are made available to us and we are given a further six days in which to study it. The argument can possibly be made in the next few days in Ottawa. I do not know the form that presentation, but I want the House to know that we have made the narrative of presentation, including the exhibits, and that will all be available on the table tomorrow. Also, we will be carrying on completing it by way of argument, perhaps over three weeks or so hence, after we have all of the transcript provided to us and we have an opportunity to study it.

You may be able to discuss some of these matters in detail when we come down to vote 2305 on the transportation division. I will be glad to take questions relating to this specific matter then, to deal with it and our whole approach to the matter of relations with the federal authority in matters where we have overlapping or conflicting jurisdiction.

**Mr. Deacon:** Mr. Chairman, further in the department, under this vote there is an item on data processing service. Is this using a computer at Downsview, and what service is it?—hard—what shall I call it?—

**Mr. B. Newman:** Hardware.

**Mr. Deacon:** Hardware, yes. What kind of hardware do they have in the department?—because I understand that the IBM 360 computer at Downsview does not have any applications in any other departments. I am wondering how, in terms of any other departments, it is being utilized? What is the department using for providing its hard-

**Hon. Mr. Haskett:** We have our own data processing equipment over in The Department of Transport. We use an IBM 360 model 40. This handles all our driver licensing and all our driver record files. It runs all the time; we do not have any spare time on that machine at the moment. We are putting into it the vehicle licensing file, and that will occupy any amount of spare time we have on it for the present.

You will notice that the estimates show, under vote 2301, the total amount of our data processing spending, and yet it is subdivided because the operation is main office in a sense. Under main office our data processing shows a total cost of \$1,032,000. But almost \$1 million of that is charged against four later votes, namely, \$430,000 against driver licensing and another \$430,000 against driver control. And I must say that those figures were arbitrarily taken, because we do not know how to divide between the activities of driver licensing and driver control; so we put the two together and charge \$860,000 of data programming and operation against driver licensing and/or control. Now I cannot say that we should have \$430,000 on one and \$430,000 on the other, but it is divided between the two for the amount shown there. Then there is an amount of \$170,000 under registration of vehicles and, I think, another \$15,000 under research services in vote 2305. It is all shown in the first instance under the main office vote, because that is where the operation is. But we try to charge it, for better accounting, against the four programmes that use it mainly.

**Mr. Deacon:** Mr. Chairman, did the minister say that the IBM 360 was at capacity with his department's work alone and these registrations, because I can hardly credit that. Sure, it is in operation, but in what way is it at or near capacity that it cannot handle more? For example, does it handle payrolls? Does it break down costs of various operations in the department? Most of the 360s I have seen had fantastic volumes—far greater than this—loaded on to them.

**Hon. Mr. Haskett:** Yes, of course, it handles our payroll and personnel matters and things of that kind. But I was pointing out to the hon. member where most of its use goes. It runs on a 24-hour-a-day basis for five days a week. You realize that we have more than three million drivers and millions of items to be coded into the driver file, and we are working now on preparing the vehicle licensing file, which will have a lot of information

on about three million vehicles. We are bringing up the data bank on vehicles now.

**Mr. Deacon:** Is this bank available to other departments of the government? Are there any heads or terminals available for other departments or is it solely for the use of this department?

**Hon. Mr. Haskett:** We have been using it for our own use exclusively to date, I think, but we have been doing a feasibility study in conjunction with the Attorney General's department for using the same file as a basis for conditional sales or liens.

**Mr. Deacon:** And what about the work in connection with The Department of Highways? Surely there should be a terminal there, with all the accident statistics and things like that, as well as the Attorney General's department and Financial and Commercial Affairs. Should not there be some expansion of the information that is available to this department to other departments?

**An hon. member:** We cannot have this department know what is going on in another

**Another hon. member:** It is an operational expense.

**Hon. Mr. Haskett:** Mr. Chairman, as far as I am aware, our data processing unit is serving our department exclusively at this time.

**Mr. Deacon:** Again, Mr. Chairman, there is a lot of information that is keyed into a computer that would be of value to other departments of this government, including perhaps Municipal Affairs in its planning; the Department of Highways in its planning; and I mentioned already the Attorney General's department. If this was keyed in properly such a way that the information in that computer could be made available to the other departments it could save an overlap.

For example, at city hall there is a computer that has 40 different heads serving many different departments. The same information is being pulled out for many different uses, which means a saving of overlap instead of each of these departments having their own particular data processing equipment. I am suggesting to the minister that some thought should be given as to means whereby this information, which could be of very great value to other departments, should be keyed into it.

**An hon. member:** For combined use of these computers, that comes under the jurisdiction of the Treasury department.

**Hon. Mr. Haskett:** I would just say to the member, perhaps by way of correction, that I said we were using it to capacity. We are using it for, as I say, 24 hours a day, five days a week, but there is probably daytime capacity that would be available. We are making a feasibility study on doing work with respect to conditional sales for the Attorney General's department. There is no reason why other departments could not utilize the information we have available.

**Mr. Chairman:** The hon. member for High Park.

**Mr. M. Shulman (High Park):** I have three brief matters, Mr. Chairman. First of all, last year, we had a fairly lengthy discussion about the uniform vehicle code; I am sure the minister will recall it. I wonder whether as a result of our heated discussion a better liaison has not been established with the uniform vehicle code. Particularly, I am anxious to know if you have received the new uniform vehicle code and is your department going over it to bring into effect in Ontario the various new matters which they have now brought up?

**Hon. Mr. Haskett:** Mr. Chairman, I recall the hon. member mentioned the uniform vehicle code last year and his feeling that we were unaware of it and not using it. We have had it in our department and we have been using it since the department was part of The Department of Highways many years ago.

It is interesting to go over the current issue of the uniform code and find that among some of the newest ideas they come up with is one suggesting there should be a medical review board, which we have had in Ontario for some years. There is also a suggestion, among their new ideas, recommending to jurisdictions a demerit point system which, I think most members will realize, we have had in effect in this province for some years. If I gave the hon. member an incorrect idea last year that we were not aware of the uniform vehicle code or that we did not use it, I have to apologize to him and to the House. I suppose we have always used it as a working document for what it was worth.

**Mr. Shulman:** Mr. Chairman, thank you, I am very pleased about that. I am just a little puzzled by your two references. In the most recent issue, you say, there is something about a medical review board. Can you advise me where that is in it, because perhaps I have missed it?

**Hon. Mr. Haskett:** Mr. Chairman, I locate the items and let the hon. member have them.

**Mr. Chairman:** All right.

**Mr. Shulman:** Item two. One of my leagues, the member for Yorkview, was speaking on drivers' classifications and driver licensing and making it uniform. I wondered if the minister is familiar with the work that has been done by the traffic institute at Northwestern University. Specifically, I would like to draw his attention to their study which was released last November on a new system of driver classification.

**Mr. Chairman:** This should come under the next vote.

**Mr. Shulman:** This is not under license.

**Mr. Chairman:** This is driver licensing and drivers and driver control come under vote 2302.

**Mr. Shulman:** This is driver classification. Perhaps it was discussed earlier on uniform licensing. Well, I am quite willing to wait if the minister prefers.

**Mr. Chairman:** I think that might be preferable.

**Mr. Shulman:** Then the third matter I would like to ask the minister about, that you, Mr. Chairman, is the matter of policy in relation to purchasing or leasing occupying buildings. I am aware that this has been done through The Department of Works but is it correct that you have a building or an office in the 1500 Gerrard block at the present time?

**Hon. Mr. Haskett:** Just a minute. I am not aware of the particular location but I will find it.

**Mr. Shulman:** Specifically—and I am not making an allegation, I am asking the minister because this is something that has already been passed to me—if you have opened an office there or a building there, was it moved fairly recently from another building in the 1200 Gerrard block, which was also a building, or relatively new building, just a few years old? If so I am curious as to policy and how this occurred?

**Hon. Mr. Haskett:** Mr. Chairman, I am informed that we have, in the area, a new examination centre which has moved to a new space from the old site because of lack of parking space at the former site.

Mr. Shulman: That is what I am really after. Inasmuch as you bought the former site a year and a half ago, why was not some foresight used in seeing whether there was parking space before you occupied the building?

Hon. Mr. Haskett: That is a good question, Mr. Chairman. I will just have to get this information. The new site was also obtained because it gave us more inside space for tests. This is accommodation that is arranged for us by The Department of Public Works to best meet our requirements. We do not always get the accommodation we want but they do their best to get us close to what we need.

Mr. R. Gisborn (Hamilton East): Leave everything to The Department of Public Works.

Mr. Shulman: I can understand the problems that you had, Mr. Minister. I am curious to know the reason they made the error in the first place. I understand you are quite happy with the place you have now but inasmuch as it was just a year and a half ago they purchased the previous place, I am curious as to how this snafu occurred. If it is that The Department of Public Works is the explanation, I will be happy to accept that.

Hon. Mr. Haskett: No, I do not want to pass this on to somebody else. Let me keep this. I will get the story for the hon. member on it, because I would like to know myself. I am unaware of every office and every piece of property that we are occupying and I would like to know the answer to this. I would like to know there is a reasonable answer to give the hon. member.

Mr. Shulman: Thank you.

Mr. Chairman: Vote 2301. The member for Wentworth.

Mr. I. Deans (Wentworth): I would like, Mr. Chairman, the minister to explain to me what procedure one must go through to have any change of speed limit adopted by the department. I am referring specifically to the problem that we are having in my riding over changing the speed limit on No. 20 hill.

I received a letter from the minister. I must confess that some of it may well be accurate but is hardly related to the problem that we have. I wonder if he could explain to me what the procedure is that you go through in order to have a change made to

the speed limit on a highway that is within the jurisdiction of the province of Ontario.

Hon. Mr. Haskett: Mr. Chairman, for you we have been going over the entire highway network of the province, varying the speed limits in response to studies that indicate speed should be raised or lowered. If you read the regulations that appear in the *Ontario Gazette* you will find sometimes in a gazette a tremendous number of changes is going on all the time. There is seldom a month passes, I suppose, that we do not raise some and lower others in response to changing conditions, or to the advanced studies.

If I were to outline to the hon. member normal procedures that are followed, I think he would see they are pretty routine. Studies are made by Highways on highway conditions and all the rest. But no explanation that could give him on our general procedure would help him in this particular instance. He raises in Stoney Creek.

A provincial road runs through, I think, four different sections alternating between Hamilton and Stoney Creek municipal control. I think I suggested to him in my recent letter that there was some need for the municipalities to get together with the highway officials and see if they cannot iron out a common approach to this. I appreciate it is very difficult, but it is a very complicated situation involving those two municipalities.

Mr. Deans: Maybe if I could just take a moment to deal with it then, because a stretch of highway that they are requesting. The Department of Transport to give permission for the change of speed limit on a stretch that runs through two areas—part Saltfleet township, a very small part, and a small part of Stoney Creek. The city of Hamilton really has nothing to do with it.

The piece that they are talking about is the most vitally concerned about, is a provincial highway. They had, as I understand it, gone to the trouble of getting the okay of the township of Saltfleet before they approached the department. At a meeting they also received the support of The Department of Highways in requesting that this change be made.

What I worry about is that, in the time we spend sort of ironing out the intricacies of this thing, we are going to have another death at the corner. This is really the main concern that I have. Over the last number of years there have been a number of ser-

accidents at the corner and they have requested off and on that something be done, but it has never been determined what should be done.

At a meeting about three weeks ago it was decided among The Department of Highways, representatives of the city of Hamilton, representatives of Saltfleet township, and representatives of Stoney Creek, and myself, that this was at least a practical method of approaching the difficult situation that is there. I would appreciate—and I am sure all of the residents would appreciate—the most speedy action by the department in rectifying, or at least in approving, or not approving—hopefully approving—the change in the speed limit.

**Hon. Mr. Haskett:** Mr. Speaker, I am not resisting the hon. member's suggestion—I do not want to appear to be obstructing. Will he refresh my memory? In my letter to him, did I say that I was getting in touch with The Department of Highways, or did I suggest to him that the municipalities concerned should?

**Mr. Deans:** I would have to read all the letter—I do not intend to do that—but we will just pick out the point. You did indicate that some 15 months ago a study had been made in respect to the need for a traffic signal in this stretch. I raised that with you some time ago—at that time, in fact.

You indicated that steps had been taken to clarify the matter with The Department of Highways. These are the words. I am not too sure whether those steps were taken by you to clarify—whether they were in approval or not. I would be interested to know, if they have been taken, what the reaction was.

My understanding from those present at the meeting was that they were in full accord, and would support the move to reduce the speed limit. In fact, they instructed me along that line—that they would support it 100 per cent. If there are other meetings that have to take place, then let us get them going. Let us get his thing under way and let us get it cleared up.

**Hon. Mr. Haskett:** Mr. Chairman, my understanding is that we act on, (a) the recommendation of the Highways department; or (b) in response to a bylaw of the municipality that has authority. I do not know where the block occurs, but I think the problem is in the mill and I will see that we follow that through. If we are at fault, we will not hold it up, I can assure the hon. member.

**Mr. Deans:** We would appreciate it cause in the summertime that road is much used and you have got a pro Thank you.

**Mr. Chairman:** The member for Walkerville.

**Mr. B. Newman:** Mr. Chairman, the problem of the disposal of used vehicles is that plagues all parts of the world, I assume, at this stage.

I was just wondering if the minister giving serious thought as to some method of taking these vehicles, so that we do not have them in graveyards all over the length and breadth of the province, and we do not have our streets and highways littered with vehicles that should have been buried, or turned into scrap, and turned into new vehicles.

I wonder whether the minister has given consideration for some type of a fee that might be levied against the vehicle, either at its purchase, or an annual fee or some other type that moneys could be collected for the disposal of the vehicle after its licence has been cancelled?

**Hon. Mr. Haskett:** Mr. Chairman, I do not want to cut off any of the members who want to deal with matters under vote 2302, but this matter of disposal of used cars, junk, or abandoned vehicles properly dealt with come up under vote 2302, item 5—vehicle inspection—because I think that it is a matter that has been times suggested that perhaps our vehicle inspection programme has aggravated the problem. I will be glad to deal with it there.

**Mr. B. Newman:** Right. I will be glad to be than pleased to bring it up at that time.

The next item that I would like to deal with the minister is the jurisdictional difference between the federal and provincial authorities when it come to truck transport. Would the minister elaborate on that?

**Hon. Mr. Haskett:** Mr. Chairman, that is a rather extensive business we might deal with preferably, under vote 2303—common carrier. This is a matter that is involved in part of The National Transportation Act that has not yet been implemented, but which the course of being brought forward now. We have had conversations with the Minister of Transport in Ottawa in this regard.

I could deal with it better under vote 2302 because it brings in that business of S. 100 trucking where the federal authority is mentioned on Friday—is clear, having been settled by the Winner case that went

Privy Council. The federal government has authority in trucking where it crosses a provincial or international border.

**Mr. Chairman:** On vote 2301. The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Under this first vote, Mr. Chairman, I wonder if it would be correct to bring up the subject of this department's policy where railways are concerned. As we know, in the past year the railways have indicated changes in services, especially in northwestern Ontario, and I am just wondering—

**Mr. Chairman:** I believe this discussion would more appropriately take place under 2305—transportation.

**Mr. Knight:** It does not come under a matter of the department's policy relating to railways?

**Mr. Chairman:** Well, 2305 deals with the relationship with the federal agency under the same heading, so I would think that any further discussion of transportation should be under 2305. You will have full rein then.

**Mr. Knight:** Thank you, Mr. Chairman.

Vote 2301 agreed to.

**Mr. Chairman:** On vote 2302. There are several activities under 2302; would it be appropriate to discuss the first three—driver examination, driver licensing, and driver control—as a group first of all, and then probably registration and vehicle safety together, and then highway safety as a separate one? Would that be satisfactory to the minister, first of all?

**Hon. Mr. Haskett:** I think the items are all so clear cut in the area covered that you could take them individually, or group the first three with respect to drivers together, if members so desire, and the next two with respect to vehicles. Those are the two main sections. The first is drivers and there are three items dealing with drivers, and then two items dealing with vehicles. The third one is our highway safety programme.

**Mr. Chairman:** It would seem to me there would be a bit of overlapping in driver examination, driver control and licensing of drivers.

**Hon. Mr. Haskett:** As the House prefers.

**Mr. Chairman:** Is this satisfactory?

Some hon. members: Agreed.

**Mr. Chairman:** Vote 2302, then: The three activities.

The member for Yorkview.

**Mr. Young:** Mr. Chairman, I would like to ask the minister what progress has been made in connection with the professional driving schools and the regulation thereof, whether or not any serious consideration has been under way in his department in connection with this very important matter.

I have in my hands a communication from Heinz Neuman, regional director of National and Professional Driver Education Association, Canadian region. He points out certain facts, that there are approximately 1,200 driving instructors and 400 driving schools engaged in driver education and training in the province of Ontario. He says:

Conservatively estimated, each one of these driving instructors teaches 100 student drivers per year, a grand total of 120,000 drivers taught every year by driving schools. And yet there is no legislation to adequately regulate and upgrade driver training schools in the province of Ontario.

And I think all of us have been receiving quite a bit of representation in this field that many of the schools in this field are very concerned about the whole matter of driver training; are anxious that some standards be adopted by government, standards by which schools are licensed would have to be established through legislation, and, if they are to be licensed, then they must have instructors who can pass certain tests and who have achieved certain grades in the profession.

It seems to me that in a province like Ontario, where we are leading the world, we hear so often, from the other side of the House—in so many things, that this is one of the areas where we ought to be giving very serious thought. After all, the skill with which our people handle a motor car determines whether a great many people live or die, are seriously maimed. So, I think we have to recognize that more and more we have to upgrade the skill of our drivers. To do that we have to upgrade the skill of the instructors and make certain that our drivers have the best possible training for this important work.

I would like the comment of the minister as to what progress has been made; how much thinking has been done; whether there is any serious consideration being given to this whole matter of driver training schools and standards for the instructors in the schools.



**Hon. Mr. Haskett:** Yes, we have a very real interest in this. The problem raised by the hon. member for Yorkview is not one problem; it is a number of problems, and he has lumped them together. The quality of drivers, we recognize, depends more and more on the quality of the instruction the drivers have received. And that is one of our great interests today.

The problem he raises with respect to the driving instructors' schools, the commercial schools, poses another problem, namely that of the relation between the school and the student or the person buying the service from the standpoint of a commercial deal. And that is a matter of consumer protection; perhaps the schools should be supervised so that we do not have bad business practices. This is a matter we have had occasion to discuss with officials in The Department of Financial and Commercial Affairs, because the licensing of driver instruction schools, or their operations, falls more under their purview than ours.

I will not say that I would disagree with a decision to license the schools. We are interested in the capability of the instructor to impart a knowledge of safe driving and we examine, test and license the instructors on the basis of their competence to do the job that we license them to do. But, the hon. member has to distinguish between the commercial operation of a business and the ability of the professional teacher to teach. The latter part is our responsibility and we accept that, both in the Act and under the regulations.

I might take the occasion, though—perhaps it should fall better elsewhere, Mr. Chairman, and you might call me down—to say a few words about driver instruction, because I am interested in saying to the House a word on driver instruction in the high schools, which is one of the main facets of our driver instruction programme today.

**Mr. Young:** Mr. Chairman, is the minister going to do this at a later date?

**Mr. Chairman:** I think the minister suggested that he might do it now. If it has to do with the driver programme, then it would be in order.

**Mr. Young:** Yes, well, I think that is why—

**Hon. Mr. Haskett:** I thought the hon. members might like it to come up now, rather than under vote 2302, the sixth item, the highway safety programme, because it is under its aegis that the work has been promoted. I think that if we are going to do this vote by sections, the highway safety branch ought to have credit for what is being done.

**Mr. Young:** Well, then, Mr. Chairman coming back to this matter of the commercial training schools, I am not sure that I understand the minister correctly, but it seems he is distinguishing between the commercial aspect and the other aspect, which is run by the government itself. The big problem is, of course, that the commercial aspect is teaching a great number of drivers, and this is why the importance of this thing comes in, unless we have some oversight, some supervision of the kind of teaching that is being carried on in these commercial institutions, then I think we are perhaps sloughing off our responsibility we ought to take.

**Hon. Mr. Haskett:** Mr. Chairman, I think the hon. member has misunderstood me. We are not distinguishing between the commercial driving schools and driver education in the high schools. What I am distinguishing between is that portion of the driving school activity that is a commercial operation—service to a customer on the one hand, and what I think comes under Financial and Commercial Affairs—and the giving of the teaching of the instruction by a professional driver instructor. We license the professional driver instructor on the basis of his capability of teaching and that is our responsibility. I think that is what the hon. member means.

**Mr. B. Newman:** Do you lay down a condition that they must follow?

**Hon. Mr. Haskett:** We lay down standards that they have to meet.

**Mr. Young:** Mr. Chairman, if I could ask one further question. Are you making a distinction that only those people who are licensed and competent are teaching driving in the commercial establishments?

**Hon. Mr. Haskett:** Mr. Chairman, it is clear the law requires that those who teach at a commercial establishment must be licensed by us, having qualified as driving instructors. I might say—I think perhaps the hon. member for Windsor-Walkerville is going to quote me on it—that more and more of these driver instructors, before they come to us for licenses, have qualified by taking a driving instruction course, such as is made available through the professional organization. They are doing splendid work, their people have been licensed by us, and I think we see pretty much eye-to-eye on the licensing of the driving instructor schools. I think they agree with us that it is a function of The Department of Financial and Commercial Affairs more than it pertains to us.

**Mr. Young:** Well, then, we will raise it there.

**Mr. Deacon:** Mr. Chairman, with all due respect to what the minister has said, the public finds it very confusing to be shuffled from one department to another about these matters. If they have a problem with regard to the kind of instruction they have been getting, and these instructors have been qualified and checked by you, they sort of look to you as the department in this case. Is it because the minister, under his legislation, is prohibited from taking on this responsibility, or is it because he would rather have it put onto another department? I cannot quite understand that the minister would be anxious to put the responsibility onto another department and make it more confusing for the public. Surely, as he has the right under law to license these schools, he should do so. It has been done in the States and in other jurisdictions.

**Hon. Mr. Haskett:** Mr. Chairman, I would not say that we do not have the right under the law—that we would not get it. However, it seems more appropriate, since it is a policing job of the business operation, that it should be with my colleague. He, for instance, has under his jurisdiction, the licensing of used car dealers. Now, you might say the same thing: We deal with cars, but the used car dealers' licences—and the real estate brokers' licences—are handled by the licensing authorities in The Department of Financial and Commercial Affairs.

**Mr. Deacon:** I suppose it is perhaps just a difference of opinion, but it seems very clear to me in this case that there is such a very small area that comes under the minister of The Department of Financial and Commercial Affairs in this whole question. We want to be sure that the quality of teaching is first-class, and that one thing we can be sure is going to be first-class is that people are not using shortcuts because of various elements in the driver instruction industry, you might say, that are forcing them to use shortcuts. In other words, I feel that the minister has a responsibility here, because if he is supervising and licensing the schools and being certain that they are operating under a proper code, he is going to be much more assured the quality of instruction is going to be good than if he has it wide open and leaves it up to The Department of Financial and Commercial Affairs to do policing in this instance. I urge the minister to accept the responsibilities, not to further confuse the public and to

introduce legislation with regard to driver training schools.

**Mr. Chairman:** The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** The suggestion of my colleague is certainly a worthy one, but I think the minister should assume sort of dual licensing so that the individual would have dealings with either of the two departments, one depending on the other at all times. In other words, The Department of Transport would take care of the instructor and end to see that things are taken care of there, and at the same time the individual who is running the school would also have to be licensed by The Department of Financial and Commercial Affairs. One would be dependent on the other at all times, but at least by having dual licensing, you would have control. The public would readily understand that this is a good operation, the business would run well and it is being operated for the benefit of the driver.

**Hon. Mr. Haskett:** Mr. Chairman, there is already a dual licensing as far as schools and Metro are concerned because they must have a Metro licence as well. But we take responsibility for licensing an instructor according to his capabilities. I am told that about 50 per cent of the applicants fail those tests so the tests are not easy. I will try out in conversation between our department and Financial and Commercial Affairs what the hon. member has said, because I do not think we want to confuse the public. We just want to keep things orderly.

**Mr. B. Newman:** Want to protect the public.

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

**Mr. Deacon:** Well, we must be confused them instead of protecting them.

**Mr. Shulman:** This is a matter which I wished to bring up before about licensing drivers, or classification of drivers. Is the minister familiar with the new program that has been suggested by the traffic institute of Northwestern University? If not, I would be happy to turn it over to him, because I think it is of great value to this province.

**Hon. Mr. Haskett:** Mr. Chairman, I am just clear about the course at Northwestern University to which the hon. member is referring. As a matter of fact, classification of drivers' licences is, as I intimated, under study by our ministers' conference with

made a referral on it to the technical people in our CCMTA. I would expect we would have a report on that at our next meeting of the provincial ministers and be able to take action on the introduction of classified licences.

**Mr. Shulman:** This is unusually, radically different and very valuable, so in case you do not have it available, I will send it across to you. When you are through, perhaps you will return it.

**Hon. Mr. Haskett:** Thank you, Mr. Chairman, I think we can probably find it ourselves. I checked with the hon. gentlemen. Our chief examiner has attended the course at Northwestern.

**Mr. Shulman:** There are two other little brief matters I would like to ask the minister about under this vote. One of them is following up the remarks of the member for York Centre, as to the rigidity of your department. One of my constituents, Mr. Charlie Dimeck, who lives at 2390 St. Clair West, ran into a peculiar problem with your department under driver licensing. He changed his residence and following the instructions on his driver's licence, he wrote to your department and notified them of the change of address. It does not say to do so on the ownership certificate and he did not think he would have to send two letters.

Some two or three months after that, he was stopped in a police spot check and was issued a summons because he had not sent two letters and changed the address on both. He thought this was a little foolish and went to court and fought it. He lost it and was fined \$20 and he feels that your bureaucracy seems to have broken down somewhere.

Can something be done about it? Either put on the ownership that a change of address must be notified or else somehow put the two together so we do not have this type of thing occurring?

**Mr. Deacon:** Blame it on the computer.

**Mr. Shulman:** Is it the computer problem? Then we cannot very well blame this on The Department of Public Works.

**Hon. Mr. Haskett:** I am not sure if I am on the right case, but did this driver send in his whole licence with the change of address?

**Mr. Shulman:** Yes.

**Hon. Mr. Haskett:** I was thinking of another case then, where we got a part of a licence torn off.

**Mr. Shulman:** He sent the licence but not the ownership, not the vehicle ownership, just the driver's licence. He did not change the address on the vehicle ownership.

**Hon. Mr. Haskett:** This is a problem in our present state. Until we are computerized with our vehicle registration, there are two separate matters, that is, the driver licence and the vehicle registration. This man, as you tell me, informed us only of his change of address on his driver's licence and not of his vehicle registration. It is important that he be notified of the change on the latter.

**Mr. Shulman:** Unfortunately, it does not say anywhere on the other that you should notify. We went through this last year when you said you were in the process of coming over. Obviously you have not done so. How long is it going to take?

**Hon. Mr. Haskett:** That is a question I would like to ask the computer, too.

**Mr. Shulman:** All right, but I would like to ask the minister one final question. Under the registration of vehicles—

**Hon. Mr. Haskett:** That is another section.

**Mr. Chairman:** We are still dealing with drivers.

**Mr. Sopha:** I thought we were dealing with computers.

**Mr. Shulman:** Then let me ask the minister another matter about which I have written him several times—restricted licences. I am sure, other members in this House, have run into several problems of persons whose livelihood depends on having a car licence. I wrote him two letters in the last month about two separate cases of this type where a person is convicted of a traffic offence, the licence is suspended and is unable to get a restricted licence.

Is there some way of broadening the regulation or your laws so that we do not have these cases ending up on welfare? We have two families on welfare now that should not be on welfare. The husbands have jobs, are willing to work, but because they cannot get a restricted licence, they have been thrown out of work and they have to go on welfare.

**Hon. Mr. Haskett:** Mr. Chairman, the matter of restricted licences has come up

number of occasions. I think most members understand that under our Act, suspensions are mandatory. Under the Criminal Code, prohibitions against driving are at the discretion of the court. We have provision under our Act where there is a prohibition that goes beyond our mandatory term; there can be application to the parole board in Ottawa.

There are also cases where application can be made to the minister for a restricted licence for the last half of the period of suspension under certain conditions. But only if no one has been injured, no property damage done, and it is a first offence and consideration is recommended by the convicting judge.

Mr. Shulman: This is the point I am making. Your Act has been drawn up in error because with this mandatory provision—even in cases which are heart-rending and I think I have presented one or two of them to you already—there is nothing you can do. In effect, all sorts of people are being punished who should not be punished—the families of these people. Ultimately, we, as taxpayers, are going to pay the penalty for this. Would you not agree with me—I hope you will—that the Act should be amended so as to give a little more ministerial responsibility here? So when this type of case does come up, we can do do something instead of having to throw our hands up in the air and say, "Go on welfare!"

Hon. Mr. Haskett: Mr. Chairman, this matter of dealing with these hardship cases is a difficult one. It is, perhaps, easier in one sense for the minister not to have discretion. On the other hand, I know that some of my counterparts in other jurisdictions have discretion. I know of cases where, in certain jurisdictions, the discretion is used in about 90-95 per cent of the cases, which really nullifies the law.

If the law is right, then discretion should not be used wholesale like that. That is the danger if there is discretion in that area of a serious offence—serious enough to call for a suspension of the driving licence.

Mr. Shulman: I would like to suggest, through you, sir, to the minister that the law is wrong in this case. I hope you will agree with me in that you are given no discretion. I am not suggesting the law should be changed and that 90 or 95 per cent of the men immediately get their licences back. But, surely, in this type of case, is it not better—I hope you will agree with me—to put a family man back into his car on a restricted licence

during business hours only, rather than have him and his family become a charge of state? All I am asking is that you be given the discretion. I have enough trust in the minister who has this job that he will do responsibly. All I ask you to do is to go back and reconsider this legislation which I think has been drawn up defectively.

Hon. Mr. Haskett: Mr. Chairman, the point is the minister has discretion in very limited cases. Now my feeling is that those of my counterparts who have the wider discretion in many cases wish they had not. Here you have to balance the welfare of the person whose licence is being suspended, his immediate family and others who may suffer the consequence of the suspension, against the potential safety of the public in the interest of whose protection the suspension has been made. It has to be weighed, you know, and I think it is a reasonable proposition.

Mr. Shulman: Will you not consider discretion? Will you not consider putting discretion into the legislation?

Hon. Mr. Haskett: We are not so firm on this, Mr. Chairman. I would not say I would not consider it, no.

Mr. Chairman: The hon. member Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I think is several years now that I have brought this topic of intermittent suspension. I cannot see why you take the livelihood away from an individual who may have been convicted of impaired driving, especially when the impaired driving was not during normal working hours.

Hon. Mr. Haskett: Mr. Chairman, may I interrupt the hon. member to give an answer to the hon. member for High Park before he leaves? He asked me a few minutes ago about the Gerrard site? I have information here that I have not read it, so it is as much a surprise to me as it is to him.

The Gerrard site was first established as a satellite of our Scarborough centre, due to the heavy volume of road tests. No provision was made then for written tests. It was so of an *ad hoc* extension under pressure. We found that persons came to the centre without first having passed the preliminary test elsewhere and we were unable to provide the service here.

To provide the complete service necessary we moved to new quarters with added space

for persons taking inside tests and, as a result, more parking space was also needed. A similar satellite office was also opened in west Toronto two years ago. Again, we are finding the experiment is not too successful and we will be moving to a new location when the present lease expires. We are moving forward by stages, stage by stage.

**Mr. Shulman:** Does this not show a lamentable lack of planning if in two offices in two years, it turns out to be so badly planned that you have to abandon them?

**Hon. Mr. Haskett:** This may be a natural observation, but I think we expanded into what we thought would be adequate quarters to take care of an overflow. It was not and so we have moved into better ones. If we can keep up with demand well and good; if we cannot, then we are in difficulty.

**Mr. Chairman:** The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, I was on the topic of intermittent suspensions, especially in the case where this happens to be a professional driver, that is, a truck driver, whose sole source of a living is the driving of a vehicle. He attends a party one evening; he becomes inebriated; he is caught after working hours, stopped on the highway and for that offence he loses his right to drive for a fairly lengthy period of time.

We, in our society, would not consider taking away the livelihood of a medical doctor, a lawyer, a teacher or someone else who may have been caught exactly that same way, under the same conditions; one evening coming home from some party a little under the weather and apprehended by a police officer. We would not take away his right to teach, to practise law, or to practise medicine. In other words, we are not taking his right to earn a livelihood away from him.

Yet the professional driver, who may have been trapped, is deprived of that right to earn a livelihood. I think the Act has to be amended after some fashion to enable him to at least have the right to drive during limited hours prescribed by the courts. But the courts cannot do this until the Act is amended. May I have the minister's comments on that?

**Hon. Mr. Haskett:** The member makes a very strong case for the driver who has been suspended from his livelihood. By the same token, I might use that kind of argument to say that if a doctor breaches the ethics of the

profession, does something wrong, he can't deny the right to practise his profession.

In this case the driver is being penalized for a breach of carrying out his responsibility under his profession. I have a feeling this is pretty severe insofar as the individual is concerned. But my responsibility is to the safety of the general public. Now how do you equate these two? If it were a similar matter, we would have resolved it a long time ago.

There is an argument in favour of the restricted licences, but there is a great deal to be said against it. Now we have tried to be reasonable in this and we have made, I say, a very small concession in restoring driving privileges with a restricted licence for business use only as respects the latter part of a suspension. That is the only arrangement we have made yet.

Now you can make the case for restoring the driving privilege to one who is engaged in driving as a business: a taxi driver, a truck driver, what have you. But they are the ones who are using the roads the most; they are the ones who know that their livelihood depends upon their performance and in these cases their performance has fallen so far below the acceptable standard that the law stepped in and said "On behalf of the safety of the public, we have to deprive you of the privilege if you will not learn otherwise."

**Mr. B. Newman:** I can buy the argument of the minister to a point, but I still think that there should be some type of consideration given to the individual. Or a pilot project set up by the department to see if we permit the individual to drive with intermittent suspension, he would, I think, probably in 99 out of 100 times, really be caught by the suspension and not be caught, under any circumstances, impaired while he is driving.

I think it would be worthwhile actually trying this out, Mr. Minister, to see if an intermittent suspension might not be the answer in this type of case, especially with a professional driver. I do not think we would call the driving licence on the highways of an individual who happened to be drunk driving around the backyard or the field on a farm. You would still permit him to drive.

I wanted to bring up another topic, that is, has the department cleared up the problem when an individual's licence expires. He gets the notice from the department; he applies for a renewal and

often, waits beyond the date on which his licence expires. He finds himself trapped. He cannot drive a car and the department is holding up the issuing of his licence.

**Hon. Mr. Haskett:** This situation has occurred. I hope all those problems are ironed out. But many cases are brought to our attention when a driver says he never got his renewal certificate and, of course, it did not occur to him to look at his licence and see when his birthday was coming and realize he should renew. Or he never got the licence back when he sent in the money.

We have found a number of the first cases: people saying they never got their renewal applications. There was an article in one of the papers in the peninsula; I think it listed five people who wrote in the paper that they had not received their renewal applications.

That, in a small community, was enough to cause us headaches. But we checked and found that three of those people had received their renewal applications, filled them in, and sent in their cheques or money orders for their renewals. And we had processed the renewals in the usual way.

You will find that many of your acquaintances may tell you that kind of story only to find that they were carrying their old licences; they had never thrown it away but they had their new one, too. Now this occurs. This is one of the problems. This business of filling in forms and sending them back has become a disease with us.

**Mr. Sopha:** The computer would not make that type of mistake.

**Hon. Mr. Haskett:** It would not, eh?

**Mr. Sopha:** No; that is a human mistake.

**Hon. Mr. Haskett:** That is only partly it. The computer and the programming in the issuing of drivers' licences this last while have caused us some very real headaches.

I announced in the House—I think before the end of last year—the jam we had gotten into because of a computer tie-up. We notified the OPP and municipal police forces across the province what had happened. If they did apprehend a driver who said, "Well, I sent in my driving renewal application," they would check with us before they charged the man for driving with a licence that was out of date.

We did our best to meet the situation that was caused by one of these monsters we call computers.

**Mr. B. Newman:** Mr. Chairman, would the minister not also consider advising the individual who is waiting for the licence, by means of some letter or giving him some type of certificate or something, so that if he is stopped by the law enforcing authorities that they would readily know what the problem is?

**Hon. Mr. Haskett:** If we knew the man, we could quickly cover him with a temporary licence, if we could identify him. On the other hand, anyone who finds himself in that position and comes to us or to one of our licence issuing offices can obtain a temporary licence, which we authorize forthwith.

**Mr. B. Newman:** I happen to have had a case, Mr. Minister, of one who had to go back twice to get his temporary licence initially in the local office. But they are most cooperative.

May I ask of the minister: Is his department considering a special type of a licence or a special point system, for 16-year-olds, 17-year-olds and 18-year-olds? I can recall one member in the House one year made a suggestion that a 16-year-old be allowed only three points; at 17 he could have up to five points; and at 18 would have the full seven points. This, in an attempt to impress upon the younger driver that the licence to drive is a responsibility and not a right.

**Hon. Mr. Haskett:** Mr. Chairman, this is a very good point and one that is under active consideration. We have been wanting to bring in some form of probationary licensing system, I think that is what he hon. member is referring for. Now he may be reversing the operation of our demerit point system, a *la* the Yazer System in a sense.

Which you do is perhaps immaterial. I think the demerit point operation is probably simpler and the better, but conditional licensing of young drivers is under active consideration. I hope we will have an answer for you shortly.

**Mr. B. Newman:** Mr. Minister, there is a consideration being given to raising the driving age, is there?

**Hon. Mr. Haskett:** No, Mr. Chairman. The reason we have been resistant to raising the driver minimum age is twofold. One is that we find the 16-to-17-year-olds' records are better than those of 19 to 24, so that is a factor.

The other is that if we were to raise the driving age from 16 to 18, or 19, we would

cut out a great number of the boys and girls who are taking driver education in high schools, which is one of the bright gems we have.

**Mr. Chairman:** Anything further on drivers?

**Mr. D. Jackson (Timiskaming):** In the matter of snow machines, Mr. Chairman. The present law requires that a person running a snow machine on a highway, or on a municipal street, has to be 16. Even though he has to be 16, it does not require that he has to have a licence. The age is the only requirement, and many of these young fellows who take out a snow machine have never driven a car, know absolutely nothing about the safety regulations on the highway and really do not know what the signs mean. We well know by the number of accidents that are happening every day on the highways with these machines.

Does the minister not think it would be very wise, in the matter of safety, to ensure that these people do know what goes on on the highway—the safety rules and regulations, the stop signs and all of this? Would it not be wise for him to call them in for licensing—a new licence of some kind for snow machines? Either a licence, or a safety course of some kind, that they have to pass before they can drive on the highway?

**Hon. Mr. Haskett:** Mr. Chairman, the driving of snowmobiles is a matter that we are looking at right now. The licensing of a snowmobile operator, if he takes it on a road, is, I think, a proper requirement. I think the member can look forward to seeing a change in that.

**Mr. Jackson:** Can we expect it, Mr. Chairman, before the next season starts?

**Hon. Mr. Haskett:** I think so.

**Mr. Jackson:** It starts early in my area.

**Mr. E. R. Good (Waterloo North):** Does it ever end?

**Mr. Chairman:** Anything further on the driver programme?

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, I would like to ask, through you, if the minister has ever given any consideration, with the computer working as it is, to some method of having these people renew their licences at the local licence issuing offices? In other words, they would pay it there, rather than mail it in. Would this save some of the problems that have been created?

**Hon. Mr. Haskett:** Mr. Chairman, I do not see, offhand, where utilizing the licence issuer for renewal purposes would simplify the matter. I am hopeful that the trouble we have been having with the licence renewal notices and the renewal certificates is being cleaned up and will be ended. I do not see how we could utilize the agency usefully.

If the member could spell that out, I will look at it, but I do not think it would simplify the matter. I think it would be inclined to complicate it at this stage.

**Mr. Chairman:** Driver programme?

**Mr. B. Newman:** Mr. Chairman, I want to ask the minister if he is giving any consideration to the writing and the testing of drivers in the French language. Windsor and Essex county is a designated area as far as the use of the French language is concerned. As a result, I just wondered whether the minister would permit individuals to write the tests and take the tests in the French language?

**Hon. Mr. Haskett:** Mr. Chairman, I think this is being done. I do not know if there is a written test in French provided, but I think that anyone who wanted to use the French language, certainly in our area, could have the questions translated into French and answer them in French. We have French examiners wherever they are needed.

**Mr. B. Newman:** Are some of the regulations and publications put out by the department in the French language?

**Hon. Mr. Haskett:** Yes, but not as many as we might like. It is difficult to translate some and it is slow. One of the requests has been for the licence to be in French and English. The space is a complication there. We have to be careful at these things, trying to find an answer.

**Mr. Chairman:** Driver programme? hon. member for Hamilton East.

**Mr. Gisborn:** Mr. Chairman, through you to the minister. I take it the minister is aware that the April 17, 1970, leaflet from the Ontario Safety League points out—No. 1 in their brochure—that diabetic drivers have a much higher involvement in traffic accidents and convictions than nondiabetics? If the minister is aware of this, does it not concern him with his department? Have they come up with any solution to a greater degree of education to those people who are affected with diabetes?

We have had instances, of course, where this has been reported in accidents. They have had momentary blackouts and weaknesses of varying kinds, because of their condition. If we now find, through research, that they are involved in more accidents and more injuries, has it raised concern with the department to increase an awareness and a more stronger educational programme on their behalf?

**Hon. Mr. Haskett:** Yes, Mr. Chairman, we are very much aware of the incidence of diabetics and epileptics and such in motor vehicle accidents. Of course, you know that doctors now are required to report conditions in their patients that would seem to render them unsafe for driving.

Our concern here is evidenced by this seminar that we have set up for three weeks hence. We are bringing together some of the ablest medical people dealing with psychiatric and medical impairment and its relation to motor vehicle driving safety. If we can find better ways of approaching this in the future, why, that is what we are looking for.

We have been using, to greater measure than ever before, the powers of the registrar to suspend in those cases where he thinks there is danger in the driving, providing, in those cases, for an appeal. Before the suspension occurs, usually a person suspected of medical disability is called on to submit a doctor's certificate. That is considered before a suspension would occur. But after a suspension does occur, then the suspended driver has a right to appeal to the driver suspension appeal board.

**Mr. Gisborn:** May I ask the minister, Mr. Chairman, what has been the result of the legislation demanding a report by medical doctors in regard to the patient's ability to drive? How many have we had?

**Hon. Mr. Haskett:** Really a great many. It is in the annual report, Mr. Chairman.

**Mr. Chairman:** Anything further on the driver programme? Driver programme agreed to.

We will move on to the vehicle programme, that is registration, and vehicle safety inspection.

The hon. member for Yorkview.

**Mr. Young:** Mr. Chairman. I would like to ask the minister, in connection with the transfer of motor vehicle titles—there has been a lot of difficulty, as the minister knows, in this matter of the transfers.

I have a copy of "Sound Off" with Gordon Sanderson, London *Free Press*, of March 1970, where he talks about the problem which one person had in connection with transfer of the ownership of a car and subsequent lawsuit. He had not made transfer. He had trusted the purchaser register the car in his name and that was done. As a result, he faced a pretty serious charge in connection with the car which had once owned, but no longer owned, ex-legally.

I also had a call a couple of weeks ago from a certain Mrs. Campion in connection with a lawsuit they were facing. They were not aware—although the licence says pretty clearly that it is a joint responsibility—they were not aware that they were to register transfer. They did not do so, they trusted the new owner to do it. An accident occurred with about a \$600 damage claim, and they were summonsed to go to court over it. I am not going into all the details—there was perhaps a little laxity on the part of the lawyer and The Department of Transportation think did co-operate in some real extent here, but finally they were faced with a claim, as the court case had been completed, of about \$1,200.

They did not know how they could pay this. Finally, the wages were garnisheed; the process is underway now. It involved a large garnishee at first, for one third of the wages that was adjusted down to about \$5 a week which they are trying to pay at the present time. The overall amount was \$1,200, which, of course, they were not at all responsible because someone else was driving the car. In this case the car had been loaned to a third party and the third party had an accident; and both the present so-called owner and the driver are evidently out of the province.

It seems to me, Mr. Chairman, that something could be done here. I never liked the idea of dual responsibility, and it seems to me while it is up to two people, one or the other, to look after this, they are equally responsible, the possibility of problem after problem arises.

It would seem that the person who is most to gain from the transfer is the person who is selling. There is the whole matter not of the inspection of a car, but the person who is selling is the person who is going to be responsible if the transfer is not done and an accident occurs. Why not change it so that the responsibility is tied down to one person and one person alone—the seller—rather than one or the other?



I may miss some of the reasons for this dual responsibility, but certainly if it were tied down to one person and is there in bold type on the licence that if you sell it is your responsibility to make sure the transfer is done, then there is no excuse whatsoever. If I am selling a car and I trust somebody because he may be a good friend of mine, or I may have every reason to trust that he is going down and get the transfer made but he does not do it, and he forgets about it, or he deliberately does not do it, then I still am responsible. If that responsibility were put on me as the seller it seems to me that it would be far better in law.

I would like the minister's comment on this because there is a great deal of trouble in the province in connection with this.

**Hon. Mr. Haskett:** We must share the view of the member for Yorkview that the dual responsibility, the requirement for a signature on the application for transfer from both, poses a problem. I was ready to hear his suggestion to correct that problem and to alleviate it; and his suggestion is that we leave it up to the vendor to register it. The responsible vendor who has been carrying insurance, and who is liable for civil suit or damages if the vehicle is not transferred and is still in his name and is involved in a collision, is the kind of person who would probably send in the transfer; but it is in the interests of the purchaser to have the transfer registered in his name too. But where does the title lie if the vendor does not sign it and the purchaser has paid \$2,000 for the car? What is the situation if the vendor is not that responsible kind of person?

If I were offered a good answer or a good solution to the problem I would be willing to listen to it.

Then you have a third party involved in this particular affair who was not a party to the contract—I do not know whether it was the purchaser or the vendor—but the purchaser was responsible in turn when he loaned the car to someone. He has to assume the responsibility for the acts of the person who was using the car by permission.

**Mr. Young:** Except he does not own the car.

**Mr. Chairman:** I must point out that the hour is 5 o'clock and there is another order to be followed at 5 so that this debate should be drawn to a close. I see no reason why I cannot accept the motion to rise and report from the hon. minister.

**Hon. Mr. Haskett** moves that the committee of supply rise and report that it has come to a certain resolution and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to a certain resolution and asks for leave to sit again.

Report agreed to.

## THE PLANNING ACT

**Mr. Apps** moves second reading of Bill An Act to amend The Planning Act.

**Mr. S. Apps** (Kingston and the Islands): Mr. Speaker, many citizens of our province will be going to Expo 70 in Japan this year. Like Expo in Montreal, many of the buildings there are as modern as architects can make them. While we are building the modern buildings and doing our best to meet the many challenges that face us, I believe we should try to preserve some aspects of our past, and it in this regard I want to make some comments on Bill

In speaking to the principle involved in amendment to The Planning Act, this principle is simply and very well put in explanatory notes to the bill, and I quote:

The amendment would permit municipalities to preserve the character of historic and architectural features in the municipality.

**Mr. Speaker,** I would like to begin my remarks with a quote from one of our country's founding fathers, Joseph Howe:

A wise nation preserves its records, gathers up its monuments, decorates the tombs of its illustrious dead, repairs its great public structures and fosters national pride and love of country by perpetuating references to the sacrifices and glories of the past.

Unfortunately, Mr. Speaker, there are many people who see no virtue in preserving our past, they have no interest in the milestones that have marked the development of our nation, and as a result many old structures that would be highly prized today have partially or even wholly disappeared, obliterated by our so-called progress.

While we are building magnificent skyscrapers, each taller than the next, many of us are tending indiscriminately and blithely to tear down many of the significant reminders of our past. This commercialism rarely seems to concern itself with the aesthetic or historic.

As one of Canada's foremost historians, who I might add is a respected and revered resident of the Kingston area, Dr. A. R. M. Lower, has written, and I quote:

Sometimes I incline to wonder just how for this obsession with commercialism, with the making of money, would take us if there were no restraining influence. Would it be that we would put Fort Henry up for sale to the Americans?

I do not think that it would be, but it illustrates the point: Are we so taken up with making money that we are willing to sacrifice many of the things of historical value to it?

Anyone who has recently visited the United States will tell you that the Americans have a much greater appreciation of the tangible evidence of their history than we have. Every state is crammed from corner to corner with historic sites, buildings and plaques. Probably one of the best known is Williamsburg, Virginia, an extremely authentic recreation of colonial times.

There are also the Spanish missions along the California coast, the delightfully preserved 18th century town of St. Augustine, Florida, and the meticulously marked Civil War battlefields in the eastern half of that country.

Unfortunately, in our own country most of us tend to be either uncaring or careless about our past, even though it certainly is as interesting as that of our southern neighbours. It is not that we lack historic places, but we lack historic appreciation. For example, my home town of Kingston vividly illustrates the wealth of historic sites we have in Canada.

Kingston has played an important role in the historic development of Canada. It is one of our oldest communities, having been founded nearly 300 years ago, in 1673, as part of the western trade movement along the St. Lawrence River. It also was our country's first capital, possessing that honour between 1839 and 1841, after Upper and Lower Canada were formed into the United Province.

During the war of 1812, the British retention of Kingston was the key of the successful defence of Upper Canada, because its fall would have meant the loss of control over the vital waterways.

Architecturally, Kingston has a very distinctive atmosphere, largely because much of it was built from the limestone in the area, earning it the nickname "Limestone City". Very little imagination is required to take visitors back to the 19th century when you take a walk through sections of Kingston. For example, the market square and our city hall must be very much the same as they were when John A. Macdonald saw more than 100 years ago.

Perhaps, though, the most famous and popular historic stop in Kingston is Fort Henry. Its success is greatly due to the interest this province took between 1936 and 1940 in its restoration.

The care used in restoring the fort has resulted in it again having the appearance of an impressive fortress, guarded by mounted cannon, drawbridges and all the other paraphernalia of early 19th century fortifications.

A unique type of guide service is used to enhance the atmosphere of the past. The guides are trained and uniformed in the fashion of the imperial troops of a century ago and seem part of another age in keeping with the limestone walls, drawbridge and cannon. This certainly helps in the effort of creating the illusion that the past has been restored to life.

I might mention that no one who has the opportunity of visiting Fort Henry without watching the show put on by the Fort Henry guards has ever come away disappointed because it is a tremendous spectacle.

Restorations like those at Fort Henry serve an extremely important purpose. They are a valuable aid in helping us to understand the various centuries and how people lived there, as well as their attitudes and points of view. They are essential if we are to imbue the younger generation with an appreciation of our past, instead of having them groan whenever they have to study Canadian history. Restorations provide a visual and a very effective method of teaching history. They help give thousands of persons a true sense of history by making them feel they are actually living in a bygone age. When it is possible to associate the story of some past event with the actual location where it occurred, then it is also possible for us to develop an even closer attachment to our country.

By preserving our heritage through such buildings like those at Fort Henry, we recall the past, we are preserving and enhancing the distinctive character of our city, province and country.

Although there has been considerable effort in Canada in this direction, the present legislation unfortunately does not completely fit the task. If an Ontario city wants to preserve a historic building, it has very few tools it can use to do so. Federal legislation covers the preservation and restoration of only national historic sites in museums. Obviously, there are not too many places that fall into this classification and those that do, most likely have already been designated as such.

The two legislative tools in our province are the recent Ontario Heritage Foundation and The Archaeological and Historic Sites Act. The Heritage Foundation of Ontario has done excellent work; however, section 7(a) of the Act which empowers the foundation to "receive, acquire, hold, preserve, maintain, reconstruct, restore or manage property," limits this power to only that property which is "for the use, enjoyment and benefit of the people of Ontario."

As the foundation is being supported by, and is for the benefit of all Ontario taxpayers, this is perhaps a proper qualification. However, it is a burden for our cities, many of which, like Kingston, have many historic buildings that interest many people but not the population in general.

As many hon. members probably recall, The Archaeological and Historic Sites Act was drafted following a serious disturbance by pot hunters at an archaeological site being excavated at a federal national museum on Manitoulin Island. The purpose of the Act was to prevent unqualified persons from excavating or removing artifacts from an archaeological site of outstanding significance until qualified archaeologists could thoroughly excavate it.

However, no provision was made in the Act to compensate an owner whose property might be frozen through "designation" and, of course, the Act applies as much to the owner as anyone else. As a result, if the owner were a farmer, he could not plough his field, or if he were a subdivider, he could not erect a building.

In addition to these drawbacks, the Act also contains a serious restriction for those of us who want to preserve our history through old buildings, because it applies only to land and not to buildings.

As neither of these Acts really applies to a city that wants to preserve a building, the city must petition through a private Act each time it wants something preserved. Obviously this is a very tiresome and time-wasting process.

Only two cities, Ottawa and Toronto, managed to surmount this impasse through private Acts that apply generally and just on one occasion. However, in real Toronto has not made use of the 1967 Act which allowed it to designate buildings as historic sites and prohibit the demolition of any of these buildings for a period of 60 years after a demolition permit had been so issued. Apparently the Act has raised as many problems as it promises solutions, making application most difficult.

The city of Ottawa's private Act authorizes strict architectural control over the external design of buildings and structures facing certain parks, parkways or driveways, highways and other lands of the National Capital Commission.

But outside of our national capital, where such an Act was a virtual necessity, the situation is much more cloudy. Subsection 30 of section 30 of The Planning Act, which allows municipalities to pass bylaws, as it now does not permit them to pass bylaws which would preserve historic buildings. The rule by the Ontario Municipal Board, which has the power to approve or reject municipal laws, has been that this would be too broad an interpretation of the subsection. Section 30 also prevents municipal councils from giving funds to historic societies which are interested in carrying out historic projects but do not have the cash to do so.

To illustrate these difficulties, let me quickly review the maze of problems Kingston ran into when it tried over the past several years to take action to preserve its historic heritage. In November, 1962, the Kingston city council passed a bylaw to regulate and control the alteration or demolition of buildings of historic or architectural value. The Ontario Municipal Board turned down the bylaw on the ground it was stretching section 1 of section 30 of The Planning Act too far.

The council then tried a new tack. During the Centennial year it passed a bylaw authorizing a town planning firm to prepare an urban renewal scheme for the old Sydenham ward area near the waterfront. The ratepayers of the ward formed an association supporting both the public and private projects, which would have retained the best aspects of the ward and its historical character. In the preliminary report last June the planning firm came out strongly in favour of the preservation of the architectural and historical quality of the ward.

While the study was under way, the Kingston planning board sent a recommendation to the city council that a bylaw be adopted to discourage the demolition of the buildings in the ward it had labelled as historic. The OMB also shot this bylaw down in flames for several reasons. It ruled that it was too vague; that prohibition of demolition is not allowed under The Planning Act; and that a time limit listed in the bylaw was unacceptable.

The council then amended the bylaw to meet the board's objections and resubmitted it to the OMB last November. But the board refused to approve a provision which put architectural restrictions on the 88 buildings listed and deemed to be of architectural and historic importance.

Mr. Speaker, as I hope the problems encountered by Kingston have shown, the main stumbling block standing in the way of any municipality passing a bylaw which would enable historical preservation is subsection 1 of section 30 of The Planning Act. My amendment to the Act would extend the powers of the municipalities under this subsection and enable them to pass bylaws for this purpose.

It would also mean they would no longer have to apply for a private Act for each place they wanted to preserve. Instead, if a city wanted to take such action, it could pass the necessary bylaw, but if another city was not interested, it would not have to follow suit.

Mr. Speaker, we should not allow ourselves to be so caught up in the magnetic attraction of the modernistic houses, cars, airplanes and office buildings of this space age that we forget our equally important past. Nor should we allow the needs of urban renewal projects to completely wipe away our history. After all, as we all know, it is the past which has made the present, and will make the future, possible.

In this context, I would like to read you a short quote from the recent report of the Kingston committee on preservation:

Alarmed by the demolition of an historic Kingston building and the issuance of a permit to demolish another, a small committee of interested citizens has met to consider the problem of preservation in Kingston and its implications for Ontario. Historic buildings possess an inherent value in education, culture and commerce, and we deplore their demolition or defacement without affording the city or interested persons or organizations an opportunity to acquire them or to arrange for their preservation.

Kingston has a distinctive quality of appearance which has been built up over many years by cultural development and architectural change. We want to keep alive a sense of the past in a physical way by saving the buildings that speak for their own time and thus preserve and enhance the distinctive character of the city. We are interested in the preservation of a livable community, a judicious mixture of the old and the new, so that we can keep the essential character of Kingston without restricting progress.

Mr. Speaker, the example of Kingston, I think can be shown many times in many other areas throughout this province.

It is almost inconceivable to me that municipalities at the present time do not have the power to preserve these buildings if they wish to. It would appear to me that if we are interested in preserving many of these old structures—and many of them are old and beautiful buildings—then they must be given the power to do what they wish to with them.

I would certainly urge this government to pass general legislation so that any city, or municipality, anywhere in this province would be able to take a look through its municipal bylaw and say: "This is a building we should preserve. This is a building of great historical significance to us—perhaps not to the rest of the province, but it is to ourselves." As I say, it is rather inconceivable that they do not have the power at the present time. Mr. Speaker, it is my belief that the municipalities of this province should have the necessary authority to determine those buildings which, for historical reasons, they want to preserve.

If I may, I am just going to go a little farther than I do in the amendment to the Planning Act. As I mentioned during the committee of The Department of Tourism and Information, I believe that this would be in the interest of this province that money be set aside to help these municipalities preserve, acquire and maintain these buildings that have historical value to them. I think that is the least that we can do in this province to make sure that we do something to show some continuity from our beginnings to where we are now, and where we are going to.

Mr. J. B. Trotter (Parkdale): It is a good idea, but the government is too tired.

Mr. Apps: I think, Mr. Chairman, many people who belong to this government are not that tired that they cannot see that there is something that must be done. I would like

that I would get the 100 per cent concurrence of every member here in his Legislature on this particular bill.

I fully realize that, as a private bill, this does not really mean very much. It does not go very far. All it does it give people an indication, a chance to get up and speak about something that pertains, particularly in many cases, to their own municipality, but could pertain to many other municipalities in this province.

This is why I have taken this opportunity of getting up to speak on this particular amendment. This is why I introduced it in the first place—because we in Kingston need this power and I am sure that many other municipalities need that power as well. That is why I am so pleased to have this opportunity, regardless of whether it is going to go anywhere or not. I want to point out to our government and to every person that this is important and something should be done about it. Thank you, Mr. Speaker.

**Mr. E. R. Good (Waterloo North)** Mr. Speaker, the first subsection of section 30 of The Planning Act gives municipalities authority to pass bylaws which deal with the use of land within the municipality, the types of buildings, and size and locations in which buildings can be erected. But there is, of course, nothing in this section which gives the municipality authority to pass bylaws regulating the demolition or refurbishing of buildings within the community.

So we fully support this bill, in the hope that the government will introduce similar legislation so that all municipalities in the province—not just those which now have private legislation—will have equal opportunity to preserve historic sites and buildings which are so necessary to the quality of life which we would like to enjoy in our province.

Being a relatively young country, perhaps we do not have the proper appreciation of the fine qualities that dominated the architecture of former years. The modern idea of planning certain segments of our cities so that they will be replaced within 20 or 30 years, I think, leaves with us a very hodge-podge type of landscape around our province.

This, I think, is especially true in Ontario. Where else can you walk down a nice Victorian street and suddenly be confronted with a "salt box" type of building housing a bank, or some other type of structure? I believe that there is beginning to come a new awareness of architecture of former years, the aesthetic value of it.

With this awareness, which has been brought about by modern developers who are now building new homes of French provincial style, a Victorian type of home, English colonial and English Tudor and things of that nature, I think all people are beginning to have a new awareness and a new appreciation for architecture of former years. I know that years ago, when I built a house, my wife and I decided on a French provincial type of house with a mansard roof. I looked around Kitchener and Waterloo to see if I could find any mansard-roofed homes, and was able to find some. There is one type of architecture for which, perhaps, we have not had the proper appreciation. I think this is a new awareness of this.

Personally, I think that the bulldozer has crashed through with more regularity in certain parts of Ontario since the war, demolishing architecture which should have been retained, than anywhere else, with the exception of some of the large cities of the United States. We have only to look at downtown Toronto, which I choose as an example because most of us know it fairly well.

Consider the fact that, for instance, a beautiful bank at the corner of Yonge and Front Streets is slated for demolition. I realize that something is very wrong with our sense of values. We have been told that this particular part of Toronto cannot be preserved because a building that is unproductive must not be allowed to stand.

That branch of the Bank of Montreal is still active. Admittedly, many of the surrounding structures are not, but there is no reason why they could not be. The architecture conservancy, a group of architects banded together to preserve the best in early architecture, is making repeated requests to the city of Toronto, to the council, to halt the demolition of certain historic buildings.

In the early sixties, the same was said of the oldest part of Montreal—that it had to be razed to make way for a new business development. It seems that business development and the dollar bill is doing a lot of planning across the province—planning which is being negated by government at the present time.

Fortunately, however, in Montreal the music critic of the *Montreal Star*, Eric MacLean, was in a position to purchase the Papineau house. This house was in deplorable condition, but Mr. MacLean was able to restore it, making the three-storey structure into three flats, one for himself and two others rented to like-minded individuals. From the

very small beginning came what is now one of the loveliest and most looked-at areas in the city of "old Montreal". I am sure many of you have seen it down by the waterfront in Montreal.

This was a grass roots movement that got the city council and the provincial government interested, all of whom co-operated in a non-partisan way to protect the area from developers whose main interest was to get rid of the old and put up something new in the way of antiseptic towers to house businessmen.

Montreal had one big point in its favour of course, in that this section contained the majority of the historical buildings in the city, so it could be renovated as a whole neighbourhood. The task in Toronto, of course, would be much more difficult because the historic buildings here are scattered about the city.

Difficult, I say, but not insurmountable. If a section of the city were to be designated as "old Toronto" there is no reason why these buildings could not be moved there. This, I think, has been done on numerous occasions, because the value of certain buildings lies in what went on there and not in the building itself. Houses could be quite easily moved to another location with their historical integrity intact because it is what happened inside some of these buildings that really counts.

For instance, the William Lyon Mackenzie home is one example which perhaps could be treated in this manner. This could be done, I suppose, in one of two ways. Either the entire structure moved, as was done with the old Mariner's Church in Detroit where the civic centre was built; or it could be dismantled and reconstructed at the new site, as was done with the oldest restaurant in North America in the city of Montreal where "Old Gabes" is now around the corner in "old Montreal" city.

I would suggest that individuals be encouraged to take the same kind of action that was taken by Mr. MacLean, and that has been taken by the administrative staff of St. Lawrence Centre and others in allied fields who are using the Gooderham building for their offices in that general area of downtown Toronto. But it would require planning and because of this I think the government should lead the way and introduce legislation which would be comparable to this and require these ends.

Someone called my attention the other day to an article in one of the local papers, an

article which described some of the fashions. They were talking about how m fashions changed, how women's fash changed. I think that a city, the out appearance of a city, will designate what of people live in it. Not only is a sense history necessary to the face presented city, but the way in which the new is i grated with the old is even more reveal You cannot take a row of Victorian hou restore them and then find one in the mi that is beyond salvation and replace it a glass and brick split-level. You must rep that house with a duplicate of the origin.

I had occasion to visit Philadelphia du the Easter recess and I was very much pressed with what they are doing there in restoration of historical areas of the city. I there is much about that city with whi was not impressed. But particularly the do town area, first of all the part that is kn as Independence Square, the buildings h been restored—the first buildings that ho the first congress of the United States—the roadways have been restored to make area appear as it did in those days.

Then surrounding this area a great has been done in refurbishing and resto the rows and rows of old houses in that of the city, and it is quite evident that there are buildings which cannot be r bished and restored to their original app ance and which must be demolished, the has had a hand in the planning of the so that the restoration is in keeping with surrounding areas.

I feel that it was unfair of Mayor Denn to liken restored buildings to museums. It been shown in all the cities that were tioned earlier that once these buildings restored they become prestige business fashionable residential addresses.

We must, however, register a caution and that concerns the restoration of l areas of a city to such a degree that it ders the area useless for low-income fam This is a real concern, and displacem such tenants must be considered in any la scale restoration.

There is a great deal of interest in restoration of old farm houses and estate more rural areas. This is generally take a desire to get away from the polluti tension of the city, but it is more than I feel these people are looking for some in a place that brings them a little meaningful relationship between their pr life and their business life.

Now I would like to make a few sug tions in closing.

First that the Premier (Mr. Roberts) show leadership in instituting restoration projects. The first step would be passage of legislation.

Second, that students be encouraged to find—

**Mr. Speaker:** I do not like interrupting the hon. member, but he has now entered upon the next member's time.

**Mr. Good:** In closing I would say that I heartily endorse this amendment to section 30 of The Planning Act which would permit municipalities to pass bylaws to regulate the destruction of buildings that are deemed to have historical or architectural value.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to join in the debate on this motion. I think all of us in all political parties are interested in historic buildings and historic sites. I think we probably differ on how we might go about retaining them.

I have some reservations about the bill which the member for Kingston and the Islands put forward, in view of the fact that the city of Toronto has already put through a private member's bill whereby they can make a list of those buildings that they wish to retain. Apparently they have not yet even gone about the task of preparing the list to designate the buildings—

**Mr. Apps:** They do not want it badly enough I guess!

**Mr. Pitman:** —which are to be preserved.

I think the member for Kingston and the Islands makes the point, they did not want it badly enough. That is exactly the problem, I feel, in regard to a number of municipalities across this province. That is why, Mr. Speaker, I might draw your attention to another bill dealing with this same problem, Bill 45, An Act to amend The Archaeological and Historic Sites Protection Act which stands in my name.

I think in this particular case I have taken the bull by the horns somewhat more directly and stated that any building in Ontario which is 100 years old should be designated immediately as a historic site. We can deal with the details later, but this, I think, gets around the problem of dealing with some 900 municipalities and their decision as to whether they think a building is a historical site or not.

I agree with the member who has put forward this legislation. It is one way of getting at the problem, but I suspect if we are going to save our history in this province we had better do it very quickly and make a very definite response to the problem. I am afraid

that this legislation will create a delay factor which I am sure will result in the loss of hundreds more historic sites across this province.

There are those who do not think this very important, who do not care, really, very much whether we have historic buildings or not. Yet I think we express ourselves, Mr. Speaker, through our architecture. It is something of our society and ourselves which we look at the buildings which we ourselves are putting up. It tells us a great deal about the people who have lived before us, looking at their buildings.

This statement was made by Dr. Peter Stokes—not a relative, I do not think, of the member for Thunder Bay—who is a restoration architect from Niagara Falls. He stated—

The general attitude today is that everything old should be destroyed

And he went on to outline the philosophical principles and the practice behind the restoration of early buildings. He said that:

Buildings are a physical expression of man's history. Buildings show man's need for shelter and his desire to make a safe place out of his home or place of work; the preservation of these buildings is the preservation of a heritage.

You know, Mr. Speaker, one of the strange things is that here we have on the government benches a Conservative Party, a Conservative Party dedicated to the conserving of the past, and we have to stand here in places at this point in time and debate a motion which might save a few public buildings in the municipalities across this province.

Why? Surely there must be a piece of government legislation coming before this House. Why is it that this government will not take any action? Why is it that historians will look back 50 years from now and say that the government over the last 23 years was responsible for the destruction of more historic sites than any other government in the history of the province?

Why will that be the case? Simply because this government will not take any action. It will delay for a moment the bulldozer or the axe of the urban renewal specialist or of the developer who wish to put up an apartment building or even a parking lot. That is the shame of the province at this point of time. We simply do not care. Even after 1967, when there was more concern over Canadian history than there has been shown for years before, even during the 1960s, what did we do in Ontario mainly? We put up new buildings. Oh, we restored a

buildings—the St. Lawrence Hall is perhaps one of the proud examples of what could have been done during that year—but we took no step to make sure that the historic buildings of this province were retained and restored.

It is, of course, quite obvious to see why. Because most of these responsibilities for this matter are under the Minister of Municipal Affairs (Mr. McKeough), and you must go about, as the member for Kingston and the Islands has gone about, trying to deal with all the separate municipalities. Or you turn to the Minister of Tourism (Mr. Auld)—and there is a hopeless task, Mr. Speaker—because the Minister of Tourism has a great mixed bag of all kinds of circus activities going on under his portfolio, and I do not think he cares about the historic buildings in this province.

He does care, though, to the extent to which we can get tourists into this province of Ontario. So, if it is Upper Canada Village, we will put up money for Upper Canada Village; or we will restore this fort and that particular site if we can draw people who have money.

This is not good enough. We will not learn to understand ourselves through our architecture and through our architectural heritage by getting money from Americans. This is just not the game and that is why I say to you, Mr. Speaker, and through you to those who sit on the government benches, unless we do something dramatic in the next 10 years, it will be very difficult indeed for young people throughout this province to understand their heritage, there will be so little of it left.

The strange thing is that we do know how to do this without great expense. Strangely enough, we have to look to the old country. I bring to your attention a periodical that came out some 10 years ago. It is called the Norwich Plan, which shows you how you can restore not just a building, but a whole series of buildings, a whole street, at no great cost. And I ask why the government of Ontario is not producing this kind of material for the small municipalities so that they can set about the task of preserving and restoring their heritage.

We come back to it again: urban renewal, in the mind of this government and, I am afraid, in the minds of many of the municipalities in this province—tear it down, destroy it, get it out of the way, so that we can put up a shiny new brick building, which has really very little character and perhaps shows only the paucity of our own character.

That is no longer urban renewal. Good heavens, we have seen what that has done to

the entire guts and hearts of all sorts of communities south of the border. Yet we are thinking in terms of that kind of development here in Ontario in 1970, and this government will do nothing to stop this type of wholesale destruction.

I think the secret can be seen in one place. One only has to read the budget. A historic building or site is in the public sector; it belongs not to the individual alone, it belongs to the entire society, the whole province, the people of the province, and that is what the government will not recognize,

Those of you on the government benches have no faith in the public sector. They have no realization that the people of Ontario have something which is theirs, and it is the buildings that were built by the hands of the people who went before. Until that realization is made in this government, I am afraid we will see year by year the decimation of the heritage of this province.

**Mr. D. A. Evans (Simcoe Centre):** Speaker, as a representative from the area often referred to as the cradle of Ontario history, I welcome the opportunity of speaking in support of this amendment.

My colleague from Kingston and the Islands has outlined well the problems facing municipalities and the need for his plan. I support the Act amendment. Therefore, I would like to focus my attention on those Simcoe County areas that have helped to foster our historical appreciation.

Simcoe county's story has often been the bane of Canadian development. Within its borders have been Indian wars and United Empire Loyalist migrations, new local loyalties and violent repercussions from United Empire Loyalist politics, saddlebag preachers, hand-hewn schoolhouses, lumber camps, sailing ships and, more recently, radar stations, gas stations and modern traffic jams.

It is today a microcosm of Canada's founding cultures—Indian, the Beausoleil heritage, the Ojibways on Christian Island; French-Canadian, chiefly bilingual in the town of Port Hope; Acadian, in the township of Pictou; and Anglo-Saxon.

The first mass in Ontario was celebrated at Caragouha in 1615, and the first European settlement in the interior of Canada or the United States was begun in 1639 at Ste. Marie. Ste. Marie was made the first point of pilgrimage in the Americas, north of Mexico, by a papal bull in 1644.

Champlain, Brûlé, LaSalle, Lieutenant Governor Simcoe and Sir John Franklin



but a few of the names woven into the Huronia magic tapestry of national and historical interest.

Interpretations of the rich legacy of Huronia has been made possible by the development of three of the more significant historic sites by the Huronia historical parks branch, and is being transformed into a massive and productive educational resource.

Deep in the wilderness of 1639, while other Europeans settled along coastlines or rivers, Jesuit priests with their lay helpers, craftsmen and soldiers established the bustling settlement of Ste. Marie. It became the focal point of a Christian mission to the Huron nation, and six of North America's martyr saints lived and worked there.

Ste. Marie at its peak was second only to Quebec, establishing itself as a major community. Despite lonely isolation and hardship, in a decade Ste. Marie grew to include stables, workshops, residences and a granary built by Norman craftsmen in the fashion of their 17th century homelands. From Ste. Marie the missionaries travelled to their arduous missions and, in turn, the Hurons visited in large numbers.

However, the community was doomed as it was built, for it fell victim to bitter Indian trade wars. In 1649, the Jesuit priests sadly set fire to Ste. Marie to avoid its desecration, in the face of advancing Iroquois raids for control of the Huron fur trade empire. For 300 years after its burning, Ste. Marie lay in ruins.

In 1964, reconstruction of the site was begun, and archaeologists, historians and builders have recreated a living social environment which takes the visitor back more than three centuries to the Jesuit mission centre, the fortified French community and the bark longhouses. The rebuilding of Ste. Marie-among-the-Hurons has served to bring history and heritage vibrantly alive.

Another heritage project is the Museum of the Upper Lakes, preserving lore of 300 years of navigation. This unique museum includes the hull of the last British vessel on the Upper Lakes during the war of 1812-14. The schooner Nancy was commandeered by the British Navy from the North West Company to run supplies and, as she headed out with winter supplies in the fall in 1814, she was cornered by the USS Niagara, Tigress and Scorpion, and burned.

The Upper Lakes museum is one of the many influences which draw and hold together the people of Canada and the United

States in a keen appreciation of our mutual heritage.

Penetanguishene, once the centre of British naval and military operations, and reminiscent of the French occupation and the fur trade, is the site of another Huronia historical park heritage project. This euphonious name owes its origin to the sand dunes of the tiny peninsula and, freely translated in the Indian tongue, signifies "the place of the white wing sands." Penetanguishene was the home of the Hurons and then of the Chippewas, a fur trading centre, a base for Canada's first explorers, and finally the protector of a burgeoning nation.

Somewhat paradoxically, the British naval and military establishments at Penetanguishene never fired a shot in anger and were never attacked, but were still a key to Canadian defence during the period of 1814-1856.

The foregoing examples illustrate this government's commitment to keep a sense of the past in a physical way, but it is also to be recognized that funds for such projects are limited. Simcoe county is the leader in Ontario of a project to list all buildings, with the exceptions of barns, built before 1800. This work is being done by voluntary help under the direction of Mr. Goulding from the University of Toronto. The survey is over half completed, with 27 buildings listed in Vespra township alone, many dating back in the early 1800s.

A unique building in the city of Barrie is the county jail which was built in 1834 and is still in carrying on business. It has never let a guest through its two to three-foot solid stone walls and floors.

Concerned and interested municipalities should be allowed the opportunity to mobilize and direct their local resources to a similar preservation. Therefore, I would strongly recommend favourable consideration to this amendment.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I rise to support Bill 27, introduced by the member for Kingston and the Islands, An Act to amend The Planning Act. I certainly am most surprised to see that it takes a private member on the government benches to attempt to alert the government to the importance of the preservation of our heritage.

Mr. E. W. Sopha (Sudbury): He is a very progressive fellow.

Mr. B. Newman: I surely thought that if we called the government a Progressive Conservative government, they would have been most interested in seeing that both of those terms were used as far as our heritage was concerned. They are neither progressive nor are they conservative when it comes to buildings that have pointed out to us just exactly how we have lived our past.

Mr. Speaker, the first subsection of the clause of section I makes mention of designating buildings or structures as buildings, or structures of historical and architectural value and interest; to be opposed to a clause like this would be almost the same as being opposed to motherhood.

Surely, Mr. Speaker, we of the 20th century, or supposedly of a new generation, should be sufficiently interested to know exactly how they lived many long years ago; the trials and tribulations they had to go through to leave us the type of world that we now live in.

Too often, obsolescence is built into everything, especially today. Our consumer items have obsolescence built in them, our cars have that and even our homes. But when we travel the length and breadth of this province and see many fine outstanding structures still in excellent state of repair, we wonder do we really have all of the brain and the ability that is attributed to us and the construction know-how that our forefathers had? They were able to build structures of wood that have stood through centuries whereas we today are lucky to have an average domicile last 40 years without needing extensive repairs.

The preservation of our heritage, Mr. Speaker, is on the minds, or should be on the minds, of all of us here. The restoration of the past certainly is of paramount importance. Just think how easy it would be for an educator to take a class of students to some historic building in a community in an attempt to point out and to illustrate to the students just how things were back 100, 200 years, or maybe longer than that.

It is most difficult for the teacher to teach by means of a textbook, whereas it would be so simple were he able to bring the individual to some part of the community where a historic building has been preserved. And let them, from first hand, see exactly what he was attempting to describe. We, in the part of the country from which I come, have an extremely rich heritage.

We, I understand, had the first permanent French settlement west of Montreal. That was

on the banks of the Detroit River at opposite the city of Detroit.

On one of the sites is located a building known as the Baby House, a structure had been used by Colonel Baby in the wars in the defence of the Canadian shore or that part of what was Canada, against the Americans. That building has been preserved because there were enough interested students in the community to take a sufficient interest to see that those who followed would be able to understand and know exactly what had preceded them.

There are thousands of students from the community who visit this museum. We are fortunate that the Hiram Walker company made a financial contribution to enable the structure to be preserved. If you go forward on into the county you get to the town of Amherstburg, and out there the federal authorities took enough notice to develop the Fort Malden museum, a real outstanding contribution.

Mr. Speaker, it is right and proper that this government should pass legislation to enable the various structures that we are discussing here today to be preserved. However, the passing of this legislation is permissive in that it allows municipalities to make contributions, or to designate buildings so that they can be preserved. But municipalities today are too hard pressed financially to be able to afford to do a lot of this.

As a result, I think it is incumbent upon this government to make a real substantial contribution, so that we can preserve a large part of our heritage. I look upon the local area as having one of the first settlements of Jesuits in Ontario and I think that the development of a Jesuit settlement, or a Jesuit village, to speak, would be a real asset to the area.

I think that possibly we could have preservation of some building that had been built by the early slaves as they left the United States via the underground railway system, settled on the shores of Essex county, or also further inland, going as far as Kent county. Maybe we cannot preserve the building in its original location, but we should be allowed to move that building into another location. We could collect all of these buildings and set up something similar to the Ford Motor Company was able to do with its Greenfield Village.

Anyone who has seen the Greenfield Village development cannot help but admire what Henry Ford for at least doing this one thing and that is preserving these various buildings and concentrating them in one specific

At Greenfield Village you see Edison's original laboratory, Menlo Park laboratory. You see other structures that were used by people who had gone down in history having made a very substantial contribution.

I would have liked to have seen, in my own area, the first streetcar, because the first electric streetcar in the North American continent operated in what is now the city of Windsor. It certainly would have been nice if the people who preceded us had enough foresight to have preserved an electric streetcar, so that we today could see just exactly what the mode of transportation in the early days was.

Mr. Speaker, one could speak at no limits on this, but because of the amount of time, because there is another speaker, I would like to conclude by stating that we can only appreciate the trials, the tribulations and the difficulties that our forefathers had to go through by some type of physical reminder, and that would be the various structures that they built. So I heartily agree with the member who introduced the bill and I hope that the government members will see to it that the Minister of Municipal Affairs comes down with legislation similar to this.

Mr. I. Deans (Wentworth): Mr. Speaker, I am going to confine myself to some very brief remarks.

I am always impressed by the amount of discussion and the feeling of accomplishment that one gets from people who have toured Europe and Great Britain as they return from their tours. They return to Canada and they talk at length about the historical value and the historical buildings that they have seen during the time that they were away.

I rarely hear them discussing the new and modern architecture. Rather they discuss, almost *ad nauseam*, the ruins of Rome, the fine buildings of London, the architecture of Venice, the architecture in Paris—any place that they have travelled. It is unfortunate that in Canada, and particularly in Ontario, anyone travelling to this province cannot return to the place that they came from and talk about the historical value of the buildings and the architecture that is left standing.

We have tended, in this province, to the opposite extreme. We have tended to opt for removing anything that is old. In fact I think that a headline in the Peterborough *Examiner* of March 13 of this year pretty well sums up what I feel about it. It says the attitude today is that all that is old should be chucked out.

Now if we were talking in political terms I might agree with him, but when we are talking about architecture and buildings, we cannot agree. In the city of Hamilton, for example, we did embark on a massive urban renewal programme; and that programme demolished, took to the ground, many of the finest buildings that were in existence. It is unfortunate that prior to this having happened legislation of the type proposed by the member for Kingston and the Islands had not been brought into general legislation by this government.

We would then have been able to bring about the preservation of much of what has historical value to the people who lived in the area then and who live in the area now. The city of Hamilton has, of course, seen the light in the last few weeks, the last few years; I suppose a year and a half. They have noticed and noted that urban renewal does not necessarily mean razing to the ground.

Urban renewal, of course, can be accomplished in many ways, and my colleague from Peterborough indicated quite clearly the kind of things that were done under the New Plan. A plan such as this could well prove to be the basis for the development of the province of Ontario, in terms of the preservation of the architectural and historical sites.

In Hamilton, for example, at this moment we have restored for use the Dundurn Castle which may not be considered of architectural and historical value by some people. But to the residents of the area and the residents of this part of Ontario, it is the place where one can go to see the actual structures and artifacts that are available to depict the kind of life lived by the people who settled initially in the area.

There are two other buildings there that are being preserved; the White Heron housestead, which has great historical value; and the Rockcliffe Castle, which has been offered to the city of Hamilton, provided they are prepared to make some adjustment in their zoning bylaws. I suspect that if we went through the entire province of Ontario, you can find streets, not just individual buildings that should be preserved intact in order that they will depict clearly the kind of existence that was here in the early settlers' time.

I do not think what the member for Simcoe Centre said has particular relevance to what is going on here, inasmuch as I do not think we should have to rebuild places like Ste. Marie. We should have been preserving them all along. This is one of the faults of the government of the day.

**Mr. Evans:** Three hundred years ago or so?

**Mr. Deans:** Yes, for 300 years most definitely. The unfortunate part is that the government has not seen the need for this. I concur on the bill. The only part that I object to is the section c, subsection 1, which mentioned "making grants to the owners of such buildings or structures for the purpose of their renovation, restoration or maintenance." Unless the building was going to be preserved in its natural state, unless the building was going to, at least, carry with it the promise of public ownership at some point—so that it could be used in a way that would be of historical and museum value—I could see no purpose in making grants to those individuals. Other than that, I would support the bill.

**Mr. Speaker:** This concludes the members' hour today.

**Hon. A. Grossman** (Minister of Constitutional Services): Mr. Speaker, in moving adjournment of the House, unless the Minister has made some previous announcements with which I am not familiar, we tomorrow take second readings and possibly even resume the adjourned debate on the society bill.

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

Motion agreed to.

The House adjourned at 6 o'clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Tuesday, April 14, 1970

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 14, 1964

The House met today at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon our guests, in both galleries, are from the Dr. G. W. Williams Secondary School in Aurora and in the west gallery from Southmount Secondary School in Hamilton; and then in the east gallery, an hour later, from Weston Collegiate Institute.

This evening there will be the Young Adult Group from Etobicoke and the 18th Bendale Scout Group from Scarborough.

Statements by the ministry.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, I would like to announce at this time that The Ontario Department of Agriculture and Food will establish, as soon as possible, an agricultural marketing information service within the information branch of our department as a completely new service.

It is our intention to bring together pertinent information on supplies, shipments, prices and other important data relating to agricultural markets and marketing. This information will be assembled, summarized and prepared by our information branch staff and made available to the media for dissemination to the public.

We believe that within the marketing agencies that receive their legislative authority from the government there is much useful information that can be brought together and made available to producers in a meaningful way. There is also a good deal of data from other sources that, when properly interpreted, can be useful to the farmer in making intelligent decisions affecting his commodities.

Ontario farmers have access to the latest in technical information, they benefit from an extensive research programme, they have been provided with effective marketing legislation. But marketing is a highly complex and competitive business. Much of the information that is necessary for a more intelligent understanding of the market is either not available to the farmer soon enough to benefit him, or in the case of some commodities it is

simply not being provided at all. There have been requests for the establishment of such a service from responsible groups and individuals who feel there is a need for such a service and a public responsibility to provide it.

We want to bring this information out into the open, assemble it and make it available to any or all persons who need it. It is our hope that the many agencies and individuals involved will co-operate with our staff in providing ready access to this information to the benefit of the industry.

At the beginning, our market information services will be provided to the many rural stations across this province, either in standard format or by special arrangement. We plan appropriate groupings of commodities, starting with those most readily available and expanding the services as experience and facilities permit. We believe that this information should be provided to the public through a public agency that has no special interest or interests excepting to provide credible and reliable reports based on available information.

The purpose of our marketing information service will be to make available to every producer of every commodity facts, trends, conditions and prices that will enable him to make the important day by day decisions on his farm that involve not only marketing but breeding and feeding, planting and harvesting, buying and selling, and indeed the planning and management of his whole operation.

The staff in our department are proceeding immediately with the necessary planning and discussions that will lead to the provision of this agricultural marketing information service at the earliest possible date.

**Mr. Speaker:** The Minister of Lands and Forests.

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, it is again my pleasure to present to the members another of our department's new publications.

Bearing the title "Forest Tree Planting" this booklet is an explanatory manual

private landowners in Ontario on the planning, establishment and care of forest tree plantations.

It is intended primarily for landowners receiving assistance under The Woodlands Improvement Act. Under the Act all private landowners must assume responsibility for protecting and tending their growing trees and it is therefore important for them to understand the basic principles of management.

The new publication comprises 60 well-illustrated pages and will be available through my department and the new Ontario government book store at 50 cents per copy.

**Mr. E. Sargent (Grey-Bruce):** On a point of privilege, Mr. Speaker, I would like to ask where does Mr. Speaker get the authority to ban the press from the opposition lounge? I object, sir, to the rights of private members to be able to speak to the press in our own lounge being restricted. If the government does not want the press in their lounge that is their business; but I think that we should have the right to communicate with our people through the press in our own lobby.

**Mr. Speaker:** I will point out of course, that there is at the moment no such thing as an opposition lounge or an opposition lobby, because there are members of the government party on both sides.

Secondly, I would say to the hon. member that I appreciate his views on the matter, the matter is under consideration and in due course Mr. Speaker will deal with it. But it is Mr. Speaker's view that the precincts of the House, which include the lobbies and the floor and the chamber, are reserved to the members only.

Statements by the ministry.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, continuing this point of order, if I may.

I was not in the House when there was some discussion on this the other day. May I ask clarification on one point. Is the House committee being called to consider this matter and to give Mr. Speaker advice as to the views of all parties, or representatives of all parties, on the matter, for his guidance?

**Mr. Speaker:** Yes, there is a meeting of the House committee arranged for 1 o'clock tomorrow.

**Mr. S. Lewis (Scarborough West):** May I have a further point of order, Mr. Speaker. Will the judgement be in the hands of the

House committee or in the hands of the Speaker?

**Mr. Speaker:** The judgement will be in the hands of the Speaker.

**Mr. Sargent:** Mr. Speaker, do you have this authority?

**Mr. Speaker:** The hon. member may wish that at the appropriate time, if there is any firm ruling.

**Mr. Sargent:** Well, now is a good time to find out. Do you have this authority, Mr. Speaker?

**Mr. Speaker:** Mr. Speaker's opinion is in the hands of the Speaker.

**Mr. Sargent:** Oh I see. The Premier would better make some new rules.

**Mr. Speaker:** Statements by the ministry.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, I undertook to file the evidence submitted to the railway transport commission at the hearings of the discontinuance of operations of CNR and CPR in Guelph on 19 September respecting passenger train services between Toronto and the Bruce peninsula. In tabled these papers now I would like to point out to the hon. members, that should they consult the material tabled with the transcript of evidence they will find some differences between the cause what is being tabled was not read to the witnesses for the province as a whole. The evidence verbatim but was used by the witnesses for the province as a whole table.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, a question of the Minister of Energy and Resources Management; yesterday we were informed that he might have a statement to the House with regard to a meeting with the governor of Michigan a few days ago. I wonder if in fact he can give us some information on that meeting?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Mr. Speaker, I am not the formal statement, but I think it might be of some interest to the House if I read the statement that was issued from the meeting or a communique from the meeting. It was reported in part by the weekend press, possibly a detailed statement would come out of the information for the hon. members.

**Mr. Nixon:** Should that not be under a previous order?

**Hon. Mr. Kerr:** This statement was issued on Friday evening after about five hours of negotiation—

**Mr. Speaker:** Is this the answer to the question or a statement?

**Hon. Mr. Kerr:** This is an answer to the question, Mr. Speaker, but if it is too elaborate I will put it in the form of—

**Mr. Speaker:** Because if it is a statement we will revert to that order with the consent of the House so as not to use up question time.

**Mr. Nixon:** Agreed!

**Mr. Speaker:** Perhaps we would revert then to the statements by the ministry.

**Hon. Mr. Kerr:** The Ontario, Michigan and Ohio representatives exchanged the results of tests made to date on fish in Lake St. Clair and the St. Clair River. Both the United States and Canadian authorities have detected mercury in fish samples in amounts greater than point five parts per million.

The United States Federal Food and Drug Administration is prepared to seize any fish in interstate commerce containing mercury in excess of point five parts per million. Governor Milliken, as a precautionary measure, had previously publicly advised that fish taken from Lake St. Clair, and the Detroit and St. Clair Rivers not be eaten.

Representatives of all agencies have agreed that sampling and testing must continue in order that the problem may be completely defined.

Ontario described the action that has been taken to halt any further mercury discharge from the presently known source of pollution on the Canadian side of the boundary in this area, and Governor Milliken stated that he had received an assurance today the presently known source on the Michigan side had today instituted procedures to eliminate future mercury contamination of the water from its facilities.

It was agreed that future action will be taken in a co-ordinated way so that all agencies involved may take similar action. The representatives of the states of Ohio and Michigan agree with those from Ontario that a ban on fishing in Lake Erie is not indicated at this time. The respective agencies agreed to exchange information from their sampling and testing programmes.

Governor Milliken of Michigan announced the following actions and agreements:

1. Michigan will institute proceedings to close Lake St. Clair and the St. Clair River to all fishing as a precautionary measure pending further study.

2. Michigan, Ontario, Ohio, the Federal Drug Administration and the U.S. Federal Water Pollution Control Administration agree to co-operate in developing further information on the Detroit River and Lake Erie.

3. Participants in the meeting agreed to continue and accelerate efforts to eliminate mercury contamination from all sources.

4. All parties agreed to consult with various other authorities prior to taking action affecting waters of the Great Lakes.

5. All parties agreed to participate with other authorities in investigating additional danger substances as to kinds, amounts and effects.

6. All parties agreed to recommend convening of a conference of the governors and prime ministers of the Great Lakes states and provinces.

7. All parties agreed to urge all respective federal bodies to initiate actions to investigate sources of mercury contamination in all states and provinces.

**Mr. Speaker:** Oral questions.

The hon. Leader of the Opposition has the floor.

**Mr. Nixon:** Mr. Speaker, further to the minister's statement, can he now announce to the House that plans are going ahead for the international conference—at least the inter-state and province conference—that has been suggested for some time; and will we have hosts here in Ontario?

**Hon. Mr. Kerr:** Yes. At the present time Mr. Speaker, invitations are going out to the respective states and to the province of Quebec. Arrangements will be made to fix particular dates, possibly in June, convenient for the participants; and it is hoped of course that the conference will be held in Toronto.

**Mr. Nixon:** A further supplementary question. Would the minister agree that Governor Rhodes is well informed when he stated at the weekend that it was his information that up to 200 pounds a day of mercury had been dumped into the St. Clair River, that this had been going on for 21 years and that Canada was largely responsible?

**Hon. Mr. Kerr:** Mr. Speaker, there were some earlier figures given regarding Dow Chemical, for example, and the St. Clair River, and there was a very wide range. I believe the figures were anywhere from 50 pounds to 200 pounds. There is no accurate determination really of what that particular plant has been losing by way of mercury contamination or for how long.

**Mr. Nixon:** A further supplementary: Does the minister intend to advise his colleague the Attorney General (Mr. Wishart), to enter a suit against Dow Chemical similar to one that has been entered into by the Attorney General for the state of Ohio?

**Hon. Mr. Kerr:** Well, Mr. Speaker, we have been attempting to reach the Attorney General of the state of Ohio; and apparently there has been no consultation with him by his governor as to suing the two sources that were mentioned in today's press.

**Mr. Nixon:** The minister means the governor does not approve?

**Hon. Mr. Kerr:** I am not saying that. I am just saying that we cannot get my confirmation from the Attorney General's department in Ohio that the state does intend to institute legal action against the companies referred to in today's newspaper reports. The statement made by the governor on April 12 did not indicate any action of this sort would be taken. As a matter of fact his representatives indicated in Toronto on Friday that before any such action would be taken they would consult with the other parties—with the other states and with the province of Ontario.

**Mr. Nixon:** Mr. Speaker, a further supplementary—this matter gets more and more complex. Would the minister not agree that it is his responsibility to advise his cabinet colleagues to enter into a suit against Dow Chemical and Wyandotte Chemical in order that the legal road would be laid very clear for those others who might enter into a suit as well as the province of Ontario?

**Hon. Mr. Kerr:** Mr. Speaker, I have asked for a legal opinion. I had done this some time ago when this whole matter of liability in respect to the Lake St. Clair and St. Clair River fishermen was raised. I have asked both my department and the Attorney General's department for an opinion as to whether or not we in fact can sue the sources of pollution.

**Mr. Nixon:** I wonder if I might direct a question to the Attorney General?

**Mr. Speaker:** The member for Sandwich-Riverside has a supplementary question?

**Mr. F. A. Burr (Sandwich-Riverside):** Speaker, a supplementary question concerning the international conference: would it be the intention of the minister to invite to the conference ecologists, or just the government officials?

**Hon. Mr. Kerr:** The detailed format of the conference, Mr. Speaker, has not really been decided. It is quite possible that at a conference of this kind we would have papers submitted to the heads of the various governments from independent sources, as indicated by the hon. member—for example from people at the University of Western Ontario who were involved in mercury research from the beginning.

I think this type of information and technical advice will have to be given to the conference in order that a decision can be made by the heads of state as to what action should be taken.

**Mr. Burr:** This conference will not be on the narrow issue of mercury? It will be on the wide issue of the environment?

**Hon. Mr. Kerr:** Yes, Mr. Speaker, it will be on the wide issue of environment dealing mainly though, with those areas of our concern, such as the Great Lakes and the Lawrence River.

**Mr. Speaker:** The member for Grey-Brockton has a supplementary

**Mr. Sargent:** To the same minister, a supplementary: according to the governor of Michigan this is breaking new ground is a "too little, too late" attitude. Will the minister tell the House and the Prime Minister (Mr. Robarts) how many meetings have been held, with whom and when and where?

**Mr. Speaker:** This, of course, is not a supplementary, it is a new question.

**Mr. Sargent:** It is regarding that meeting. Mr. Speaker.

**Mr. Speaker:** No, it is regarding other meetings.

**Mr. Sargent:** Oh, come on now! We are talking about the same problem.

**Mr. Speaker:** The member for York-Simcoe has the floor.

**Mr. Sargent:** That is a fair question!

**Mr. Speaker:** I will give the member an opportunity to ask that question a little later when it is his turn.

The member for York South has a supplementary?

**Mr. MacDonald:** A supplementary question of the minister: as the minister is seeking to co-ordinate this government's action with regard to a suit, or some other approach to establish liability, what has happened to his assurance last week that individuals who have evidence to document that liability—such as for example Ivan Hillier, a 20-year employee of Dow Chemical—are going to be provided with an opportunity to provide that evidence? When and where will this take place?

**Hon. Mr. Kerr:** Mr. Speaker, as I indicated to the hon. member last week, I would assume that the proper forum for any such information or opinions to be given would be before the committee on government commissions. I do not think there is any other suitable way, really—

**Mr. Lewis:** When will it be called; when will it be set up with regard to the OWRC?

**Hon. Mr. Kerr:**—but I wish this particular gentleman would give me this information he has so I can get some information.

**Mr. Speaker:** The Leader of the Opposition has the floor.

**Mr. Nixon:** A further supplementary question: is the minister intending to invite representatives of the federal administration, both Canadian and American, to this conference?

**Hon. Mr. Kerr:** Yes, certainly they would be invited to this conference, Mr. Speaker. This is only my personal opinion, but I would hope that they would attend as full participants, not just observers. I think to make any agreement effective it may be that we will have to have the approval and the agreement of the two federal governments.

**Mr. Nixon:** Mr. Speaker, I have a question of the Attorney General. Can he inform the House as to the government's legal position with the possibility of pressing a suit against any of the mercury polluting firms, either Canadian or American in their ownership and registry?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, as my colleague indicated we have been asked for an opinion. We are studying the matter and we are not at the moment ready to give that opinion.

**Mr. Nixon:** Might I ask, as a supplementary question, if he has been in contact with his

opposite number in Ohio so that they make a decision based on at least some of same facts?

**Hon. Mr. Wishart:** Not yet, Mr. Speaker.

**Mr. Nixon:** Would this be a part of your investigation?

**Hon. Mr. Wishart:** Possibly!

**An hon. member:** Very helpful!

**Mr. Nixon:** Mr. Speaker, I have a question of the Premier, really in the absence of the Minister of Municipal Affairs.

In the reviews that are being undertaken with the prospect of implementing regional government, are the Indian reserves specifically excluded, or specifically included, or is it any part of the terms of reference?

**Hon. J. P. Robarts (Prime Minister):** I am afraid I could not answer that. I would like to check and see what is being done in some area where the reserves are located. I cannot believe that they would be excluded.

However, I would be happy to take the question as notice to see what is in fact being done in some area where there is a review going and in an area where there is a reservation.

**Mr. Nixon:** Mr. Speaker, if that answer would permit a supplementary question.

**Mr. Speaker:** No. The answer was that it would take it as notice, so therefore there is no answer.

**Mr. Nixon:** That is what I was afraid of. Perhaps, on a point of order, for the good of all concerned.

**Mr. Speaker:** Can the hon. leader ask another question? He has the floor. He is allowed to do it.

**Mr. Nixon:** Yes, well all right then.

On another matter, Mr. Speaker, is the Premier aware of the strong feelings with which the Indians regard their right to their own affairs presently under the Indian Affairs department in such matters as emigration and developing municipal government?

Is he further aware that it would be unwise, to say the least, if there was any indication whatsoever that this government was approaching the Indian bands, even from the very best of motives, in an effort to persuade them to take part in such regional government?

Is he further aware that such initiatives for involvement in any form of municipal government must come exclusively from the Indians?

**Hon. Mr. Roberts:** Mr. Speaker, I certainly am completely aware of the three points that the hon. member makes. That does not mean that you can simply disregard the Indian, because that is as bad a mistake as over-involving him.

The Indians are very jealous of their prerogatives, and properly so. I noticed in today's paper they are about to institute suit to establish claim to 85 per cent of the land area of this country, so when one reads that one becomes aware of just how concerned they are. Certainly we are aware of this. We know the difficulties of dealing with the Indians.

I have said in this House many times before that we, as a provincial government, really find it very difficult to do many things in regard to the Indians until their relationships with the federal government are straightened out. There is a relationship between the Indian and the federal government in which the provincial government does not figure at all.

So I can assure the hon. member that we are quite aware of these difficulties, and whatever we do we must do in a way that we more or less involve the Indian. Yet we cannot, in any way, interfere with his basic rights and prerogatives. If he is to alter those he must do so himself, in consultation with the federal government.

**Mr. Nixon:** If that is understood by the people concerned there would not be any more trouble.

**Hon. Mr. Roberts:** Well, it is as clear as I can make it.

**Mr. Speaker:** Has the Leader of the Opposition completed his questions?

**Mr. Nixon:** Yes.

**Mr. Speaker:** Thank you.

The member for York South.

**Mr. MacDonald:** Mr. Speaker, I have a two-part question of the Prime Minister.

Has the government foreknowledge of the cutback in the labour force that is occurring in industry all across the province of Ontario? And if so, what contingency plans has the government to cope with the unemployment created by this temporary, sometimes

prolonged, cutback in work force pattern created by the federal anti-inflation policy?

**Hon. Mr. Roberts:** Mr. Speaker, we have no foreknowledge other than that which comes to us, either through our own investigation of rumours, or information that comes to us in other ways. In some of our industries do notify us.

Now many of the cutbacks that are occurring—if that is the term that we should use—or layoffs—are awfully small. I have been informed in the last four or five weeks, for instance, of at least four businesses where layoffs run from four employees to 120.

These are just cases of management exercising its powers in order to meet the conditions which it is facing. It is very difficult to have foreknowledge of all these matters because they occur, as far as many businesses are concerned, in the normal operation of their business. Their labour force flows up and down.

As a government we are aware of the fact that unemployment is on the increase. We are also aware, as has been made evident in the answers to questions and debates in this House, that some of these changes are coming as a result of changes in consumer habits of our people; changes in our position in international trade; changes in tariffs—there are a whole host of reasons why these things are occurring. We are presently devoting some time and attention to what we can do to cushion these things and what action we can take to alleviate the hardship that is going to fall on the individual people concerned.

As I pointed out to you, there are many areas here over which we have no control. Therefore our position is that we must devise ways and means of dealing with these situations. We do not control the tariff policy of the country, of course, and as has been pointed out we do not control the fiscal and monetary policy. We are not necessarily critical of what—

**Mr. Sargent:** But this government cannot control a make-work programme.

**Hon. Mr. Roberts:** We are not necessarily critical of what the federal government has done. On the other hand, we must point out that the results that flow from it pose some real difficulties for us as a government, and these are the problems with which we are dealing at the moment.

The question really is that we do not know how far it will go. We do not know what

a shift in policy may stop this trend and perhaps reverse it. There are many elements in the situation that are causing us great concern; but in direct answer to the member's question we have as much foreknowledge as we can possibly get because it is of assistance to us, but we certainly cannot guarantee that we have foreknowledge of all these events before they happen.

**Mr. MacDonald:** By way of supplementary question on this: In order to get a clear picture of the proportions of the problem, instead of relying on voluntary provision of information, does the Prime Minister not consider that the stage has been reached where it is necessary, in effect to circularize industry to get from them as clear a picture as they can give at any given point of the prospective layoffs?

Secondly, can the Prime Minister clarify what specifically this government has by way of plans in coping with this situation other than just considering it? Has the government any plans now to cope with the thousands more that are laid off and unemployed?

**Hon. Mr. Robarts:** As I said yesterday, we are continuing the programmes that have been in existence to deal with these matters for some considerable time. We are anticipating that the situation probably will get worse before it gets better, and therefore at the moment we have a study group working to see what we can do to intensify what we are presently doing.

I think we have to use our traditional means of dealing with unemployment, to find other areas of employment and to retrain. If the jobs are gone forever through a shutdown that is one thing; if the job is gone temporarily until that plant can resume its production, then that is something again. You may have to retrain a man completely; you might need to have some type of holding operation.

We have, of course, our national programmes to deal with this situation, unemployment insurance being one which is designed to provide relief for people until their jobs materialize again.

Basically within our control, we will intensify our efforts to attempt to get additional industry into the province that is viable, that will grow and that will provide additional jobs, particularly for those whose jobs disappeared through closedown, because unemployment which results from various anti-inflationary measures one can hope is temporary. Unemployment that results from the disappearance of a job is something else again.

**Mr. Lewis:** There is nothing at all in your area!

**Hon. Mr. Robarts:** I am simply saying that we are presently intensifying all of the programmes we have, and we are studying what can be done to meet what are some new elements in this situation. Because it is a new situation when one level of government is attempting to find remedies for a recession caused by the actions of another level of government. Now that is not in any way criticism of the federal government, and I do not want it to be interpreted—

**Mr. MacDonald:** The Premier cannot have it both ways. If they are wrong, they are wrong, and he should say so.

**Hon. Mr. Robarts:** Well that may be it.

**Mr. Lewis:** Well his minister said that they were wrong.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Robarts:** If the members want to hear my answer to their questions, it seems to me we are dealing with a situation here where there can be some doubt. The economists differ. One can read any article in any magazine, and get any opinion he wants as to how this present period of inflation should be dealt with. One can read the opinions expressed in the United States and the expressions of opinion by I suppose the chief experts in this country, such as the governor of the Bank of Canada, as to what should be done and how it should be done.

**Mr. Lewis:** At \$75,000 a year he can afford to say something like he has said!

**Hon. Mr. Robarts:** There are a wide variety of opinions, and I do not think that anybody has a real corner on all the answers.

**Mr. Lewis:** What about lost jobs?

**Hon. Mr. Robarts:**—I do not think we have them at the moment. We have to tackle the problems as they arise and see what we can do to solve them, and that is what we are attempting to do.

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

**Mr. I. Deans (Wentworth):** A supplementary question: might I ask the Prime Minister what action is being taken by the government when it does discover, by way of the news media or any other method, that there is unemployment, that there

workers being laid off in the province of Ontario?

**Hon. Mr. Roberts:** Mr. Speaker, we immediately get in touch with company officials, as soon as we find out that it is going to happen in any one plant. The first thing we want to do, of course, is to find out why, how many people are involved and what is the cause of unemployment. As I say, we want to know if the jobs will disappear forever or if the layoffs will continue while some situation straightens itself out in a particular industry or a particular manufacturing process. Then the next step is to co-ordinate our activities with those of the Canada Manpower Centres in order to find out where others jobs are available. The first thing that is done is a survey, and if you have three or four months' notice, you can do a survey of the employees who are going to be laid off before they are laid off. Now that survey will—

**Mr. Lewis:** But the government does not require notice!

**Hon. Mr. Roberts:** Does the member want an answer or does he not?

**Mr. Lewis:** The government does not require notice.

Interjections by hon. members.

**Hon. Mr. Roberts:** Well, the member asked me what we do if we get notice. This is precisely what happened at Dunlop, if he wants to relate it to a specific plant. A team went in there—members of The Department of Labour from the province and Canada Manpower people—and they surveyed all employees there to find out what their skills were, their age, a whole series of questions such as that. Those are matched up against jobs that are available, and from there you decide what courses of retraining may be necessary and where those courses are going to be given and so on. That is the procedure we follow.

**Mr. Deans:** May I ask the Prime Minister then—

**Mr. Sargent:** Mr. Speaker—

**Mr. Speaker:** The member for Wentworth has the floor for another supplementary.

**Mr. Deans:** In the light of his answer that it is much easier for the government to act if it has prior notice, might I then ask him

why the government does not demand prior notice?

**Mr. Lewis:** Six months' notice!

**Hon. Mr. Roberts:** Well Mr. Speaker I say there are a whole range of situations that occur here. I mean, one man told me that he found it necessary to lay off 120 people from his work force. Well if business picks up for him in the next three or four weeks he will bring them back. Another told me he had laid off 120.

Then you get into something like the Dunlop situation where it is not a question of layoffs it is a question of closing a plant and that is a different situation. They came to us and told us, and we knew. I have made some inquiries as to whether it would be feasible to have some method of getting information as to what is going to happen at the earliest possible moment so that we can take action, and this is under investigation presently.

**Mr. Speaker:** The member for Grey-Bromfield—

**Mr. Sargent:** A supplementary to the Prime Minister: we are all in the same boat in this. We know the Prime Minister is in a tight spot, but does the government not think it more important to put people back to work through a major make-work, crash program by redirecting some of the hundreds of millions of dollars they have budgeted for long term development to put the priority where the needs are? What is the policy of the government in that regard?

**Hon. Mr. Roberts:** I think what the member is suggesting is we should cancel some programmes that may be years—

**Mr. Sargent:** Cut back on some of the government spending this year.

**Hon. Mr. Roberts:** It is a question of priorities; it is a question of what you do, of how long these situations are going to last. I do not think we have reached a point yet in this province where that is necessary.

**Mr. Sargent:** The Prime Minister is getting a pay cheque every week. That is why he says that.

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

**Mr. Lewis:** Mr. Speaker, is the Prime Minister saying that he is seriously considering requiring, by way of legislation, an advance notice period for both layoffs and shutdowns?



of a significant kind, say where more than four individuals are concerned?

**Hon. Mr. Robarts:** In my approach to this problem, yes, of course, I have considered that. I have checked some legislation that has been passed in some other jurisdictions which required this. I want to know its significance, whether it would be applicable here, but certainly it is under consideration.

**Mr. Lewis:** One last supplementary, Mr. Speaker: when faced with an array of information, as was the case in the last 24 hours—100 people losing jobs in the gold mine in Renable; 3,000 workers in Oakville cut to four-hour shifts; 800 people laid off today at American Motors in Brampton; J. B. Stetson out of business with—

**Mr. Speaker:** That is sufficient enumeration of the problem; now ask the question.

**Mr. Lewis:** On the basis then, Mr. Speaker, of not just hundreds but apparently thousands each day, is there a cabinet conference or emergency conference to assess the facts and to apply immediate solutions on a day-to-day basis within the government?

**Hon. Mr. Robarts:** Mr. Speaker, this government is always alive and dealing with the problems as they arise.

**Mr. Lewis:** Did the Prime Minister say alive?

**Mr. Speaker:** The member for Scarborough East. A supplementary?

**Mr. T. Reid (Scarborough East):** No.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** I have a couple of questions in relation to pollution that I would like to put to the Minister of Energy and Resources Management.

In arriving at a decision to lay charges against any given company, how does the government pick and choose as to which company is going to be chosen? Specifically, since the air management branch of the department has found the Goodyear Tire & Rubber Company, at 3050 Lakeshore Boulevard West in Toronto, is responsible for air pollution, why have charges not been laid?

**Hon. Mr. Kerr:** Mr. Speaker, there is no particular method of picking and choosing a company in respect to which we lay charges. This is a continuing programme. When we find a source during our regular investigations, unless that source is cleaned

up within a reasonable time or unless arrangements are made by way of ministerial order, we will lay charges.

The hon. member refers to the Good plant being responsible for air pollution. I am not aware of that; I am not aware that has been brought to the attention of the air management branch. I will investigate.

**Mr. MacDonald:** I do not want to harass the minister, but on April 6 he wrote a letter to my colleague, the hon. member for Sandwich-Riverside, in which he spoke it all out. He signed the letter.

**Hon. Mr. Kerr:** But I do not believe indicated in that letter that charges should be—

**Mr. MacDonald:** No, but the minister indicated that there was pollution. And my question is, how does he pick and choose? Because a few weeks later he gave to the hon. member for Yorkview a list of companies against which charges were to be laid. They are all little companies. Does the minister pick on the little fellows and let the big ones get away? What is the yardstick which he measures his decisions?

**Hon. Mr. Kerr:** Mr. Speaker, the yardstick is not the size of the company, it is the problem; the question of pollution; who is involved as far as the polluting of water and air is concerned. Now I do not recall, naturally, the details of that particular letter. I think, off hand, I have indicated that the air management branch was aware of the problem at Goodyear and was working with the company to eliminate it. I do not think there was any indication at that point that charges should or would be laid.

**Mr. W. G. Pitman (Peterborough):** I would like to ask a supplementary on that.

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

**Mr. Pitman:** I wonder if I could ask a supplementary, Mr. Speaker.

Could the minister give a list of all municipal sewage plants and all industries that have virtually been placed beyond the jurisdiction of section 27(2) of The OWRC in view of the fact that they are carried out what the minister regards as appropriate activity in pollution control? That is, would not be more appropriate for everyone to know who these companies are, so you do not have charges being laid by citizens against either institutions or—

**Mr. Speaker:** The hon. member is almost answering his own question. The minister might answer.

**Hon. Mr. Kerr:** I think that there are probably proper ways of doing things. For example, he is referring to a particular incident in Cobourg. I think if the people who moved down from Peterborough to investigate the sewage disposal plant in Cobourg had made enquiries of OWRC and also of The Department of Municipal Affairs, they would have been informed that the plant was to be enlarged and in fact applications were in the mill to start construction of the enlarged plant, as well as the reasons for any delay.

**Mr. Pitman:** A supplementary, Mr. Speaker: What the minister is saying is that either a municipality or an industry that is in negotiation with the OWRC is outside the literal translation of The OWRC Act, is that not true?

**Hon. Mr. Kerr:** No it is not, Mr. Speaker.

**Mr. Pitman:** If I might ask—

**Mr. Speaker:** The hon. member has asked sufficient questions. The member for Rainy River has the floor. Other members must have an opportunity.

**Mr. Lewis:** Look how he abuses the rules of the House.

**Mr. T. P. Reid (Rainy River):** Do I understand the minister correctly? Once the ministerial order has been made, if this order is not followed, then a charge is laid by OWRC?

Interjections by hon. members.

**Hon. Mr. Kerr:** Once a ministerial order is made, if the conditions and the provisions of that order are followed, it is unlikely that a charge would be laid under The OWRC Act.

**Mr. T. P. Reid:** But if they are not followed, then a charge is laid?

**Hon. Mr. Kerr:** Right!

**Mr. T. P. Reid:** Automatically?

**Hon. Mr. Kerr:** No, Mr. Speaker. The hon. member is not quite familiar with the details of the ministerial order. If the ministerial order is breached, the provisions of that order are not followed, the order provides the penalty of \$500 a day or a jail term for breach of that particular order. We do not have to refer to another section of the Act.

**Mr. Speaker:** The member for Yorkview I have a supplementary question?

**Mr. F. Young (Yorkview):** A supplementary question, Mr. Speaker: Once charges are laid and convictions are achieved, what happens then? In the instance of the 10 companies which the minister gave me on March 16, 1971, having been convicted—they were convicted and fines levied—are those companies still polluting? What kind of follow-up has taken place in this case?

**Hon. Mr. Kerr:** Mr. Speaker, if after convictions against companies, as mentioned by the hon. member, the source of pollution continues—in other words if the offence against the Act continues—other charges will be laid unless the company makes immediate arrangements to treat their waste properly. To my knowledge, in most cases when a company is fined there is no problem in convincing the company to properly treat its waste.

**Mr. Young:** A further supplementary, Mr. Speaker: In the 10 cases listed as having been convicted, is the minister satisfied that no further contamination is taking place at these companies?

**Hon. Mr. Kerr:** I do not want to be taken down the garden path, Mr. Speaker. I will investigate that for the hon. member.

**Mr. Speaker:** I think that perhaps we have had sufficient supplementary questions on that—almost two-thirds of the question period has expired and we are still on the leader's questions. Perhaps the member for York South would proceed with his other questions.

**Mr. MacDonald:** Perhaps we will come back to it tomorrow then.

Further to the same minister, a new question: On the pollution counts that were announced in Metropolitan Toronto, what are taken on an average of 15 measuring devices in various parts of the Metropolitan area, what assurance can the minister give us that this average does not hide the fact that in certain areas of the city there are excessive pollution levels?

**Hon. Mr. Kerr:** Mr. Speaker, what the hon. member says is not entirely correct. The sources to which he refers are sources that were set up and used by the air management branch prior to the air pollution index being set up. The idea was to try to find out what the highest sources of contamination were in the city. As a result, there are only three or four stations now in existence and, of course, the main one is the College Street one.

average is really only based on three or four sources. Of course, by averaging that, we are able to get an air pollution index three times a day, but I must emphasize, Mr. Speaker, that the three or four points were found to be the worst in the city.

**Mr. T. P. Reid:** May I ask by way of supplementary, Mr. Speaker? What gases other than sulphur dioxide do the monitors measure?

**Hon. Mr. Kerr:** Mr. Speaker, it measures SO<sub>2</sub> and particulates of pollution or matter—particulate matter—in other words, dust and things in the atmosphere. But it does not specifically measure other contaminants such as carbon monoxide.

**Mr. T. P. Reid:** My way of further supplementary, it is possible that we are getting a higher degree of pollution through other gases than those being measured by these monitors at the present time?

**Hon. Mr. Kerr:** Mr. Speaker, it is a matter of being able to measure or gauge specific gases in the atmosphere over a city. This is very difficult, but by having a combination, by measuring particulate matter, we have certainly a very good indication of the danger to health of the pollution level in the city at a particular time.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** I have a question for the Minister of Trade and Development. Has the minister received advice from the Attorney General with regard to the reconstitution of the special housing committee to investigate conditions at Porter Avenue? If so, is he in a position to indicate at an early date how that committee is going to be reconstituted?

**Hon. S. J. Randall** (Minister of Trade and Development): I will have the answer to that before the end of this week now that the Attorney General is back, Mr. Speaker.

**Mr. MacDonald:** I have a final question of the Attorney General. Is the Attorney General in a position to reply to the letters which he received from Messrs. Karswick and MacLellan indicating that his facts and his conclusions with regard to the Bird-Stevens assault case are “demonstratively false”?

**Hon. Mr. Wishart:** Mr. Speaker, I do not accept the last part of the question, which is not a question at all but a statement. However, I will be replying to the letter shortly and demonstrating what is true in this matter.

**Mr. MacDonald:** May I ask the minister will he be replying personally or is he going to inform the House as to the resolution of the conflict between these people who are involved in the Attorney General's view?

**Hon. Mr. Wishart:** The letter was addressed to me by Mr. Karswick. I will reply to him but I have no objection to anyone seeing the reply I will send him.

**Mr. Speaker:** The member for Scarborough West has a supplementary?

**Mr. Lewis:** A supplementary, Mr. Speaker on the same matter: has the Attorney General yet decided whether or not the House should be allowed to see the report of the human rights commission officer on the case?

**Hon. Mr. Wishart:** I do not have a report of the human rights commission officer did not come to my file.

**Mr. Lewis:** By way of supplementary: if the Attorney General say that his conclusions on the case were made without ever observing the report of the human rights officer?

**Hon. Mr. Wishart:** The responses which I made were on the basis of letters written to me and investigations which were carried out by my people, the provincial police officers on our conferences with the crown attorney with the senior crown attorney, Mr. Caldwell with the acting crown attorney, with the officials and with the justice of peace; with all those who had to do with the case.

**Mr. Speaker:** The member for Grey-Brunswick if he wishes, may now ask the question he wished to pose before.

**Mr. Sargent:** To the Minister of Environment and Resources Management: Mr. Speaker asked him, in view of the fact the government of Michigan felt this was new ground for us to be on—and we have been told by the Minister of Public Works (Mr. Simonett) that the Prime Minister over the past few years that ongoing studies were being held with the International Joint Commission in Chicago, Michigan and New York state on pollution would the minister advise, following the meeting with the governor of Michigan, how many meetings have been held in the past year and with whom?

**Hon. Mr. Kerr:** Mr. Speaker, is the member talking about meetings with the International Joint Commission? Is that what you want?

**Mr. Sargent:** On pollution; meetings on pollution involving the International Joint Commission!

**Hon. Mr. Kerr:** I am not aware, Mr. Speaker, of the exact number of meetings. I know that the International Joint—

**Mr. Sargent:** Have there been any meetings?

**Hon. Mr. Kerr:** Yes, there there have been a number of meetings with the International Joint Commission, both in Ottawa and Washington. The International Joint Commission, as the hon. member knows, has been holding hearings now for the past year around the Great Lakes, dealing with particular pollution matters, and accepting papers dealing particularly with matters such as phosphates in detergents and other types of pollution in the Great Lakes. It deals with jurisdictions. I am not even sure of the exact number of meetings that are held on a regular basis.

**Mr. Sargent:** Could the minister tell me then, when was the last meeting held with a representative of this government?

**Hon. Mr. Kerr:** I would say that would be in Brockville within the last six weeks.

**Mr. Speaker:** The member for High Park.

**Mr. Sargent:** A further supplementary: who attended the meeting? What states were there? New York, Michigan and Chicago?

**Hon. Mr. Kerr:** I understand, Mr. Speaker, at that meeting there were representatives from New York, Ohio, Pennsylvania, and I believe the provinces of Quebec and Ontario.

**Mr. Speaker:** The member for High Park.

**Mr. M. Shulman (High Park):** I have a question for the Minister of Public Works. In the sale that the minister's department conducted at Pagwa, Ontario, on March 21, why was there no inventory of the material being sold? Why were the invoices not numbered? Why were there no statement forms? How can he tell where the money went and how much was taken in, if he has no inventory or statement forms?

Finally, would the minister supply the House the amount of money that was netted in this sale and a list of what was received for the larger items?

**Mr. Speaker:** I would point out to the hon. member that, in my opinion, this is not a matter of urgent public importance and it is one that should be dealt with either on the

order paper or by correspondence with the minister.

**Mr. Shulman:** Sir, if I may explain, on point of order. The reason it is a matter of urgent public importance is that this is continuing sale and some large sum of money is being lost to the taxpayers of the province.

**Mr. Speaker:** The hon. member is again making statements. He might say that, in my opinion, a large sum of money is being lost, but he must persuade me that it is a matter of public importance. He has not done so yet.

**Mr. Shulman:** If you would allow me. This is the beginning of a sale of a large amount of material at Pagwa; it is the remnants of a RCAF base. There is still a great deal to be sold; a great deal of money may be involved here, sir. If no inventory is taken of what is sold, I think you will agree with me that there is a possibility of a loss of a great deal of funds.

**Hon. A. Grossman (Minister of Correctional Services):** Order!

**Hon. Mr. Robarts:** Out of order!

**Mr. Speaker:** In my opinion it is all well for the members to call for order, but the Speaker cannot determine until he has heard a member. In my opinion the original ruling I made, that it is not a matter of urgent public importance, stands. The member for Sudbury has the floor.

**Mr. E. W. Sopha (Sudbury):** I would like to ask the Attorney General, because it may have some relation to my constituency, a three-part question. How long has the office of crown attorney in the county of York been vacant? Secondly, is the appointment to be made soon? Thirdly, is W. H. Langdon, of that department, the likely person to be selected?

**Hon. Mr. Wishart:** What was the last part of the question?

**Mr. Sopha:** The minister has been at war with the Langdon family lately, and I am asking if the nephew of the judge the minister has been at war with is the likely prospect for the job? Do I disturb the minister?

**Hon. Mr. Randall:** Does the member want the job?

**Hon. Mr. Wishart:** Mr. Speaker, the office has not been vacant, in the sense that nobody has been in charge at all. As soon as Mr. Grayburn, the former incumbent of the office, was promoted to the bench, I asked the sen-

crown attorney of Ontario, Mr. Sam Caldwell, well-known to the hon. member for Sudbury, to come to Toronto and to take charge of the office. I felt that with his experience, the great respect that is shown to him—and which he deserves—and his knowledge, he would be the most likely person, the most capable person for that office. He is still there. I am not sure what right the hon. member has to ask me when I am going to make the appointment, but I think I shall tell him that just a few moments ago I signed the recommendation to cabinet for the appointment.

**Mr. Sopha:** Well, who is it?

**Hon. Mr. Wishart:** I am certainly not going to tell you.

**Hon. Mr. Robarts:** We may not accept his recommendation.

**Mr. Sopha:** If the minister tells me, I will not tell anyone.

Interjections by hon. members.

**Hon. Mr. Wishart:** Mr. Speaker, I am certainly not sure that the hon. member has the right to ask me that. But he was guessing fairly close.

**Mr. Speaker:** The member for Hamilton East. The member for Sandwich-Riverside.

**Mr. Burr:** Mr. Speaker, a two-part question of the Minister of Energy and Resources Management regarding the synthetic chemical compounds known as PCBs, polychlorinated biphenyls.

First, has the minister's department been able to compile a list of the users of PCBs in Ontario? Second, has the minister's department been able to monitor the air or water effluent of any plant using these synthetic chemical compounds?

**Hon. Mr. Kerr:** Mr. Speaker, the commission at the present time is attempting to compile a list, referred to by the hon. member, of those firms using PCB. It is difficult, without finding out who is buying the stuff or who is using it. Therefore, we are going to the manufacturers and asking if they will give us that information. We do have some results, but by no means complete, using that approach. As soon as we know, and as soon as we have information as to the reasons for the use of this type of chemical, we will be in a better position to monitor plants, both from the point of view of air and water pollution.

**Mr. Burr:** A supplementary question: would it be helpful to the minister's department, in

detecting and checking pollution, to know what materials are being used in each plant and how they are being used?

**Hon. Mr. Kerr:** Yes.

**Mr. Burr:** Would the minister then consider, in the interests of preserving the integrity of our environment, regulations mandating the disclosure of the full inventory of materials and of the processes being used?

**Hon. Mr. Kerr:** We are considering particularly as a result of the mercury problem, whereby all plants would have to disclose either the food and drug directorate at the federal level or one of the departments of government when they use a type of compound that we feel has the effect of contaminating or being a danger to human life.

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

**Mr. T. Reid (Scarborough East):** I have a question—

**Mr. Speaker:** A supplementary?

**Mr. D. A. Paterson (Essex South):** A supplementary to the last question: the minister speaks of mercury; is the minister aware there are three types of mercury used in industry? And to his knowledge is the metallic mercury emitted, I believe from Dow, toxic to humans?

**Hon. Mr. Kerr:** It is my information, Mr. Speaker, that it is a metallic type of mercury that has been found at the bottom of Lake St. Clair.

**Mr. T. Reid:** Mr. Speaker, I have a question for the Minister of University Affairs on two parts.

Is the minister aware of the dimensions of the growing employment difficulty of graduate students and postgraduate fellows at Ontario's universities? Secondly, does the minister's department have any evidence that the kind of work Ph.D. students at Ontario universities are educated for simply is not available in Ontario today, because U.S. subsidiaries in Ontario are doing less and less of the research in this province?

**Hon. W. G. Davis (Minister of University Affairs):** Mr. Speaker, I must confess I do not totally understand the question. Is the hon. member saying that the graduate students presently in graduate work at Ontario universities are having difficulty finding employment at the universities or outside the universities?

**Mr. T. Reid:** The first question was, is the minister aware of the dimensions of the growing employment difficulties of graduate students and postgraduate fellows now in Ontario universities looking for work?

**Hon. Mr. Davis:** Looking for work at the universities or outside the universities?

**Mr. T. Reid:** Both.

**Hon. Mr. Davis:** Well, I think there is perhaps some distinction. I am not aware of a specific problem as it relates to applications to the universities by existing graduate students, those on fellowship or in faculty positions at the universities. There is a problem as it relates to graduate students and undergraduate students with respect to employment in many fields, as we shall be able to see from the reports I shall get this coming June or July.

**Mr. Speaker:** I think this situation—and I do not want to provoke any major discussion here at this late hour—relates to economic situations that are developing in the province and which I understand were discussed at some length yesterday. I do not think, Mr. Speaker, that it can be related directly or entirely, by any means, to the second part of the hon. member's question. I think it is part of a larger total problem.

**Mr. T. Reid:** As a supplementary question, is the minister aware that, in the opinion of the chairmen of the graduate departments at the University of Toronto, that they rate the employment opportunities for their graduate students and postgraduate fellows in biochemistry, chemistry and English as being extremely poor? And, if so, what steps is the minister taking to co-ordinate the enrolment projections for next year with the realities of the job market in Canada for graduate students?

**Hon. Mr. Davis:** Mr. Speaker, this, once again is part of a broader problem related to the responsibilities of the universities, other post-secondary institutions and the department—to try to predetermine the number of job opportunities that are available when a person is commencing his undergraduate or graduate programme.

I think, Mr. Speaker, a portion of this responsibility is being met, and must be met, by the graduate deans themselves in the determination of their programmes. These, in turn, must relate to the needs of the total community and, with respect, Mr. Speaker,

I think they are making a very real effort to do so.

I should also point out it is not always possible, particularly at the undergraduate level, to determine that, say for a student starting the first part of a four-year programme, or even a two-year graduate programme, that the job opportunities at the end of that two-year period will be exactly the same as when the student commences.

It is not totally dissimilar, Mr. Speaker, to the discussions we have had here relating to teacher supply and enrolments at teachers' colleges and the job opportunities that are available at the conclusion of one type of programme as well.

**Mr. T. Reid:** The minister is taking action.

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

**Mr. Pitman:** This is another question, Mr. Speaker. I wonder if I could direct a question to the Minister of Education.

In view of the vote of censure on the part of the board of governors of the Ontario Teachers' Federation, I wonder if the minister has decided yet to change the date of advertising for teachers to fill the positions of unqualified teachers presently in the province, and suggested by the Ontario Teachers' Federation to be May 15, to some earlier date?

**Hon. Mr. Davis:** Mr. Speaker, I do not have the exact wording of the resolution, but the resolution did not in fact make a request, which I found somewhat interesting in itself.

Mr. Speaker, it is not my custom to answer from a prepared text a question that has been asked, but in this instance I would like to have the indulgence of the hon. member to do so there will be no further misunderstanding of this particular issue.

A resolution passed—I am glad the member for Peterborough asked it—passed by the board of governors of the OTF—

**Mr. Pitman:** I am sorry I asked it in that way.

**Hon. Mr. Davis:** But I think it should be clarified—at its meeting on Saturday, May 11, 1970, was originally brought to my attention through press and other news reports. The basis of the resolution apparently had to do with a memorandum issued by

Department of Education—and this is an important date—on March 26, 1970, over the signature of Mr. J. F. Kinlin, assistant deputy minister. This memorandum, Mr. Speaker, is one in a numbered series providing information for regional directors of education, local board directors of education, superintendents of the separate schools and principals of the schools.

As I understand it, at least, the particular reference in the memorandum to which the resolution took exception had to do with “letters of permission—secondary”. Apparently, Mr. Ward McAdam, president of OSSTF, saw something sinister in the memorandum in terms of the current dispute between the Ontario Secondary School Teachers Federation and the Ontario School Trustees Council. I should like, therefore, to clarify for his information, and for any of his colleagues—I have already, I hope, clarified it with some of them—who may be disposed to accept his views, and for the general public, the facts associated with this matter.

It has been customary, over the years, to point out to all school boards the procedures that must be followed if a board is unable to secure a qualified teacher and if it desires to engage an unqualified person to teach in a school under the jurisdiction of the board. A memorandum dealing with this matter, insofar as it affects elementary school teachers for September, 1970, was issued on January 7, 1970.

The corresponding memorandum for secondary school teachers was the one issued on March 26, 1970. The first paragraph dealing with this matter was an exact copy of the one put out for 1969-1970; exactly the same except that the date shown was May 15, 1970, whereas last year it was April 30, 1969. The paragraph this year reads as follows:

Positions that are vacant and positions held in 1969-1970 by unqualified persons who cannot obtain full professional qualifications by September, 1970, must be advertised by the board. If no qualified teacher, student teacher, or applicant who is willing and eligible to attend the first session of a summer programme of secondary school teacher-training in 1970, is available by May 15, and a further advertisement after May 15 fails to bring a satisfactory response, a board may request the registrar of The Department of Education to issue a letter of permission on behalf of a person who does not hold a basic secondary school teaching certificate.

An additional paragraph was included year and reads as follows—so there will no misunderstanding again:

It is expected that applications for letters of permission for unqualified teachers, who will be entering upon their duties on September 8, 1970 will be forwarded to the department before the beginning of the new school year.

This, in my view, really is not a matter of issue. I emphasize, Mr. Speaker, there is special significance attached to the date May 15, 1970—the memorandum was prepared on March 26—except to ensure, this is the point that has to be made, that an uncertificated teacher is engaged by a board before that date.

This procedure, and I make this abundantly clear, is designed to protect the interests of qualified teachers. If the federation feels it does not want or does not need the support, it could in future years be withdrawn.

**Mr. Pitman:** That would be most responsible!

**Hon. Mr. Davis:** Right, that is what McAdam said. It is a suggestion. The Department of Education has in the past taken the position that it will not interfere in a dispute between a board and its teachers in contract matters. Any suggestion to the contrary is wholly unfounded and any implication in the memorandum regarding letters of permission is in any way related to the dispute between the OSSTF and OSTC is not completely unjustified but, quite frankly, misleading.

**Mr. Speaker:** Unfortunately, we have gone a minute over our question period time so it will have to wait until tomorrow.

**Mr. Nixon:** Anything to accommodate the minister!

**Mr. Speaker:** Petitions.

Presenting reports.

**Hon. Mr. Grossman:** Mr. Speaker, I have the pleasure in tabling the annual report of the Department of Correctional Services for the fiscal year 1968-1969.

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, I beg leave to present to the House and table the 1969 annual review of The Department of Mines for the calendar year 1969.

Mr. Winkler from the standing private bills committee presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill Pr23, An Act respecting the city of Barrie.

Your committee begs to report the following bill with certain amendments:

Bill Pr31, An Act respecting the city of Sault Ste. Marie.

Your committee joins with the standing orders and procedures committee in recommending that the provisions of standing order 63 relating to petitions for private bills and the time for introduction of private bills, as well as the provision of standing order 64 providing penalties for late filing, be suspended in order to permit the introduction of a bill to confirm an agreement between the town of Fort Erie and the international bridge authority; the applicant to pay the special charges provided by clause 3 of standing order 64 relative to such suspension.

**Mr. Speaker:** Motions.

Introduction of bills.

Orders of the day.

**Clerk of the House:** The fourth order; resuming the adjourned debate on the amendment to the motion for second reading of Bill 7, An Act to consolidate and revise The Law Society Act.

## THE LAW SOCIETY ACT (continued)

**Mr. E. W. Sopha** (Sudbury): Mr. Speaker, before launching into and resuming my discussion of how this bill departs from the principle that I have enunciated, and which I will restate, I desire to take the opportunity, in perhaps a rather unprecedented fashion, to make some corrigenda in the *Hansard* report of my speech the other day.

It may be that some persons in the outside world will read that portion of my remarks and I would not want them to feel that I was in any way delinquent in respect of accuracy; and I will just make some brief references though I do not point out all the inaccuracies that exist in *Hansard*.

On page 1336, in the left hand column, it should read "Sir Lyman Duff." On pages 1336 and 1337, where I referred to yourself and the present incumbent of the office using the historic term, that term is *attornatus regis*.

On page 1341, where it says in the second last paragraph in the lefthand column "cloist foist their justice," it should read to "cloist themselves," and I am referring to the fact at that point.

The righthand column on page 1341; name of the original district in eastern Ontario should read "Luneberg". And in the same column, same page—1341—the year "1899" should read "1849."

**Mr. P. D. Lawlor** (Lakeshore): How can a member stand to read his own speeches?

**Mr. Sopha:** Pardon me?

**Mr. Lawlor:** How can the member stand to read his own speeches? I cannot do it.

**Mr. H. Peacock** (Windsor West): Why do you, the member not correct *Hansard*, it would be faster.

**Mr. Sopha:** Thank you very much. If I had the interjection of my friend from Windsor West, it appears, the reason I did not correct *Hansard* is that customarily—representing a constituency 250 miles away—I travel to my constituency to meet the people I represent on Fridays, which is a very opportune day to see them in large numbers as they come, I am glad that they do come.

I began my remarks on second reading the other day—

**Mr. J. Renwick** (Riverdale): The member who holds court does he?

**Mr. Sopha:** Every week. I lend them a ready and sympathetic ear; Saturday and Sunday also.

**Mr. R. F. Nixon** (Leader of the Opposition): Sometimes Monday.

**Mr. Sopha:** And if any want to know, I am available by telephone at any time.

**Mr. S. Lewis** (Scarborough West): What is the number?

**Mr. Sopha:** Can we get down to some serious business?

**Mr. J. Renwick:** Can I have the member's card?

**Mr. Sopha:** I continue my remarks now but I do not wish to speak on the bill at this time. I had eternity at my disposal. It is an important piece of legislation, dealing as it does with the profession which, in its daily affairs, has such a profound effect upon the lives of the men.

I said, and I reiterate, that I must approach this bill as a legislator first and as a lawyer



second. That is a difficult task; but I must represent my constituents in my primary role. All the while, of course Mr. Speaker, being very proud of the opportunity, as a lawyer, to use the skills of a lawyer that have been taught me, and which I have learned in my legal training and experience, and to apply those to the great and important task of devising and studying and seeking to improve legislation.

The law society, let it be said, in many ways is deserving of a great deal of credit in its governance of the profession, and in particular in its role of keeping lawyers honest. By way of corollary, it has demonstrated its social responsibility in compensating those who would otherwise be the full victim of the dishonesty of some lawyers. In a very real sense, we lawyers have said to the public, and have lived up to it, we are our brother's keeper. Lawyers customarily identify themselves, of course, in their intercourse with one another, their fellow practitioners, by the term "brother"; and that is more than a euphemism.

There is no profession where the petty human traits of envy and jealousy are more absent than among the company of those who practice law. Outside the arena of the courtroom, there is a spirit or good will and fellowship such as no other profession demonstrates. Shakespeare caught it well, as he did with so many things about the law, when he has Tranio, in "The Taming of the Shrew," say: "And do as adversaries do in the law, Strive mightily but eat and drink as friends."

One might, of course, allude to the character in the Plantagenet plays who, very wisely, when conspiring together with another in mayhem that will get at the throne of England and shake its very foundations, says to his pal: "The first thing we must do is kill all the lawyers."

But in considering this bill from the point of view of the public interest one sees that there is a very important principle involved. The principle can be simply stated and it deserves reiteration. As legislators, our concern is to ensure that the governance of the legal profession is to be carried out with the protection of the public interest as the sole objective.

That is why the Legislature makes this delegation of authority to a subsidiary body. Therefore, I submit that it follows that two matters that have been introduced here are irrelevant to our task and ought to be expunged from our consideration in determining whether this bill is adequate:

One, the fact that the law society has power of governance since the 37th year of the reign of George III has nothing to do with the issue before the House. We are making a fresh start here. The Legislature has great flexibility and great facility to make fresh starts from time to time and to bring legislation into a state where it is co-extensive with the public needs in the contemporary society.

We owe it to ourselves to examine legislation from that point of view. And from that point of view, the historic traditions of the law society and its beginning become not only irrelevant matters, but matters that might obscure a salutary development. The bill that is adequate to meet the needs.

Two, we should not be interested in the grant of powers to a governing body, which carries out its task in our name, that are not necessary to the governance of the legal profession in the public interest. There is a danger that members of a professional body will confuse—and I ask the Attorney General to hearken to this—there is always a danger that members of a professional body will confuse what is good for themselves with what is good for the nation. To put it in the words of the aphorism of the president of General Motors; what is his name, the fellow who said it?

Mr. Lewis: Henry Ford?

Mr. Sopha: No!

Mr. E. Dunlop (York-Forest Hill): Chairman Wilson?

Mr. Sopha: Wilson, who said: "What is good for General Motors is good for America."

Now that is a danger. May I say that in allowing the very minor squabble I had with the former Minister of Health (Mr. Dymally) the other day, I had the advantage of having a private conversation with him and drawing upon his wisdom. I can report that he agreed with me wholeheartedly—and I must be careful the way I put this—that the sole aim and purpose of a professional governing body is the protection of the public interest and any other function that it seeks to take of itself obscures that.

In dealing with that inherent principle in the bill, it ought not to be overlooked that we have the advantage of the study of the wise jurist, J. C. McRuer, which other Legislatures did not have. He puts it more succinctly in words than I can and I want to make an additional quotation from his statement to be found on page 1166 of volume three

his report. This in addition, Mr. Speaker, to the quotations that I put on record the other day. I quote:

The traditional justification for giving powers of self-regulation to any body is that the members of the body are best qualified to ensure that proper standards of competence and ethics are set and maintained. There is a clear public interest in the creation and observance of such standards. This public interest may have been well served by the respective bodies which have brought to their task an awareness of their responsibility to the public they serve, but there is a real risk that the power may be exercised in the interests of the profession or occupation rather than in that of the public. This risk requires adequate safeguards to ensure that injury to the public interest does not arise.

I emphasize those last words—"that injury to the public interest does not arise." I plead with the Attorney General (Mr. Wishart) in the House that we must avoid any such risk. In my view, this bill is not good enough as I am going to demonstrate by reference to it chapter and verse. It is flawed and it ought to be rewritten—and rewritten exclusively from the point of view of the public interest.

To begin that examination I am going to start at the end of the bill. I am going to submit to the House through you, Mr. Speaker, that nowhere is the bill more flawed, nowhere is it more inconsistent with the public interest than in the last two substantive sections 55 and 56.

These two are the very pith and substance of the bill. In two categories, 55 and 56, they give a grant of powers to the law society under 35 separate heads. These are the rule- and regulation-making powers and I would like members of the House who are interested in my discourse to examine the bill with me so that I am better able to communicate what I mean.

Section 55 gives power to the assembled benchers to make rules relating to the affairs of the society. Those are the words that it uses. They make rules relating to the affairs of the society. That is, presumably, on a fair reading what the corporate lawyers would call "indoor management" and as it stands without going further, that is fair enough. The society has a right to make rules regulating its own transaction of business.

Before examining what the indoor management involves I invite the members of the

House through you, Your Honour, to have a look at the opening words of section 56. And 56 gives the convocation, the benchers the power to make regulations subject to approval of the Lieutenant-Governor-in-Council, the cabinet, respecting any matter that is outside the scope of the rule-making power specified in section 55.

On a fair reading of that, I ask rhetorically—and perhaps the Attorney General will give us the advantage of his views when he rises—does it mean that, as I suppose it does, in order to determine whether the cabinet should have a look at the regulations for the purpose of approving them, one must determine whether they fall in section 55. In other words, is section 55, the rule-making power, paramount?

Once you determine that a matter falls in section 55, there is no scope for making a regulation in section 56. If that is the case then the critical consideration is to ascertain whether any of the several grants of power in section 55—and there are 28 of them—must determine whether those heads of jurisdiction go beyond what is necessary for a purely private management concerns of the society. Do I make myself clear, Your Honour?

What I am saying is we must determine among the 28 heads whether any of the powers transgress into the area of public concern. Because if they do, they ought not to be found in section 55, within the exclusive prerogative of the law society but they should be put under the regulation-making power subject to cabinet approval in section 56.

The question then is, do any of the heads deal with matters that concern the public interest? An examination of the various heads of power in section 55 shows that there is nothing exceptional about the first 10 of them. The first 10 deal with such things as the seal and coat of arms of the society; providing for execution of documents; providing for the appointment and describing the duties of the secretary; providing for the establishment, composition, operation of standing and other committees. It is readily recognized that these are matters entirely of internal management and there is nothing questionable or in any way improper about those.

When you go beyond the 10 I find that the next 17 of them, extracting 15, 16, perhaps, and 17, I allege that all the rest of them transgress the area of public concern. Numbers 18 to 23, Mr. Speaker, including No. 25, deal with legal education. Surely legal education is a matter of wide public concern. It is to be noted here that M

McRuer in his report suggested that the rules of the society be published. He makes this proposal on pages 1168 and 1169 of his report, where he says:

The Law Society Act authorizes the benchers of the Law Society of Upper Canada to make "regulations", but that term is treated as synonymous with "rules". No "regulations" have ever appeared in the *Ontario Gazette*. The rules and regulations made by the benchers require no governmental approval, notwithstanding that the Act contains many more detailed provisions regarding the powers of the governing body than do the other Acts under review. The rules relating to admission to practice and to discipline should be contained in statutory regulations.

The "rules" of the law society have not been published in such a manner as to be readily available, either to the public or even to members of the profession. Rules of a self-governing body ought always to be readily available to anyone interested in seeing them. They are part of the law in force in the province.

I ask the Attorney General, when he rises, to tell us why this recommendation was not followed. Why is there no compulsion in section 55 to require that the rules be published so that they would be available to all of the public? That observation of mine is particularly germane when I draw attention to the rule-making power given the society under section 55 in respect of legal education.

Surely I do not have to prolong the argument to bring home to the House that the way in which lawyers are trained in this province is a matter of concern to every interested citizen. It is not a prerogative to be exclusively the province of the law society or the legal profession.

Are we asked to give the society the power to make rules over an important area of the public domain and to promulgate these in secret? Then I say that if that is so, I cannot endorse that proposal with my vote. In no part of the history of the society, Mr. Speaker, is the record more open to criticism than in carrying out its responsibilities in the field of legal education.

Reference has been made at various times—and most recently last Thursday, when I believe my friends from Riverdale and Lakeshore both alluded to it—to the diaspora of the law teachers in 1949, when the distinguished group left the sanctified halls on Queen Street at Osgoode Hall and departed to found a new

university law school at the University of Toronto.

I speak in modesty—I hope I may be taken as being sincere—I speak as one of the glorious band of protestors who picketed Osgoode Hall in 1952.

Now demonstrations are not a new phenomenon on the horizon. In 1952 a group of us who were attending the University of Toronto law school made up some appropriate signs and picketed the premises at the corner of Queen and University. We did that because the benchers were regressive in their policies concerning legal education. I was one, with many others, of those who were victimized by their archaic approach at that time.

I was in my second year at the University of Toronto law school; I was a veteran of two years in the armed forces. I had a wife and child, and because I chose to attend the law school at the University of Toronto, I was required to repeat an academic year in the penitential purgatory of Osgoode Hall.

Almost all of the subjects I had already studied at the U of T I was forced to re-study during that year—such as wills and trusts, conflict of laws, and labour law. I had studied those under great teachers of law at the University of Toronto. While we were repeating that year at Osgoode Hall—the hissing of this may be useful—we went to school for hours a day, a lecture in the morning and a lecture in the late afternoon.

The rest of the time we were indentured as some sort of slave in one of the great legal factories delivering their papers to them. And how we used to joke about it. How we used to joke about it, we indentured apprentices in the legal factories! It used to be said that we were so engaged in delivering papers from one law firm to the other that they used to have two methods of finding us.

One, that they would apply a caliper to the soles of our shoes at the end of the week to find out how much we had walked. Secondly, they would give us a saliva test because we had spent a good deal of time licking the law stamps, and they would be able to determine how much we had walked in that area by analysing the content of the glue in the saliva. I used to go along River Street and I would see a friend's mine across the way, on the other side of the street. I would hurl persiflage across at him, telling him to get off my beat, because I was on that street and he had Adelaide Street.

What was that all about? The fight was between those who favoured the study of law as a body, as a great body of thought and a great body of knowledge—they were on one side—and those on the other side who favoured the study of the practice of law—two entirely different things.

The late Dean Wright, one of the giants in law teaching on this continent, used to say that you could probably teach a chimpanzee how to draft a mortgage or draft a will, but he was not concerned with such practical matters. He wanted to turn out law students who showed a developing concern for the law as it affected society and who were concerned with the solution of society's problems. That is it—was concerned with the solution of society's problems.

Now, Robert M. Hutchings put it in a very trenchant way with this observation:

I can testify from personal experience that one can succeed in the study of law without bothering to comprehend it. One can even be a successful teacher of the subject on the same terms. All you have to do is teach your students how to manipulate the rules.

Mr. Peacock: He was also the man who said every time he faced a problem—

Mr. Sopha: No, that is not what he said. I do not want the member to get into digression. That is not what he said. He said that every time he was confronted with the need for exercise he lay down until the feeling passed away.

For these reasons and because of the history, I say to my brother in the law, the Minister of Social and Family Services (Mr. Yaremko), I am unwilling to leave matters relating to education within the sole prerogative of the law society. Now in words of our Lord—if my friend from Wellington-Dufferin (Mr. Root) were but here—lawyers have been under criticism for a long time. The words of our Lord in St. Luke might be considered appropriate, and with humility I cite them and put them on the record. The famous verse in St. Luke, chapter 11, verse 52:

Woe unto you, lawyers. For ye have taken away the key of knowledge; ye entered not in yourselves, and them that were entering in ye hindered.

Those words fit very well and I do not feel I am too extreme when I point to the unhappy history of the law society in the field of legal education. They have held it back. Legal education, many decades ago, ought to

have got out of those cloistered halls Queen and University and into the universities.

If you want to speak of it in terms of content among our young people, then I say to you to have the lawyers on the campus to have present a conservative and levelled influence. It is good to have them the people who are dedicated to a love of law; the preservation of order and the knowledge that any civilized society can only exist if there is dedication to and respect for the preservation of order under law.

That is a matter of deep principle to me. The law society never shows a progressive attitude in letting out of its fists the control over legal education. I say to the Attorney General—I challenge him—that when he gets up, I ask him to address himself to the justification of preserving in section 55 this exclusive role-making power under the aegis of the law society.

To deal with the other heads that I consider objectionable in section 55. Eleven, and 13, if members will look at those.

11. Governing honorary benchers, *officio* benchers and honorary members and prescribing their rights and privileges;

12. Governing members, life members and student members, and prescribing their rights and privileges;

13. Prescribing fees and levies for members and student members or any class, either of them and providing for the payment and remission thereof and exempting any class of either of them from all or a part of such fees or levies.

Is not the question of membership a matter of public concern and public interest? Or, put it in converse fashion, are we asked to leave with the benchers in the law society the sole and exclusive right to determine who shall be eligible for membership and the terms and conditions under which they come in? Or to ask rhetorically, are not these matters of wide public interest?

Fourteen deals with:

Respecting the compensation fund and prescribing the amount of the levy to be paid to the society for the fund and exempting any class of members from all or a part of such levy.

That is the fund that deals with the activities of dishonest lawyers. I have said that is an area where the activity of the society should be exemplary and open to the greatest praise

But, again I ask, is not this a matter of public interest?

Number 16 must be read with that one:

Providing for the payment to the society by any member of the cost of any investigation or audit of his books, records, accounts and transactions.

18. Prescribing procedures for the call to the bar of barristers and the admission and enrolment of solicitors.

I would not think I had to argue that that is a matter of public interest. For years the law society had practised an action of the greatest discrimination that happily they have left off. Formerly, until recent years, they charged \$1,500 as a payment to any solicitor coming into Ontario from another province who wished to practice. He had to pay \$1,500 in coin of the realm on the line in order to have the right to practise in Ontario. But that is the type of thing—

**Mr. Lawlor:** No, it is not true today.

**Mr. Sopha:** I am told it is not, it has been abolished. Mr. McRuer says in his report that it has been abolished, so that is the only reference I have.

Number 24 is a very curious one:

Providing for the establishment, operation and dissolution of county and district law associations and respecting grants to such associations.

Some of these associations are very old. Some of them, no doubt, are almost as old as the law society itself. Is it not a matter of public interest that the benchers have the right to dissolve the Law Association of the County of York? If they have the power to do that, should not the regulation which they pass be subject to the scrutiny of the cabinet?

No. 26 is one I find very curious:

Providing for the occasional appearance as counsel in the courts of Ontario and before provincial judges with the consent of the treasurer and of the courts or judge and members of the legal profession from outside Ontario.

Should that not be a matter left to the courts? Of what concern is that to the law society? That is 26. If a man appears in court and he says, "My lord, I am a member of the bar of Nova Scotia", surely the critical determination of whether he has the right to appear can reside in the judge? The judge can determine whether he is competent to be heard. Why should he have to go to the law society to get their fiat to be able to practise?

Let us turn to 55. I am saying to Attorney General that these go beyond pure internal government regulatory mechanism. They transgress into the area of the public interest. Section 56, presumably because it requires approval of the cabinet, deals with matters of public concern. Now all those sections I have offered to in 55 should be moved to 56, from 11 to 14 inclusive, 18 to 26 inclusive; and 16—those ought to be moved to section 56.

In 56 there are one or two I want to make an observation about. No. 4 of 56—authorizing and providing for the preparation, publication and distribution of a code of professional conduct and ethics. Should there not be some obligation, a statutory obligation, for the profession to publish such a code, to enable the public to penetrate some of the mystique of practising law?

No. 5, respecting the reporting and publication of the decisions of the court. I say to the Attorney General, through you, that I have a question whether the law society should have any monopoly on the publication of the decisions of the courts at all; certainly I am not unwilling to give it statutory sanction in any fashion.

I have a personal experience to which I am going to advert to show you how an opposition member can sometimes bring about a change in the practice.

Some years ago, when I was involved in a case called Bird and Desabrais, I was absolutely furious, I say to the member Victoria-Haliburton (Mr. R. G. Hodgson) when Mr. Justice Parker released his judgment, which he had reserved. In that case I acted for the widow Bird. In order to get what Mr. Justice Parker had said in way of disposal of her case, I was required to pay the sum of \$9 on her behalf to the Society of Upper Canada. When I discovered that, I said that situation was not going to continue; the law society should be paying Mrs. Bird \$9. It was her case; she launched it; she prosecuted it through the courts. When Mr. Justice Parker came to dispose of it, I would think she had a vested interest if not an absolute copyright, on the decision. But they wanted \$9 for her to find out what Mr. Justice Parker had decided about the departure of her late and dearly beloved husband.

Well that was too much and I assumed it was through the Speaker; I think he was the Attorney General at the time—he required my insistence that thereafter a copy of the reasons for judgment of the courts in Ont

would be deposited with the papers free. And that is the practice now; they must deliver a copy free and file it with the papers. So that is some improvement.

But I have even questioned whether the law society, in the light of its primary role to govern the profession, should have monopoly in the publication of the reports. It should be under the aegis of the Attorney General; he could set up a committee of distinguished barristers to advise him and the proper person, of course, to be the editor of the reports. The chairman of the committee would be some legal scholar, one of the professors of law from one of the universities. The committee would determine how they should be edited and how they should be reported and distributed.

But, because they historically have had this power, does not mean it is proper or in the public interest that they should continue to have it. I now leave those, hoping I have made some impact on those two important sections that go, as I say, to the guts of the bill.

And I turn now to section 29, which deals with the class of members of the society. I must say that I have to confess my inability to see why British subjects, who are referred to throughout this bill, are not treated like other aliens if citizenship is to be the criterion. And I do not object to that principle of citizenship; to practise law in the province of Ontario a person should at least be a citizen. I agree with that. He should not be a person who has less qualifications than those required to sit in this House. He should have at least equal qualifications because, after all, that is an arm of government.

**Mr. J. Renwick:** Is that not very exclusionary?

**Mr. Sopha:** Oh, yes, there is no doubt about it. But, I say to my friend, the member for Riverdale, because it is an arm of government—I am willing to append that restriction—it is an arm of government of equal effect and pervasiveness to that of the legislative chamber, almost equal.

**Mr. Lawlor:** That is not what McRuer says.

**Mr. Sopha:** Oh, he says “yes”. No, I am sorry. We will have to—

Interjections by hon. members.

**Mr. Sopha:** Oh, he says somewhere that the qualification should be the same as to sit in the Legislature. But I must confess, I say

to my friend of another ethnic origin, Minister of Social and Family Services, that why we weigh the scales in favour of other British subjects is beyond me. Because a fellow comes from Australia or New Zealand or Trinidad or Tobago or Guyana or Seychelles or something like that, why should he be given a break? Why should he not be treated the same as a person who comes from Yugoslavia or Italy or the Ukraine or Sweden?

**Hon. J. Yaremko** (Minister of Social and Family Services): Maybe we get the same break if we go to Australia.

**Mr. Sopha:** Maybe we do; I do not know.

Interjections by hon. members.

**Mr. Sopha:** Well part of that you can add down to my Republican bent.

Now section 28 deals with the elusive concept of good character, when it says, “applicant for admission to the society must present satisfactory proof that he is of good character.” Mr. McRuer deals with this subject in chapter 81, at page 1172, and it is worth putting in what he has to say about it: Page 1175:

Good moral character is a requirement of the professional or occupational status and its relevance cannot be disputed. It is, however, a relative term. What the term should mean as applied to one profession or occupation may be quite different from the meaning the term should bear when applied to another. One measures moral character by a higher standard where the emphasis is on skilled advice or the management of trust funds. The requirement of good moral character is to the ethical aspect of a profession what the educational standards are to competence. To state the requirement is one thing, but to apply it is another. Moral weaknesses are seldom apparent and they often only come manifest when the individual is exposed to the problems arising in the profession or occupation involved. It is extremely difficult, if not impossible, to detect future moral risks. Notwithstanding the difficulties of application—

**Hon. A. A. Wishart** (Minister of Justice): Mr. Speaker—

**Mr. Sopha:** —“It is nevertheless necessary to have standards of good”—

**Hon. Mr. White:** Order!

Hon. Mr. Wishart: Order! Could I just ask the number of the page?

Mr. Sopha: Page 1175, volume three.

Hon. Mr. Wishart: Thank you.

Mr. Sopha: I will start at the beginning of that sentence:

Notwithstanding the difficulties of application, it is nevertheless necessary to have standards of good moral character where bodies are given the power of self-government. The determination of moral instability, like the determination of other standards, is essentially a judicial decision and an applicant should only be refused admission on this ground after being afforded a hearing.

Because this is a guild, in a very real sense, I submit to the House, in an attempt to persuade the Attorney General, that there ought to be some form of appeal to a judicial body.

The power of exclusion is a profound one, and the right of appeal given in this section is only in the way of making another application. I would think, to protect those that are denied, that they should have the right to go to a judge of the high court and present their evidence to him.

The danger, of course, here is restriction. I think section 28 is far too narrow. It should express the right a citizen has, or a person living in Canada has, to become a lawyer. There should be some expression, I say to the Attorney General, of the right of the individual to go into the practice of law, if he desires. The words of Professor Gellhorn cited by McRuer are very helpful in that regard. Whoever Professor Gellhorn is I do not know, but Mr. McRuer thinks a lot of him and he quotes him on page 1173. Will you hearken:

The medieval guilds, whether of merchants or of craftsmen, seem originally to have been concerned with the reputations of their members. Artisans and tradesmen knew that observance of commonly accepted standards would enhance the reputation of all. At the outset the guilds readily accepted new members, seeking only to assure that all would measure up to the prescribed norms of reliability. Before the middle of the 14th century, however, there was thinly disguised evidence of an aim to restrict competition by restricting membership, and a century later the disguises were frankly discarded. . . . Competition between one guildsman and another

all but disappeared. Each guild, in pursuit of monopoly for its members, exercised virtually complete governmental powers—legislative, judicial, and financial character.

There is a danger here that—as the protection of the public interest, and because of a deep public concern—we must guard against. It has been well said, and was said by Clarence Darrow, that there is nothing like the tenacity of a man in a profession who had a lot of difficulty himself in getting through the school. If he had a lot of difficulty in getting through himself and getting admitted to the profession, then he shows remarkable tenaciousness, after he is in a profession for five or 10 years, to raise standards for those coming behind him, that is a danger.

The other, which I adverted to the other day, is that we hear rumours that people in the law society, and others, think there are too many lawyers in Ontario. Well, you men have often come to me and asked, "Is there an opportunity, is there a place, is there scope for a person to practice law in Sudbury, is there room?" And I have always

Hon. J. H. White (Minister of Revenue): And the member said, "Try Alberta."

Mr. Sopha: Pardon me?

Hon. Mr. White: And the member suggested Alberta.

Mr. Sopha: What did he say?

Mr. C. G. Pilkey (Oshawa): The member suggested Alberta.

Mr. Sopha: I have invariably said to young people who have asked that question because I believe it that there is always room for a good one: "There is always room for any profession for someone who shows a true love of skill and dedication to the profession."

But we are concerned here, I say to you, Mr. Speaker, with depriving the law society of any mechanisms whereby they will practise discrimination and will enhance the general concept.

Section 27 is an important one and has been dealt with by all speakers—except, perhaps, my friend from Kitchener did not do so with it, but certainly all of the others do. That is the section that sets up the law society council.

The *Globe and Mail* had something to say about it in an excellent editorial, written on Tuesday, March 3, 1970. Let me say about the *Globe and Mail*, that, for at least the last

years, no paper in Ontario has exercised a more searching scrutiny of the activities of the law society, than has the *Globe and Mail*.

I think the *Globe and Mail* alone, of the newspapers in Toronto, questioned 20 years ago the monopoly of the law society over legal education. The *Globe* carried on a campaign over the years, keeping this question in the public arena.

Recently, I am told, one of the editorial writers on the *Globe and Mail* and the person who wrote that article that the Attorney General was studying the other day, on Mr. Justice Cartwright—that is to say Cameron Smith, by name—was a practising lawyer and he gave up the legalistic environment for journalism. Certainly, if he wrote the editorial called “The Public Presence,” of the date I have mentioned, it indicates a very penetrating analysis of the problem with which we are faced.

He says this—he is speaking about the former draft of the bill, just to get a context—the former draft of the bill, not the one before the House—he says:

There were areas of possible ambiguity in the society's bill that Mr. Wishart cleared up. But the clarification has been in favour of the society.

No. Could I start again? Sorry, I have started at the wrong place. Would you permit *Hansard* to scrub all that out?

Here is the part that I want to read in. I quote:

The glaring omissions are to be found in Mr. Wishart's failure to require representation from the public among the benchers who constitute the society's governing body. He acknowledges the need. He says that the Attorney General, Mr. Wishart himself, as an *ex officio* bencher, “shall serve as the guardian of the public interest in all matters within the scope of this Act . . .” But the Attorney General has always been an *ex officio* member. The addition of a few words changes little.

The only justification for allowing the society to hold such broad powers is to ensure that the public is protected. Is it such a radical suggestion that the public have a voice in how it is going to be protected? The advisory council proposed by the society and accepted by Mr. Wishart is a totally inadequate compromise.

After tabling the bill Mr. Wishart said the law society had been one of the best self-governing professions. In comparison with other North American law societies he

certainly is right. But law societies have a history of myopia in recognizing the needs of the people they are supposed to protect and serve. In a fast-changing society the ability to recognize and meet new needs is crucial. It cannot be done unless the public has a real voice.

That is a very trenchant observation. And others have pointed out, this provision in section 27, I say to the Attorney General is mere tokenism. Three out of 73 is not enough. The powers given to the law society council are vacuous to the point of being obscure. What does the bill mean when it says the council is to consider the manner in which the members of the society are discharging their obligations to the public? Are generally matters affecting the legal profession as a whole? Three out of the 73 to be appointed will be appointed by the cabinet, presumably one of them will be Oakah Jo. He is a member of everything else.

Mr. M. Gaunt (Huron-Bruce): A great friend of the government.

Mr. Sopha: Yes, a great friend of the government, says my friend from Huron-Bruce. They will appoint him and maybe they will find the odd brigadier running around who does nothing else.

Mr. J. Renwick: Bill Allen!

Mr. Sopha: Oh, William Allen. I suppose he would be another one.

Hon. Mr. Yaremko: Those are three excellent gentlemen. The member is spoiling for a good speech.

Mr. Sopha: All right. I will leave off.

I draw attention to subsection 6. No other speaker has. When speaking of the law society council, it says “The administrative costs of all expenses of the council shall be borne and paid by the society.” Does that make the council a creature of the law society? Would it not be more protective of the public interest if the expenses were borne by the government? In Ontario, the Treasury, in order to free it, make it completely independent of the functioning of the law society?

However, nothing I can say can render satisfactory in my view because it is entirely emasculated, Mr. Speaker, of any effective surveillance or scrutiny of the way in which the governing body is carrying on its work and it goes beyond that in the determination of how well the legal profession is serving the public in this province. We in the le



profession have no reason whatsoever to practise any priestly art beyond the surveillance of public scrutiny, and it is a very healthful development, when one considers the profession's profound effect upon the lives of men, that lawyers have to have a lay body outside to exercise surveillance over them.

Let me say by way of interpolation here at this time that one of the things that has always bothered me about the practice of law is that I see so many of my brethren in the practice giving the impression that they own the law—that the law is a body of magic which is controlled and manipulated by the lawyers and they have a vested interest in it. Nowhere is that more apparent than in the practice in some of the courts where there is almost an absence of recognition of the fundamental principle that, apart from the judge, who is the most important person in the courtroom, the next most important person is the litigant. The public are the important people and the lawyers come secondary after them. The litigants own the litigation. They have launched it, they prosecute it, they pay the lawyers, they hire the dog and pay him to bark—I am using the Gilbertian phrase; I am using that in a Gilbertian sense.

**Mr. Nixon:** What is that?

**Mr. Sopha:** Well it is a rhetorical device, because I have to confess that I said something about lawyers here one day and I said it in a Gilbertian way and it led to a letter from the Chief Justice to me. The Chief Justice wrote me, and his letter was followed hard on its heels by one from the treasurer of the law society. I wrote back to them and said I was speaking in a joking manner.

**Mr. Nixon:** They do not have the member's sense of humour, though.

**Mr. Sopha:** And nobody took umbrage here about what I said.

**Mr. Lewis:** No, but the Attorney General inspired the writing of the letter.

**Mr. Sopha:** Well maybe. He would not do that. No, no, he is not that kind of guy. He is no squealer. He is an enforcer, but no squealer.

All right, I am serious about this, that I will never leave off the rhetoric in saying at every opportunity that nothing proves my point about the vested interests lawyers assert in the law more than that courtroom on the top floor of the county of York court building. Go down and have a look at it. Go down and have a look at that abomi-

nation—the top floor; what is called the C Justice's court.

If there is anything more elaborate out the Taj Mahal, I defy you to point it out to me. That courtroom is built from the point of view that the public comes there to sufferance.

I had the opportunity to have a talk with Ivan Rand before his death, and he said development ought to be in the courts of the province. As far as possible you should take the judge down close to eye level with the litigant, get him down close to eye level, take all of the elaborate trappings out of the courtrooms and give the public the impression that they are welcome.

**Mr. E. Sargent (Grey-Bruce):** It is all time.

**Mr. Sopha:** All right. I say to the Attorney General, in regard to the question of public surveillance of the legal profession, are you serious, do we mean it, and if we mean it then this bill has a serious flaw in this section and it must be rewritten in order to make

**Mr. Sargent:** Put some non-lawyers on

**Mr. Sopha:** —to make public participation effective. And in supporting this motion, in the Liberal Party, at the risk of repetition, are saying nothing more than that this bill is seriously flawed and it must be rewritten. There is no urgency in passing this bill. There is nothing to prevent us from sending it to the House for the purpose of improving it.

Let us not fool ourselves into believing that this limited participation in the governance of a noble profession that is provided by this bill is adequate to meet the needs of a progressive and enlightened society. We in the Liberal Party will not support this article of this sham, that is to be found inherent in this section. If you want it in numbers, then you are saying, just to sum up, that three out of seven is not good enough.

As the Leader of the Opposition indicated in his speech, there is much of the archaic and traditional about the law society. This is a time of new beginning, and tradition ought not to be permitted to exercise tyranny over us. We ought to seize the initiative in the House, and according to our public responsibility we should set out the guidelines, if you like, within which these laws are to be carried out. At the risk of becoming boring, what you are saying is that we give to the law society the same way we give to the College of Physicians and Surgeons, and the board of dentists under The Dentistry Act—the power

regulate the profession in our name because we have not got the time to do it, and they do it in our name, and we must set the framework under which they do it.

I turn to the governing body of the benchers and I am not going to dwell here very long. The benchers are to be found in sections 11 to 26. I guess it is not too terribly important a matter, but let me put it this way to people in the House in an endeavour to persuade. We have The Medical Act and we have The Dentistry Act, and in each one of those two, if you will look at them, we have a cleaneut declaration of the principle of a board of directors—and I am borrowing from the corporate world here. They constitute a body to govern those professions, and they are analogous to a board of directors in any corporation. They are not cluttered up with all the supernumeraries to be found in section 13, and I ask, as a lawyer, what do we need all these *ex officio* members for?

If you examine section 13 you have to come to the conclusion, I say to my friend from Riverdale (Mr. J. Renwick) and my friend from Lakeshore (Mr. Lawlor), that it is absolutely weighted in favour of arteriosclerosis. I am lucky the Speaker is away. Look at the supernumeraries that are to find their way into the governing council—the Minister of Justice and Attorney General for Canada, the Solicitor General for Canada, the Minister of Justice and Attorney General for Ontario, and every person who has held that office or the office of Attorney General for Ontario. Well, who comes to mind—Kelso the magnificent gets in, the present Mr. Speaker gets in, and everybody else who is running around who has occupied that office.

Look at every retired judge of the Supreme Court of Ontario—pardon me, the Supreme Court of Canada, the Exchequer Court of Canada, every retired judge of the Supreme Court of Ontario. Well, my goodness, I hope I do not offend any sensibilities or bruise anybody, but when a judge retires at the retirement age of 75 you would think that he was just about ready to sit down and read “The Odes of Horace,” or sip good port—

Mr. J. R. Breithaupt (Kitchener): He can do that.

Mr. Sopha: —and philosophize about the journey into eternity, the meaning of it all.

Interjections by hon. members.

Mr. Gaunt: That is what he does on the bench.

Mr. Sopha: I find it difficult to understand why the Legislature should impose upon any responsibilities, or indeed give him licence to join the governing body of the law profession at that time. And I say the doctors and the dentists do not need it—they do not need it and they have not sought it.

Now let me advert to the dentists. For some strange and curious reason—but not without doctors, hearken my friend from Ontario (Mr. Dymond). Where is he from now?

Mr. Gaunt: He is from Ontario.

Mr. Sopha: Ontario! If he would hear for some strange and curious reason in the governing body of the dentistry profession the Minister of Education (Mr. Davis) is a member, but in the governing body of the medical profession only the Minister of Health (Mr. Wells) is a member.

Well, if I ever saw a body that needed the presence of the Minister of Education in the law society. And if the Attorney General is to be an *ex officio* why not the Minister of Education? Look at the advantage we would derive sending the Minister of Education himself a lawyer, down to meet with the benchers. And when they fell victim to the extravagances of circumlocution and convoluted sentences they would say: “My God, look what we launched.”

Mr. Breithaupt: This too shall pass!

Mr. Sopha: Well, another thing in both the medical and dentistry Acts there is provided in the governing body for people from the schools of medicine and dentistry. And we can see the obvious advantage of it, that they should play a role in the governing. But the lawyers! That is not good enough for the lawyers, for some reason.

We now have six law schools in Ontario under the aegis of universities. We have six law schools. Well if it is good enough for the doctors and the dentists, and one can see the advantage they derive from it, why should it not be good enough for the lawyers? Why should they not invite, with open arms, their colleagues from the law schools to sit with them? Why should we not in the practice of law have the advantage of the skills, talents and the learning, the insights, that the people from the law schools could bring to that body?

But tokenism wins out, because in section 27, covering the law society council, they provide that two members who are full-time teachers at law schools in Ontario, appro-

by the society, shall be members of this castrated law society council. Why only two?

**Mr. Nixon:** That is emasculated.

**Mr. Sopha:** Well, emasculated! Yes, I will accept that word as way of substitution.

Why should we not have representation from all of them, all six?

It is these things, you see, that lead us in the Liberal Party to shy away from this bill, because this bill is not good enough.

The Attorney General the other day—I can make it public—said to my friend: “Your attitude is terribly irresponsible, but I forgive you because it is the member for Downsview (Mr. Singer) who did this, and he has gone to Japan.”

Well it is not the member for Downsview who did it, not him at all! It is because there are serious deficiencies in this statute that we want to correct at this time of new beginning that we take the position that we do.

Well, there you have it. I am not going to dwell on that membership, the *ex officio* membership. I will not even spell them all out. There are more of them than that. It sets up what is the equivalent of a quasi senate. If you have been elected a bencher—I do not understand sections 6, 7, 8 and 9—if you have been elected four times, or three times, in various positions, then you become an honorary bencher. Well in the context of modern democracy, that is unacceptable. That weights it in favour of age, and I say again, all we want the Legislature to require is that there should be a clean-cut establishment of delegated authority in a body responsive in some way to the public interest without cluttering it up with all kinds of supernumeraries.

Now because a man is elected—I have been elected three times now, I hope to be elected a fourth time—but I would not for the life of me protest that because I went through four elections that I am entitled to any special consideration or should be appointed honorary anything.

**Mr. D. A. Paterson (Essex South):** We will put the member in the cabinet.

**Mr. Sopha:** Well, all right, thanks!

**Hon. Mr. Yaremko:** Would the member say no to an acclamation?

**Mr. Sopha:** Yes, I would not want an acclamation. No.

All right! Well, maybe they want it. They may want to be honorary members. They

want the traditions. But I just leave it saying that I am reminded, I cannot help recite that I am reminded of T. S. Eliot's euphemism that half the harm in the world is done by people who want to feel important.

**Mr. M. Makarchuk (Brantford):** Did the member for Huron-Bruce hear that?

**Mr. Sopha:** All right.

I turn to section 14, and I say to my friend the Attorney General that section 14 is gratuitously patronizing to him to the point of being almost impertinent. Section 14 is the one that says the Minister of Justice and Attorney General in his capacity as *ex officio* member—so he has not got the right to vote you see—shall serve as guardian of the public interest.

Well really! Is that not what the Attorney General is anyway?

**Mr. J. E. Bullbrook (Sarnia):** I would think so.

**Mr. Sopha:** I do not think we need the Attorney General to start to tell us what the role of the Attorney General is. And many years ago I put on the records of this House the very historic, ancient statement of the duties of the Attorney General, which are to this effect: what is everybody's business is nobody's business.

It is the business of the Attorney General. And that sums it up in a very wholesome way. That is what the Attorney General is. That is what his role is in respect of his responsibilities. And even if section 14 were absent, the Attorney General as the person who is responsible for and commandeers this legislation through the House is the guardian of the public interest in our name.

Now it goes beyond that. Having used that purple prose in the way the draughtsman did to get the Attorney General in the front door down at Osgoode Hall, it goes beyond that. And it says:

And for this purpose he may at any time require the production of any document, paper, record or thing pertaining to the affairs of the society.

Others have adverted to that. I am against it. Unequivocally! I cannot be converted to endorse that.

That means the Attorney General can look into the papers for the purpose of sequestering those papers to carry out his other responsibilities, and that seriously infringes the discipline provisions of the bill which relate to members. I hope the Attorney General will

address himself to that consideration when he rises.

Now let me say at this point something I have wanted to say for some time against the principle that we are concerned to constitute a body to carry on in our name the governance of a profession. I say unhesitatingly that I was against the law society initiating the investigation into Landreville and I think that marred, to a large extent, the activities of the law society.

It is no function of the law society to review the conduct of judges. Other bodies can do that, and indeed other bodies have the power to do it under the Constitution of Canada. I think the law society besmirched all of us by its activities there, and I hope they will not launch into the expression of initiatives in that way again.

**Mr. J. Renwick:** Who should have taken initiative in that case?

**Mr. Sopha:** The Minister of Justice of Canada; and it is a proper field perhaps for the bar association, I say to my friend the member for Riverdale, a proper field for the bar association to lobby the Minister of Justice of Canada.

**Mr. J. Renwick:** For the bar association?

**Mr. Sopha:** The bar association, yes; which is not a statutory body at all but an image-making body, a body concerned with public relations, a body concerned with the conduct of judges. But we must not let the body that is concerned only with the governance of the profession trespass over into a supervision of the judiciary. For that reason the law society had no business—when Mr. Justice Wilson reprimanded Elliott Pepper, who was then Queen's Proctor, and a servant, in a sense, of this Legislature—the law society had no business to make representations to Mr. Justice Wilson, or to the chief justice of the high court, who was then J. C. McRuer. That is not their function.

Once again, I say to my friend from Riverdale, that would be the proper function of the bar association. Or, indeed, of the Attorney General of Ontario. But the society cannot.

The point I make is that we do not constitute that body down in Osgoode Hall to be a guardian of the courts. They are the guardians of the public interest in respect of the way lawyers carry on their activities, and ought to be confined to that.

**Mr. J. Renwick:** Would the member fresh my memory? Did the law society vote to the Minister of Justice? Is that not the way they—

**Mr. Sopha:** No. What they did do was to set up a subcommittee and the committee carried on an investigation into Landreville business. They prepared a report.

I am told they had a hell of a job to get through convocation—to get it endorsed. There had a big fight in convocation between two who said, "It is none of our business," those that were anxious to bring it to the attention of the Minister of Justice. Finally it passed on a divided vote to convocation and the report went to the Minister of Justice in Ottawa.

Following the receipt of the report—let it be marked—

**Hon. Mr. Wishart:** Mr. Speaker, on a point of order. I am enjoying this very interesting historical discussion—

**Mr. Sopha:** All right, if you want me to leave off there is no need to make a speech about it.

**Hon. Mr. Wishart:** But, Mr. Speaker, the bill does not give the benchers, or convocation, or the council, any powers to deal with judges. Why we need to debate and amend that they should not have such powers certainly beyond the principle of this legislation.

**Mr. Sopha:** All right, fine.

**Hon. Mr. Wishart:** We are talking about the second reading here. I always enjoy hearing the hon. member speak, but I think we are getting far away from the principle.

**Mr. Sopha:** Well, let me get on with it, will you?

**Hon. Mr. Wishart:** I think we are getting off and what I would like you to do is get on with it.

**Mr. Sopha:** Let me get on with it, but I want to drive home the point, notwithstanding the advice given, that the central principle of this bill is to bring home to the law society that they are only concerned with the governance of the profession.

**Hon. Mr. Wishart:** That is what the member says.

**Mr. Sopha:** We must make sure that the message get from us and I cited what

conceive to be one transgression of that principle.

**Hon. Mr. Wishart:** I would agree.

**Mr. Sopha:** All right, now I leave it.

Section 15—very curious, almost to the point of being humorous:

Every member who has been or is elected to the office of treasurer is an *ex officio* bencher with all the rights and privileges of an elected bencher.

Subsection 2:

Every *ex officio* bencher under subsection 1 shall, upon achieving the age of 75 years, continue to be an *ex officio* bencher with all the rights and privileges prescribed by the rules, except that he no longer shall have the right to vote in convocation or in a committee of benchers.

That seems to say that, by the mere attainment of the age of 75, the treasurer has taken leave of his senses; he is out to lunch mentally. Surely to heavens, is there anything magic about celebrating the 75th anniversary? If the poor fellow attains the age of 75, could you not leave him with a vote?

**Mr. R. G. Hodgson (Victoria-Haliburton):** His age of majority is limited.

**Mr. Lawlor:** A few minutes ago the member was saying there are too many supernumeraries.

**Mr. Bullbrook:** The member is missing the point again.

**Mr. Sopha:** Section 16—my friend from Kitchener dealt with this. It brings into the bill the magic that half the representation shall be from Toronto. That is where all the lawyers are anyway; that is where most of them are.

Mr. Speaker, let me tell you we never had representation from northeastern Ontario. We have never had it—never had it from the home of the Attorney General, nor from the capital of northern Ontario.

**Hon. Mr. Wishart:** Oh yes we did. We had Mr. H. S. Hamilton—

**Mr. Sopha:** A long time ago!

**Hon. Mr. Wishart:** Some time ago; a little time ago.

**Mr. Sopha:** It was before my time.

**Hon. Mr. Wishart:** Oh no, that is a long time ago. We made it in Sault Ste. Marie.

**Mr. Sopha:** All right, let me show a comparison, the contrast with the medical men and the dentists. Each of those statutes divides the province into geographic areas.

**Mr. Breithaupt:** That is all I called for.

**Mr. Sopha:**—and my friend from Kitchener called for that—he requires representation from each of the geographic areas. But only geography that the lawyers are concerned with, the draughtsmen here, is that half shall be from Toronto.

In other words, the impression is given that when you look after Toronto, God is in His heaven and all is right with the world. You do not have to look after the lesser species that come from the boondocks. That the inescapable impression that is given is that the Attorney General should not tolerate an expression, in a legislative way, of such a principle as that.

Now the *Globe and Mail*, in its editorials, had something to say about that also, which I want to put on the record. Speaking of Mr. Wishart it said:

However, his continued acceptance of allowing Metropolitan Toronto half of the bencher seats is too arbitrary and so other standard should be sought. After four million of Ontario's potential six million clients live outside Metro. Toronto has the largest concentration of specialists, Mr. Wishart should ask whether specialists are the best qualified to run a society whose main function is to protect the public interest.

And I see nothing wrong with the adoption of that proposal of my friend from Kitchener that a geographic, territorial representation should be encouraged.

I have come, members will be happy to hear—my listeners—to the end of my remarks but there is one other section on which I am going to become pretty vehement. I suggest to the Minister of Social and Family Services to have a look at section 9 with me and see what it says.

If members are ready, my friends in the House, let us have a look at that one.

**Mr. Lawlor:** Which one?

**Mr. Sopha:** Nine. I quote:

The secretary, deputy secretary, assistant secretary and other officers of the society shall be Canadian citizens or other British subjects.

I say that is against the law of Ontario. That is in contravention of a legislative provision.

expressed in a solemn statute of this House—The Human Rights Code.

Imagine the impertinence of the lawyers coming in here and asking us, in effect, to repeal a statute of this House which we passed unanimously. If they assert that they mean those people shall be lawyers, then they do not need to say it all themselves, because they are then caught in section 28—

**Mr. Bullbrook:** New Democrats adopt that principle—support that principle.

**Mr. Sopha:**—of the Act. And to our eternal shame, we must never let this section pass.

**Mr. Breithaupt:** That is not the floor for them!

**Mr. Sopha:** They certainly have a fetish down at Osgoode Hall with Canadian citizenship and British subjects. I fear there is too much British down there—that British encrustation. I looked over the honorary members of that society—was not many years ago, but they inducted one of the royal princesses into it—made her an honorary bencher.

This I find pretty offensive—that they should come here and say that the servants of the society, the secretaries, assistant secretaries and other officers, “shall be Canadian citizens or other British subjects.” We cannot accept that. That means repealing an important section of The Human Rights Code, for now discrimination may be practised on such bases as these.

I hope they have the decency to take that one out before it gets to the committee and to come there and say: “We do not seriously propose that this be passed.”

**Mr. Bullbrook:** We will not accept that principle. Some others will.

**Mr. Sopha:** Now, in summation: We in the Liberal Party are voting for further consideration of this bill. We view this statute entirely from the public interest; a very responsible position to take. There is no need for haste; the society has existed for 173 years and it can continue for a while until the Legislature, taking its time for consideration and reflection, can do it properly.

I am one of those who question the right of the society to even initiate this bill. I think the Attorney General was wrong in allowing the society to be the proponent of this bill. This bill should have been written indoors by legislative counsel and, of course, making available to legislative counsel all the advice and assistance and encouragement and the representations that the law society want to

make. The law society is skilled in this and we should have had the fullest opportunity to address their suggestions and comments and requests to legislative counsel.

The Attorney General does not satisfy when I am told that the matter is taken to Osgoode Hall and it finds its way into writing of statutes for proposal here as a government measure. We are a pretty sophisticated group up here and we have all kinds of skilled draftsmen of statutes and we have all kinds of expertise. We do not need other bodies to write statutes and then put them here as government measures.

The full responsibility of this statute reside in the cabinet officer who proposes it. He has to put it through the House and justify it to the House; answer questions about it; support it; explain it; persuade the House to adopt it.

**Mr. McRuer** says that in regard to all professions, there ought to be a model Act. There ought to be an Act that would fit every profession; that lays down principles which would be suitable to the governance of all of them. I have referred to The Dentistry Act and I have referred to The Medical Act and to some of the devices which, I venture, are far more democratic than the devices used in this bill.

Such as, for example—you were absent, **Mr. Speaker**—when I noted that the medical and dentistry Acts provided for representation in the governing body of people from the schools and from the universities. That is a matter of right.

Each medical school has the right to propose the name. But that is not good enough for the lawyers. Those provisions could be put a way into a model Act which would suit all professions. There is no particular magic about these professional groups having their private statutes.

I say once again, with all respect to my brethren in the law, that we are not concerned here—we ought not to be concerned from the public interest—in preserving mystique or any of the traditions. My friend from Riverdale time and again in his remarks too numerous to count, referred to elitism in the bill. I say there should be no question about that. It should not be a consideration.

This Legislature has no interest in promoting the elitism of any of the professions by giving them powers beyond what they need. Why should we grant to them the power to grant degrees in law? Why should they have that power to grant degrees in law? Should not that be a university power?

Does granting degrees in law have anything to do with the governing of the legal profession in the public interest? There would be hell to pay if the United Steelworkers came in here and asked for power to grant degrees; or some other pluralistic group.

We would throw up our hands in horror that a guild would say it should have the power to grant degrees. But the lawyers can come in and say, "Give us the power." Why should we? We are content to leave that in the law schools of the universities and exercise this right under the aegis of the governing bodies of the universities. We are not concerned about contributing to their prestige.

I mean, I am not impressed because they get the Prime Minister (Mr. Robarts) down there and grant him a degree as they did this spring. I was impressed by the quality of the remarks he made. He said some very useful and encouraging things on that occasion. But it is not a power I want a law society to have, and as a lawyer I do not require them to have it.

There is too much of the image-making in the bill. It goes beyond what is necessary for the governance of the legal profession. It might be bold and adventurous and break new ground; the place lawyers should be in is at the frontiers of the social context in which they operate. They should be bold and adventuresome.

Finally, the image of the profession resides in its individual members and is best cultivated and attained by following the words of Isaiah—I am becoming theological today! But I was so impressed by these words of the great prophet, one of the major prophets, in the first chapter, the 17th verse. Listen, my friend from Lakeshore, to what he said. Here is how lawyers cultivate their image. I quote:

Learn to do well. Seek judgement. Relieve the oppressed. Judge the fatherless. Plead for the widow.

Let those beautiful words—

**Mr. Sargent:** And send out your invoices.

**Mr. Sopha:** Are they not beautiful words? That is the way you build the image of the profession. Now, I can close with the words of a great lawyer. As it turned out, he did not make much of a judge, but he was a scholar and he was a great lawyer: Louis D. Brandeis said in 1905, and he could have been talking yesterday when he said this:

Instead of holding the position of independence between the wealthy and the people, prepared to curb the excesses of

either, able lawyers have, to a large extent, allowed themselves to become adjuncts of great corporations, and have neglected their obligation to use the powers for the protection of the people.

In 1905 he said that. In many ways, let's face it, we have become the servants of institutions which, in fact, we as lawyers created. We created the corporations. They are inventions of our imagination, spoken in terms of those who preceded us in practice. In many ways we have become clerks to them.

All right, if there is any validity in that, this is a time of a new beginning. Through this device, this legislative enactment, we launch a new policy in the governance of the profession, dedicated to the proper administration of the powers that we give them, from the sole point of view of the enhancement of the public interest. We must not go beyond that.

As I have sought to show in so many areas of this bill, there is a departure from that principle. Acting responsibly, we in the Liberal Party cannot, with our votes, at this stage, say that we support the bill. We cannot, and be responsible.

It has to be rewritten, Mr. Speaker, when you say finally, as you will, "Shall this bill be read a second time now?" Then I, one, will vote no. If that is to be taken as opposition to the principles of the bill, that is where I pitch my tent. That is the plateau where I will pitch it, because I am opposed to this bill in principle. It is not worthy of us, not worthy of this House. I can do better, I plead with the Attorney General.

The next chapter, the next verse after the quotation from Isaiah that I read begins, "Come now, let us reason together". Come now, let us reason together and let us, as lawyers, resolve that we can write this statute in a better way that will make us proud of the activities of this Legislature and will make this governing body in its proper perspective.

If you will not do that, then I, at least, ask you when you get up answer those several points that I raised in criticism. To try to show us the justification of the verbiage of this bill in the form that it is in, which will let this party find to be so unsatisfactory.

**Mr. Speaker:** Is there any other member who wishes to speak to the bill before I call a member for Victoria-Haliburton.

**Mr. R. G. Hodgson:** I would like to make one or two comments. I would like to h

the assurance of the Attorney General in regard to these, and it could perhaps govern how I would vote in such a case. I would like to be assured about the redress of any extravagant fees that may be charged and the way these may be appealed, with justice being the resultant consideration. Is there adequate means to have the public assured of the high integrity and conduct of the members of the profession and a way to assure this? That there is so constituted a body of governors that can be a means, or a mechanism, to methodically consider and to see the implementation of the desirable goals of such a society? That such a constitution is a part of this bill should, I expect, set out suitable goals for the further educational aims and objectives. I would also like to suggest that, as there are only a few laymen members of this society, there perhaps should be consideration that this Legislature should be given a report annually, or from time to time, by its laymen representatives on the law society on the adequacy of the protection and direction of the society under this Act. Thank you.

**Mr. Speaker:** Is there any other member who wishes to speak before the Attorney General? The Minister of Justice and Attorney General has the floor to close the debate.

**Hon. Mr. Wishart:** Mr. Speaker, I would say, particularly to my friend, the member for Sudbury, and to all the members of the House, using his closing words, which he quoted from the prophet, "Come now, and let us reason together."

Some of the things that we have heard in the debate on this bill have been good and reasonable, but some have been rather trivial and not really relevant to this bill which is before us. I would like to say that, in speaking to the content of the bill, it is a government bill; there is no question of that. It is presented by the Attorney General as a minister of the government on behalf of the government, as was The Engineers' Act and the Acts governing other professions such as The Surveyors Act. It is a bill designed to give certain powers to a profession, certain self-governing powers. In the preparation of the bill, I wish to pay tribute to the lawyers of the Law Society of Upper Canada who played a very large part in assisting in the drafting and preparation of this legislation. They did a good deal of work over a considerable period of time; close to three years, I would think—

**Mr. Sargent:** That shows you how much they are when they still call themselves "Upper Canada". They are in tune with day!

**Hon. Mr. Wishart:** And, I believe, the House has perhaps been told—or at least appeared in the public press—this is the draft of legislation which has come forward respecting this Law Society Act. It is not something that was done overnight. It was not done thoughtlessly. It was not done without study and consideration. It has had the most thorough preparation and consideration I think, of any legislation with which I have had to do. Not only did the good minds of the profession address themselves to this bill, but when they came to the staff of the Attorney General; they came to the Attorney General's office; they came to me personally. We had a good deal of correspondence about various points with which we took issue, many of which we discussed, many of which we varied, and many of which were modified as a result of our representation and very thorough discussion in committee and in conference in this building and through correspondence elsewhere. So this bill comes forward to assure you, not in its first form, not in its second draft, but after 13 tries.

**Mr. Breithaupt:** I would like to see what it was like in the first draft.

**Hon. Mr. Wishart:** So, it is not something that has not been thoroughly considered.

I believe it was pointed out by the member for Sarnia, in reading from a letter which was sent to all members of the profession, I believe—at least I have a copy of it—I think it indicates the bill was sent to all members of the profession. And Mr. Howland, the treasurer who represents the head of the society, pointed out that the bill had been sent out some time ago to every member of the profession in Ontario who was a member of the society, and 22 persons replied out of some 7,000.

**Mr. Bullbrook:** No, that is not correct. The association also—

**Hon. Mr. Wishart:** I am talking about the members; 22 replied, he said.

**Mr. Bullbrook:** The minister understands that he is misinterpreting the letter?

**Hon. Mr. Wishart:** Well, I will read the letter. I think that is what it says.



**Mr. Bullbrook:** The majority of lawyers respond through their particular associations.

**Hon. Mr. Wishart:** I am reading from the letter signed by Mr. W. G. C. Howland, treasurer of the Law Society of Upper Canada, dated May 12, 1969—that was the draft that was then set up—"I have received 22 letters from members of the society—"

**Mr. Sopha:** What page is the minister reading?

**Hon. Mr. Wishart:** I am reading page 3 of his letter, in the third paragraph.

**Mr. Speaker:** Perhaps the hon. member for Sarnia would allow the minister to complete his statement.

**Mr. R. G. Hodgson:** Yes.

**Mr. Bullbrook:** On a point of order! Perhaps I interject unduly, but I request that the total, if I might—

**Mr. Speaker:** The member has no point of order.

**Mr. Bullbrook:** I must set forth the point of order to you. How can you tell I do not have a point of order?

**Mr. Speaker:** I will give the hon. member the opportunity. A point of order is something in connection with the order of the business of this assembly, if it is not being observed. Now that has nothing whatsoever to do with what the Attorney General is saying. If the hon. member thinks the Attorney General is making a misstatement or is not giving a full statement he, unfortunately, I suspect—unless the Attorney General will take a question—has no method of dealing with the matter. Because, by custom—and, I presume, by the new rules when they come—the debate is closed by the minister in charge. However, it has been our custom up to now to allow these matters, but I must say that they are not matters of order.

**Mr. Bullbrook:** I say to you most respectfully, and I mean this, most respectfully, Mr. Speaker, my understanding of the representation made by the Attorney General was that Mr. Howland had notified members of the profession or through the letter that I read that only 22 members of the profession replied to his communication. I suggest to you that is misleading the House, and if he continues to read from the letter he will see otherwise.

**Mr. Speaker:** Order, please. Even if that is the hon. member's view, it is not a point of order. I assert that again in my opinion.

**Hon. Mr. Wishart:** Mr. Speaker, I would not wish in any way to mislead the House and if I do not make myself clear, permit me to do so. All I was trying to bring forward here was that a draft of this bill—close to the final draft—was sent out by the treasurer of the society to all members of the profession—

**Mr. Sopha:** Yes, so what? Will it relieve us of our responsibility?

**Mr. Speaker:** Order.

**Hon. Mr. Wishart:** The hon. member has his chance—

**Mr. Sopha:** Well, all right.

**Hon. Mr. Wishart:** —to make a very long address on this subject. Now let me make my point—

**Mr. Sopha:** The minister interrupted me.

**Hon. Mr. Wishart:** Not too frequently.

**Mr. Sopha:** I think the minister went to sleep during part of my remarks.

**Mr. Sargent:** Maybe with good reason! He had to leave a couple of times.

**Mr. Speaker:** Order!

**Hon. Mr. Wishart:** I always enjoy the hon. members' interruptions.

**Mr. Sopha:** The minister is a great guy too. Go ahead!

**Hon. Mr. Wishart:** The point I was trying to make when I was interrupted, Mr. Speaker, was that this bill—or very close to the final draft of it—had been sent to all members of the profession by the head of the law society; that, after a period of time, he received only 22 replies—

**Mr. Breithaupt:** Read the next sentence!

**Hon. Mr. Wishart:** Yes, I am coming to that. I wanted to get to that, if I could just get the opportunity.

**Mr. Nixon:** Fifteen minutes ago we were on this point.

**Hon. Mr. Wishart:** Well, if I had not been interrupted—there were 22 replies from individual members. But this, I think, is significant—this is what I was coming to—that

of the county and district law associations replied. He says, in addition:

I have received letters from 39 of the county and district law associations. I have also received a letter from Chief Justice Gale, dated April 9, 1969, stating that the members of the supreme court who were in the proposed Act were quite satisfied with its provisions.

**Mr. Sopha:** That is a very chilling thought.

**Hon. Mr. Wishart:** I do not think that derogates from the bill in any way, although the hon. member for Sudbury would like to make it appear so. My point is that the profession has had a good look at this legislation over a protracted period of time, that it has been dealt with by at least 39 out of 46 county and district law associations.

**Mr. Sopha:** This is the 13th draft?

**Hon. Mr. Wishart:** At least 39 that we know of have had meetings, have looked at it and have replied and have given this bill approbation.

**Mr. Sopha:** And this is the 13th draft?

**Hon. Mr. Wishart:** It is one of the very final drafts. I think the treasurer goes on to point out that there were one or two small, rather insignificant amendments made as a result of the correspondence which he received.

He does mention the resolutions which were sent forward, and that one or two small amendments were perhaps made as a result of that, but this was a very final draft.

The member who spoke first on the debate for second reading, the member for Sarnia, made a point of the fact that he felt that there had been very little interest; he was a bit disturbed at the profession for not showing more interest. I think there has been a good interest shown and the fact that 39 of our county associations have taken the trouble to consider, examine and reply, attests to this.

**Mr. Bullbrook:** I obviously did not make myself clear.

**Hon. Mr. Wishart:** If I am not permitted to draw that conclusion, perhaps I might conclude that because the members of our profession have not taken the trouble to individually answer, perhaps they are generally well satisfied with this legislation.

**Mr. Breithaupt:** They are generally not interested.

**Hon. Mr. Wishart:** One of the points has been made by several speakers is that lay representation on the council is not adequate, that it is three only in some 70 persons. I would like to make this point. I think I must try to distinguish between what the hon. member for Sudbury calls "surveillance of the law society" when we are talking about a self-governing profession—purpose of representation on any body—one has suggested that it might be on benchers, on that group known as the barristers—the purpose is not surveillance, the purpose is not government of that profession—the purpose is to get information, to disclose, to have knowledge of what is being done on how that society or profession is conducting itself and it is submitted, I think, by the speakers who have spoken on this subject.

They say, "What is the magic figure? Is it 15? Is it 20? What is the figure? No one says what it is. Certainly I think we will agree that it is not a majority. It is therefore not government of the society. It is a sufficient number to know, to learn, to explore, to have the information to have disclosure. So what is the figure? Is it 15? Could not three well-informed, capable persons sit on the council and observe the council carrying out its duties, which are defined as examining and reviewing the performance—to quote:

There shall be a body known as the society council to consider the manner in which the members of the society are discharging their obligations to the public in generally matters affecting the legal profession as a whole.

Let me say this: I am not wedded to figure three or to five, I do not put either or any magic figure.

**Mr. Lawlor:** Fifteen.

**Hon. Mr. Wishart:** Fifteen? I have a reservation. I am not married to three or five, but I think, if you come down to reality, thinking, you are going to find it difficult to get 15 people to attend the meetings of the council. Are you going to get 15 people who are going to have that interest? Would five not serve the purpose? Would five not serve the purpose? Would five not serve the purpose? Let me say just this and pass on: Let us go with that in committee. It is not necessary to move that this bill be given the six months hoist for that purpose.

**Mr. Sopha:** Would the minister permit the question?

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

**Mr. Sopha:** Is the minister opposed to the principle enunciated by Mr. McRuer on page 1166 of the report?

**Hon. Mr. Wishart:** I doubt if I am.

**Mr. Sopha:** Will the minister look at 1166 please?

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

**Mr. Sopha:** The last paragraph; is the minister opposed to that?

**Hon. Mr. Wishart:** I am familiar with it now that the member gives me the page.

**Mr. Sopha:** Would the minister agree with us that the lay members should be members of the governing body, that we do not need a law society council? Put the lay members on the governing body.

**Hon. Mr. Wishart:** I would like to answer the hon. member in this way. Section 27 says:

The council shall consider the manner in which the members of the society are discharging their obligations to the public and generally matters affecting the legal profession as a whole.

I think if the member looks at the British Medical Society, I do not know the number of lay people who serve on it but I think you will find that it is very small.

**Mr. Lawlor:** Eight!

**Hon. Mr. Wishart:** Eight in the British Medical Society. As I say, I have no magic figure and I do not stand on that. I would be quite glad to have that considered as we take this bill to committee, but in the legal profession—and I ask the hon. member for Sudbury and all my brothers of the profession in this House—bear in mind that the benchers are merely a disciplinary body, a body dealing with the discipline of members of the profession. Let us be realistic. Bring on to that body a lay person, and what contribution could he make? I say that not to derogate the ability of the lay person—

**Mr. Sargent:** Why does the minister not try it some time and find out? They have some brains too!

**Hon. Mr. Wishart:** I am not trying to derogate them but I am talking about the legal training which they do not have.

**Mr. Sargent:** The lack of it might be good for a change, put some horse sense into the

minister's laws. They are written for lawyers not for the people.

**Hon. Mr. Wishart:** I am quite prepared to listen to the hon. member for Grey-Bridge but if he knew the intricacies—

**Mr. Sargent:** Mr. Speaker, on a point of order. Is it not amazing that of all the professions in this House, all we hear about is the legal profession.

**Mr. Speaker:** What is the point of order?

Interjections by hon. members.

**Mr. Speaker:** Order. The hon. Attorney General has the floor.

**Hon. Mr. Wishart:** I did not intend, Mr. Speaker, to upset the hon. member for Grey-Bruce—

**Mr. Sopha:** God, I wish you would not provoke him.

**Hon. Mr. Wishart:**—but I do suggest that on the body known as the benchers there is a little contribution that would be made by the lay member. I point out again, and I have covered it briefly, that the function of the body is primarily disciplinary. The governing of the profession, and really the conduct of the profession and the way in which its members carry out their obligations, is the function of the council and there, I think, is the place for lay representation. I am not committed to the number suggested—

**Mr. Lawlor:** The time that it takes.

**Hon. Mr. Wishart:** Pardon?

**Mr. Lawlor:** The time it takes.

**Hon. Mr. Wishart:** The time, yes.

I must just say, let us be realistic. I am sure that if the hon. member for Sudbury stops and thinks about a disciplinary situation coming before a body where a lay member is sitting, he would wonder if that lay member would really have any place there or be any use there, or be able to make any suggestions that would be helpful.

The member for Lakeshore mainly dealt with the matter of representation, and I think we may discuss this, certainly, in committee.

I thought that the member for Kitchen had a point which I may say was considered in our drafting of this bill, and that is geographic representation on the benchers, particularly as the Act provides for this. What half the profession is in Toronto and ha

outside, it was felt that if the representation was divided in that way it might be satisfactory and I have a feeling that perhaps it would. Again I am not adamant on my view in this respect.

I feel that once you remove the vote of the Toronto member from the outside representation, you would get a broad representation across the rest of Ontario. But we can make certain of that, if you wish to set up geographic districts. I am sure that in committee, after discussion, perhaps we could reach such an arrangement, and my objective would be to get the best and most representative body possible. So I would say that that recommendation, in my view, has very great merit.

The hon. Leader of the Opposition complained about the mystique of the society. I think that I have to say to him that any profession—and I think perhaps particularly the professions of medicine and law, possibly the ministry, possibly teaching in its higher brackets where professors are turned out—must have some mystique, otherwise it is not worthy of its name.

**Mr. Nixon:** Not bolstered by legislation.

**Hon. Mr. Wishart:** It must, surely, have some skill, some knowledge, by reason of the fact that a member of that profession has devoted years to learning principles, devoted himself to picking up the experience, the background, the knowledge, the science of that profession.

Surely, if that time is spent to equip the member of that profession with a skill beyond and above that of a lay person then he is not worthy of being called to the profession. And surely, if he has that knowledge, that science, that skill, then he has some mystique, and I do not think you can do away with that. I do not see that this Act—

**Mr. Nixon:** The minister is enlarging it. Surely, he is enlarging on it.

**Hon. Mr. Wishart:** No, I do not see where—

**Mr. Sopha:** In section 26, with "Upper Canada".

**Mr. Nixon:** Sticking with Upper Canada.

**Hon. Mr. Wishart:** Oh, well—

**Mr. Sopha:** Section 13.

**Mr. Nixon:** You might call it mumbo jumbo.

**Hon. Mr. Wishart:** The law society of Upper Canada—surely this is not a mystique—surely this is not something that we need.

**Mr. Nixon:** It is very much like a special order.

**Hon. Mr. Wishart:** I see the Ancient and Honourable Order of Hibernia, and other ancient and honourable groups of—

**Mr. Sopha:** What they do—

**Mr. Nixon:** We presume they have got a secret grip—

**Hon. Mr. Wishart:** I do not know of these societies. I do not belong to them, but I do not scare me. I presume they have got some mystique about them to which I take no exception.

**Mr. Gaunt:** They do have a special grip.

**Hon. Mr. Wishart:** Perhaps they do. The Law Society of Upper Canada; the name is—

**Mr. Sopha:** Is objectionable.

**Hon. Mr. Wishart:**—goes back 170 years. It is 70 years older than the country. And I am not married to that either, but I believe that there is something to be said for the mystique. I do not feel very upset to hear people say, "Oh, we have got to call it the Law Society of Ontario." Upper Canada has a long history about it.

**Mr. Nixon:** We are not saying that the minister has to. We are just saying it is objectionable.

**Mr. Wishart:** I think we can get away with a name.

**Mr. Sargent:** Call it a union; the society of fitters and the lawyers.

**Hon. Mr. Wishart:** The Law Society of Upper Canada has had a pretty good reputation you know. Yes, it is one of the societies which calls upon its members to set up a fund to protect the public if one of its members commits faults. It is one of the professions—I think it is the only one—that does that sort of thing.

It is a society which volunteered to help this government in administering the legal plan which we brought in.

**Mr. Sopha:** Yes, all right.

**Hon. Mr. Wishart:** It is the society which calls for an audit of its members' books. It is a blitz audit, without notice. It is the society that brought that about. It is the society

here in Toronto, established the referral system the other day. It has many things to its credit and I am not ashamed of the name Law Society of Upper Canada.

**Mr. Sopha:** What does it do for the minister coming from Sault Ste. Marie? What does it do for him? He was definitely in Upper Canada up there.

**Mr. Bullbrook:** Nobody has ever said they were ashamed of it. They are proud of it.

**Hon. Mr. Wishart:** The hon. member for Sudbury, I think, although he was not in that part of Ontario at that time, and that was not part of Upper Canada—that really is not relevant to us, disposing of this ancient and honourable name.

**Mr. Nixon:** Oh, yes it is. Yes it is.

**Hon. Mr. Wishart:** I do not think so. When we get into committee, I am going to say some things that I think will support this name, but if my view does not prevail, it will not hurt my feelings greatly.

**Mr. Nixon:** The minister is not wedded to them.

**Mr. Bullbrook:** If the minister's view does not prevail when he wants it to, then he should resign.

**Hon. Mr. Wishart:** If my view does not prevail, unless I make that principle one on which I will resign, then I will not resign.

**Mr. Breithaupt:** Can the minister give us an example?

**Hon. Mr. Wishart:** The member is not going to catch me out on that one.

**Mr. Bullbrook:** Have to get up early in the morning.

**Hon. Mr. Wishart:** I do not—

**Mr. Sargent:** A good bill of goods.

**Hon. Mr. Wishart:** I do not think for one moment—speaking again to the remarks of the Leader of the Opposition—he talked about the system of education which we established, the system of education which lawyers have provided and felt that we did not go far enough to change. The hon. member for Sudbury also talked about education—what we should do about the education.

The Law Society of Upper Canada, of its own volition and perhaps to give the member

for Sudbury credit, he says he was part of the revolution which brought it about.

**Mr. Sopha:** I did not say that.

**Hon. Mr. Wishart:** Well, part of the agitation that brought it about, did move to bring our law schools into the—

**Mr. Sopha:** Grudgingly, reluctantly. They had to be pushed. They never did anything voluntarily.

**Mr. J. Renwick:** They had to be persuaded.

**Hon. Mr. Wishart:** At least let us say that—they did bring our law schools to the universities and there our law is taught today.

I think there will always be some changes. I have noticed that even in our great educational system, students today are agitating and protesting and saying there should be further change. But to compare and say that because our educational system was bad we have no great lawyers and we have no great judges, which was almost the inference I took from some of the remarks—

**Mr. Sopha:** That is what we said.

**Hon. Mr. Wishart:** That is what they said. If the hon. member for Sudbury will hark back a few years, hark back to Britain, a country where he said there were great lawyers and great judges. The system there, until quite recently, was not to sit at the feet of great professors, or in great universities, but to read law at the Inns of Court, and to dine and luncheon with the persons who were practising law.

**Mr. Sopha:** These were people trained in the classics.

**Hon. Mr. Wishart:** Trained in the classics in the educational system first, trained in the classical system. Then they read the law in the office of the person to whom they were articled, and they ate lunch and chatted with him about the principles of justice and how law should be administered.

**Mr. Sargent:** To learn the hocus pocus!

**Hon. Mr. Wishart:** They did not have the great law schools that we have today, and they produced great lawyers and great judges. I must not pass without saying that I think we have produced some very great lawyers and some very eminent judges in this country, and I do not think you can compare for one moment, the congressional system at the courts of America and the system of justice in the United States of America, with

ours. Certainly, the member cannot compare it to our detriment.

**Mr. Sopha:** Have we ever had an Oliver Wendell Holmes, for example?

**Hon. Mr. Wishart:** I do not think I will get into a matter of comparisons of persons, at this time.

**Mr. Lawlor:** We have never had a Dostoevsky either.

**Mr. Sopha:** Have we ever had a Sir Edward Coke?

**Hon. Mr. Wishart:** The hon. member for Riverdale raised four points: the question of admissions to the law society; standards of the law society on education; the discipline which should be imposed upon members of the profession, or the democratization, as he called it, of the law society; and the way in which these are dealt with under the Act.

I do not think that I shall dwell at great lengths here in this debate on those points. I think, perhaps, we can deal with them more adequately and more completely, and perhaps in a more detailed way, if the hon. member would permit, in committee. I think there we can get to the essence of the sections which deal with those, rather than try to deal with them when I am talking about the principle of the bill. I do believe that generally these matters are adequately dealt with under the legislation which is here presented.

I have spoken briefly about the discipline and the function of the benchers in respect to education and how that will be brought about. The standards of the law society, I think perhaps we can deal with better in committee.

There was some discussion by several of the speakers as to membership and the requirement that the member be a British subject. On that point I should like to refer to what Mr. McRuer said at page 1177 of his report, in volume 3 of report No. 1. He said the requirement that barristers and solicitors be British subjects is justified, as barristers and solicitors are officers of the court, and I think that same reasoning runs to the section which deals with the officers of the society being—

**Mr. Sopha:** Why not just say they require to be Canadian citizens?

**Hon. Mr. Wishart:** Well, perhaps we may come to that too.

**Mr. Sargent:** Well, this is really the shrine?

**Hon. Mr. Wishart:** There is a difference though, because we are talking about persons who are practising a profession from which we take our parliamentary system, from which we take our administration of justice, from which we take the great body of the common law which has been built up with the tradition which we know as the British People who are trained in that, come to this country; they come from Britain, or they come from a country of what is now called the Commonwealth, with that tradition, with that knowledge. Without disparaging in any way the person who comes from France, Italy or Germany or Turkey or Arabia, persons from Commonwealth countries come with that tradition and a knowledge which will fit our system and which I think one has to recognize. How would it be to simply say that all are equal in this respect, and to say someone poorly trained under a different system of law, such as perhaps you might find in some country of southern Europe, and say they have the same rights as the person coming from our system in the Commonwealth?

**Mr. Sopha:** What if he comes from Georgia or California?

**Hon. Mr. Wishart:** How do we know he has trained in Georgia?

**Mr. Sopha:** New York State, Michigan.

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

**Mr. Sopha:** You see, I find the term "British subject" offensive. I find the term offensive.

**Mr. Speaker:** The hon. member can raise his feet only on a point of privilege or on a question if it is accepted.

**Mr. Sopha:** It does not fit contemporary thinking.

**Hon. Mr. Wishart:** That is, perhaps, another point we might discuss, and possibly a question of reciprocity comes in here. What rights would be afforded the solicitor or barrister from Ontario in West Germany, East Germany or France or Turkey? I think we have to look at that side of this question as well.

**Mr. Sopha:** The trouble is that we give many privileges to people who come from England. The CBC employs a great many of them.

**Mr. Speaker:** Order!

**Mr. Sargent:** Do not say things that offend the Speaker.

**Hon. Mr. Wishart:** The hon. member for Sudbury keeps reiterating that the prime purpose of giving the self-governing profession its powers of self-government is the protection of the public. That is Mr. McRuer. On that we all agree; there shall be no argument on that. But what we have to weigh here and what we strive for—I think we are all with one objective in mind—is to give a profession powers of self-government wide enough, strict enough, to ensure that the persons who come into that profession will be, as Mr. McRuer says, and he puts this first, of good character. This is at page 1172, he says:

What has to be guarded against is a use of a power as a licence for purposes other than establishing or preserving standards of character, competence and skill.

We are trying to find a law which will say to a profession "Here, take these powers and with them you may set the standards of people who come in to your profession as to character, as to their competence, as to their skill, their education and how you train them. We give you those powers." You cannot on the one hand say, "We will give you powers" and on the other hand say, "We are going to let the public altogether direct your profession."

The balance is to give those powers; to provide a window for the public to look upon the performance of that profession through one of its governing bodies, in this case, the council. And to give to the Legislature, through the government, the Lieutenant-Governor-in-Council, powers to control and look at what those bodies are doing. Therefore, the council has to publish its report once a year and report to the Lieutenant-Governor-in-Council.

Therefore, and I did not ask for this right but it is a good thing, some minister and, preferably, I think, it should be the Attorney General, should be responsible for dealing with the members of the legal profession. He should be responsible. He should have certain powers to say "you must behave primarily for the protection of the public." He never had—

**Mr. Sopha:** I thought the minister was always *ex officio*.

**Hon. Mr. Wishart:** He never had in a statute the authority which is there, written in section 14, to call forth documents and papers and examine them in matters relating to the profession. I think it is a good thing that some minister does have to take that responsibility.

**Mr. Bullbrook:** Does the minister see a difficulty in his position as chief law enforcer?

**Hon. Mr. Wishart:** I think that perhaps you could—I would agree with you, perhaps if you were to argue that, philosophical generally in the responsibilities of the Minister of Justice there rested the wide power—see that in everything, any profession and any area of government, the public was protected because he is supposed to be engaged in the protection of the public. I think I would have to agree with that.

**Mr. Sopha:** Do you see anything in the grant of powers that he does not want the public? Do you really want that power? Do you think that the disciplinary provisions for the purpose of prosecuting under criminal law—

**Mr. Speaker:** I would point out that the normal method of debate here is that if a member wishes to address another member he does it through the chair. Also that when this is a debate, we have not yet come to the point where there is a direct debate between members on both sides of the House. When that comes then the kind of action we have is quite allowable. If the hon. Attorney General wishes to accept a question such as the member for Sudbury has, then the member for Sudbury should ascertain if he will accept the question. If he will, then it can be asked.

**Mr. Sopha:** Forgive me, Mr. Speaker, I do apologize. Would the Attorney General accept a question?

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

**Mr. Sopha:** Do you see, in section 14, a grant of powers there—I ask Mr. Attorney General through you, Mr. Speaker—that would lead you into embarrassing circumstances where you do not want to be? Do you really want the access to their files for the purpose of enforcing the general criminal law?

**Hon. Mr. Wishart:** I would say, Mr. Speaker, in answer to the question that you would not shirk from the exercise of that power. There might be occasions when it would be necessary. I think this—that very rarely would an Attorney General ever be called upon to exercise such a power, but I think it is wise to have it there. I think the responsibility properly rests there with the Attorney General. I think it is a good provision in this Act.

**Mr. Bullbrook:** Mr. Speaker, I wonder if the Attorney General might entertain a question from me?

In connection with my comments as to the rights of the individual, relative to admission they might have made in documents or otherwise, do you see any need for provision to protect any admissions or confessions?

**Hon. Mr. Wishart:** Mr. Speaker, I thought about that at the time the hon. member made the point. I am sorry I did not deal with it in my remarks. I think it is something that we should consider and perhaps we can, if we go into the detailed study of this bill.

**Mr. Sargent:** Mr. Speaker, may I ask the minister a question?

**Mr. Speaker:** If the minister would accept it.

**Mr. Sargent:** On section 14 you were just speaking about. In the public interest you have—

**Mr. Speaker:** I presume the minister would accept the question?

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

**Mr. Sargent:** In the public interest, you will serve as a guardian to look into all matters of the operation? Do you see a precedent here, in giving you these powers in this area of the law society, when a minister of the Crown can have the power to look into any union in our economy, and can protect the public in the same way? Is there a precedent here that you will have to do this in every area of unions across the province?

**Hon. Mr. Wishart:** No. I think, as I was pointing out a moment ago, there is implicit in the office of the Minister of Justice the responsibility and the power within the law to make himself the protector of the public as the minister of government representing that area. But this is specific in certain respects in that he says he has the power to get certain documents, records and things. It is a power that was never spelled out in this detail before.

Mr. Speaker, I think I would close with this—this is the thing that bothers me, to find that somewhat confused—the public surveillance of the profession, I think, is where we seem to differ in this debate. We are deliberately, and this has been a tradition, giving to a profession, which we feel we can trust within certain limits, powers of self-government.

**Mr. Sopha:** That is what we are doing.

**Hon. Mr. Wishart:** You cannot then, say, with the other hand take away the powers. You must put them within certain limits and provide for certain reference boards and for certain reports and certain disclosures to the public so that the public may have awareness. But the primary purpose is the profession shall govern itself. And the principle—as I agree with my friend from Sudbury—is that it must do so in the public interest.

**Mr. Sopha:** Would the Attorney General accept another question? Would he consider between now and the time it goes to committee doing two things that I ask him to consider: 1. providing for representation on the governing body of people from the schools; 2. providing for lay representation on the governing body. Those two things; would he consider doing away with the society council altogether?

**Hon. Mr. Wishart:** Mr. Speaker, this is

**Mr. Sopha:** Do you understand me, or I am saying?

**Hon. Mr. Wishart:** I understand, yes. I think this type of questioning in this debate is more than I am going to even consider answering for a moment. The hon. member is saying to me “Will you amend this bill to suit my thinking?” and I am not going to agree that I shall. All I will say to him is that when we go to the committee—

**Mr. Sopha:** You put a gross distortion on

**Mr. Sargent:** The lawyers would not mind.

**Hon. Mr. Wishart:** He is well aware of the procedures. When we go to committee can debate it there, and perhaps he will be persuasive enough to change my mind on some of these points. Perhaps he will change the mind of other members of the committee.

I would say that the motion moved by hon. member for Sarnia, I thought, was a hollow-sounding motion. His criticisms were very shallow. Perhaps I should not use that word. I do not want to use that word. His criticisms

**Mr. Bullbrook:** I was so kind to you.

**Hon. Mr. Wishart:** I do not want to use that word. Allow me to withdraw that word. His criticism was very moderate. His criticism was not severe. His criticism was such that it called for this bill to be thrown to the dogs and given six months' hoise. It was not that type of criticism.

**Mr. Sopha:** Call for a 14th draft.



**Hon. Mr. Wishart:** And the criticism that I have heard from, particularly the opposition of Liberal members of this House, has been the same.

**Mr. Bullbrook:** You have got no opposition over there. You are not married to the New Democrats, but you are in bed with them.

**Mr. Lawlor:** That is not true.

**Hon. Mr. Wishart:** We had some very reasoned discussions from the opposition.

**Mr. Bullbrook:** Because they agreed with you.

**Hon. Mr. Wishart:** No, all the criticism. I have noted the criticism of all members. None of it was of that nature that called for the disposition of this bill by moving a six months' hoist. None of it was of that nature. There was not a thing that cannot be dealt with by discussion where it should be dealt with in committee, in the standing committee of this House. I, Mr. Speaker, would certainly oppose the motion completely and ask that all in the House vote to oppose that motion.

**Mr. Speaker:** Hon. Mr. Wishart has moved that Bill 7, An Act to consolidate and revise The Law Society Act be now read the second time.

Mr. Bullbrook moved, seconded by Mr. Breithaupt, that all the words after the word "that" be struck out and the following substituted therefor: "This bill be read a second time six months hence."

The members will understand that the first question that must be decided is, shall the word "now" and the other words sought to be struck out, stand as part of the motion?

The House divided on the motion that the word "now", and the words sought to be struck out stand as part of the motion, which was affirmed on the following vote:

AYES	NAYS	
Allan	Braithwaite	Dymond
Apps	Breithaupt	Ferrier
Auld	Bukator	Gilbertson
Bales	Bullbrook	Gisborn
Brunelle	Deacon	Comme
Burr	De Monte	Grossman
Carruthers	Edighoffer	Guindon
Davis	Farquhar	Hamilton
Davison	Gaunt	Haskett
Deans	Good	Henderson
Demers	Haggerty	Hodgson
Downer	Innes	(Victoria- Haliburton)
		Hodgson
		(York North)
		Jackson
		Jessiman
		Johnston
		(Parry Sound)
		Johnston
		(Carleton)
		Kennedy
		Kerr
		Knight
		Lawlor
		Lawrence
		(St. George)
		Lewis
		MacDonald
		MacKenzie
		MacNaughton
		Makarchuk
		Meen
		Morin
		Morningstar
		Morrow
		McNeil
		Peacock
		Pilkey
		Pitman
		Price
		Randall
		Renwick Mrs.
		(Scarborough Centre)
		Reuter
		Robarts
		Rollins
		Root
		Rowe
		Smith
		(Simcoe East)
		Smith
		(Hamilton Mountain)
		Snow
		Stewart
		Stokes
		Villeneuve

AYES

NAYS

Newman  
(Windsor-  
Walkerville)  
Nixon  
Paterson  
Reid  
(Rainy River)  
Ruston  
Sargent  
Smith  
(Nipissing)  
Sopha  
Trotter  
Worton  
Young-23.

Welch  
Wells  
White  
Whitney  
Winkler  
Wishart  
Yakubski  
Yaremko—68.

**Clerk of the House:** Mr. Speaker, the “ayes” are 68, the “nays” 23.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** I presume this bill moves to the standing committee?

**Hon. Mr. Wishart:** Yes, Mr. Speaker.

### THE SOLICITORS ACT

**Hon. Mr. Wishart** moves second reading of Bill 8, An Act to amend The Solicitors Act.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** This bill to the standing committee?

**Hon. Mr. Wishart:** Yes, Mr. Speaker.

### THE BARRISTERS ACT

**Hon. Mr. Wishart** moves second reading of Bill 9, An Act to amend The Barristers Act.

**Mr. Speaker:** The member for Lakeshore wishes to speak on the second reading.

**Mr. Lawlor:** Mr. Speaker, in addressing myself to The Barristers Act, I think it should go on the record, arising out of the previous legislation that has just been voted upon, that the obviation of the difference between barristers and solicitors is a forward step and it meets the needs of this particular body at this time in our history. The perpetuation of that old division which goes on in Britain has no place in this realm and to see its passage within the terms of this legislation is in itself a move ahead.

In the old days, you know, the barristers were the ones who set up the benchers originally in the 16th century. The four Inns of Court—through the senior members of the bar—were the members of the bar who were permitted only to speak in the higher courts. There was not, as usual in British law, anything formally done or any legislation passed back then. It was simply that the judges

of the highest courts refused to let anyone else talk to them. So the barristers came being, back in those days and they set their four inns—Lincoln’s Inn and Gray’s and the Inner Temple and the other gradually began to set up some internal discipline, and not only that, but did training for future barristers coming into the profession.

There were many quarrels down through the centuries as between the barristers and the solicitors. It is not sufficiently recognized, I think, that until very late in the 19th century both barristers and solicitors did substantially the same kind of work, apart from this necessity of appearing in the higher courts. They mutually drew conveyances. They mutually had direct relationship with the public.

One of the differences as is known at that time—that is, the late 19th century—that a barrister will not speak, in controversial matters at least, directly to a client. He has had the intermediary of a solicitor so to speak. This is of fairly recent vintage. It was not recognized in our jurisdiction and the reason it was not is because it did not exist. In our law society got going toward the turn of the previous century. This was not the way in which they operated, or functioned.

It was by way of a gradual quarrel at the beginning of the 18th century, that what were called attorneys, very close to the solicitor in position, appeared and represented causes in the lower courts. The attorneys conducted themselves so disgracefully that, despite the fact they moved down through history for the barristers and solicitors to come together, the solicitors in those years got a very bad reputation. They did great damage to the legal profession on the basis of embezzling clients’ funds, getting up vexatious legal proceedings and charging extortionate prices for unnecessary services.

As a result, the barristers sought to distance themselves from this numerous crowd of attorneys who were acting in this way. But, as the century developed, the solicitors—I think this is an interesting piece of history—revenged themselves upon the barristers. They said that you barristers do not do the kind of work that we do, attend upon the courts we attend upon, do conveyancing matters, advise clients directly, do not take a junior into court with you”—any number of things—“we will give you any work to do.”

The barristers were largely concentrated in London with very few of them in the outlying areas, and the solicitors were spread over the whole face of England, and gradually the barristers came to rely upon the solicitors for refer-

work to them. The solicitors then selectively discriminated against the barristers who impinged on what they thought was their private domain.

And so, over the centuries, with mutual quarreling, the division grew up. It became fairly deep-seated, as you got on toward the end of the last century. What moves have been made in Britain to break down that division presently, I do not know. The solicitors were a sufficiently powerful bunch, bringing their pressure to bear on the barristers to have conveyancing matters, by way of legislation in 1803, taken completely into their own hands as a monopolistic enterprise and completely out of the hands of the barristers.

**Mr. Speaker:** It being about 6 o'clock I am about to leave the chair to resume at 8. But before I do so, I would ask the permission of the House to give the floor to the government House leader for a moment.

**Mr. Lawlor:** May I adjourn the debate then, Mr. Speaker?

**Mr. Speaker:** No, the debate is not adjourned when we carry over. All that happens is that the Speaker leaves the chair.

**Mr. Sopha:** The hon. member could come back to talk.

**Hon. R. Welch** (Provincial Secretary): Mr. Speaker, on behalf of the Prime Minister I wanted to table the first edition of the catalogue of Ontario government services. This publication lists the details of more than 400 services available to the people of Ontario through the government. It is conveniently cross-indexed and contains a detailed listing of all Ontario government offices by community as well as the names and addresses of the members of the Legislature. The catalogue will be unveiled more fully at the official opening of the Ontario government book store at Bay and Grosvenor Streets, in a very few moments, and I certainly hope that all members will attend those ceremonies. Copies of the catalogue will be on the desks of all members when we return at 8 o'clock.

**Mr. Speaker:** It being six of the clock I do now leave the chair. We will resume at 8 o'clock.

It being 6 o'clock, p.m., the House to recess.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Tuesday, April 14, 1970  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 14, 19

The House resumed at 8 o'clock, p.m.

## THE BARRISTERS ACT (concluded)

**Mr. Speaker:** At the time the House rose for the dinner hour the member for Lakeshore (Mr. Lawlor) was speaking on Bill 9. Since the member for Lakeshore is not here to continue with it, is there any other member of the House who wishes to speak before the minister?

**Mr. I. Deans (Wentworth):** I wonder if I might ask you, Mr. Speaker, if the House can properly sit at this moment, since we do not appear to have a quorum. In the interest of the members, I might say to you, sir, that the members are tied up at the opening of the book store.

**Mr. Speaker:** It has always been my opinion, I say to the member for Wentworth, that when we have such an affair as that, that we should reschedule the opening of the evening session to 8.30, but nothing was done this evening. I would hope in the future we might do that, to be fair to everyone.

**Mr. Deans:** Thank you. I agree.

**Mr. Speaker:** I shall adjourn this House until 2 o'clock tomorrow afternoon, and the Clerk will now record the names of the members present, in accordance with the rules of this House. The House has been adjourned, and I shall leave the House as soon as the Clerk has recorded the count.

There are many members who are now appearing and they should not be counted. The quorum was counted before they appeared.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, may I say a word?

**Mr. Speaker:** No, the House has been adjourned. It has been perfectly plain that we open on time; the bell was rung for four minutes. The member who is speaking was not here; the other members were not here. As far as I am concerned, that is it. If we

are going to operate this House properly, is going to operate on time, and properly, and adjourn on time.

**Mr. Lawlor:** Mr. Speaker, may I say a word on this matter on a point of order?

**Mr. Speaker:** No. The House has been adjourned, so there cannot be any point of order.

**Mr. Lawlor:** Surely the House has the disposition of its own affairs, and on this occasion, Mr. Speaker, I would remind Mr. Speaker that there were two distinct meetings going on at the same time over the supper hour. Perhaps a little indulgence might be exercised in this regard.

**Mr. Speaker:** Mr. Speaker has been reminded very regularly by the members of this House that he should abide by the rules. Mr. Speaker has just looked at the rules and has looked at them carefully—and they say “that there be not a quorum present, then we have adopted the procedure of ringing the bells for four minutes.” They rang for five minutes; there were 17 members present.

**Mr. S. Lewis (Scarborough West):** This is scurrilous. It is just nine minutes after 8.

**Mr. Speaker:** That is right. The House opens at 8. Since I have allowed everyone else to speak on the matter, I will be glad to hear from the House leader.

**Hon. R. Welch (Provincial Secretary):** Mr. Speaker, with your permission, perhaps you could ask the Clerk to recount the House and ascertain whether or not there is a quorum and following his report perhaps you could then reconsider.

**Mr. Lewis:** It was my impression that the Speaker cannot count.

**Hon. Mr. Welch:** It is the Clerk, not the Speaker, who counts.

**Mr. Speaker:** I regret to say that having adjourned the House, there can be no further count and no further action taken. And I do this because I am told by the House day after day that I should enforce the rules. It is

very pertinent and important rule of the House that we have a quorum. If there are matters going on, then I would hope in future occasions the House would be reconvened at 8.30 perhaps, rather than 8 o'clock. When I have anything to do with it, I try to arrange that; tonight, I had nothing to do with it. These other matters were put on, and there you are.

I will be pleased if the members will just remain while the Clerk is recording the names. I will be pleased to have a word with the Clerk of the House before we deal with it.

**Mr. R. F. Nixon** (Leader of the Opposition): As one who arrived a bit breathless, might I beseech you, sir, to reconsider your decision since there is business before the House. Although the Clerk is perhaps prepared to take the names and the count, I think you will find, sir, that a quorum is present and that we are prepared to proceed with the business.

**Mr. Speaker:** When the Clerk finishes the names. There is no question the Clerk reported to me the count of 17 after the bells had rung five minutes after we had had a quorum call required, and I confirm that the old count is very good. I presume that the purpose of the exercise has now been completed; I pretty well know the members who are here. I will take the Clerk's list; I will endeavour to ensure that they are recorded and the purpose will be done. I will talk to the Clerk to see if there is any possible way of reconvening the meeting, on one condition. That is, that the hon. members to my left who complain all the time that I do not obey the rules—

**Mr. Lewis:** Without provocation, now.

**Mr. Speaker:**—will, in this instance concur that I should not obey the rules.

May I see the Clerk for a minute?

I am as anxious as anyone else to have the work of this province carried on properly and carried on expeditiously with no time wasted. I would like to say this—that should there be other occasions such as this, of which either the Leader of the Opposition—who has spoken to me on the matter now—knows, or the House leader, or private members, that they arrange with the House leader to arrange with Mr. Speaker that either we adjourn, or, when Mr. Speaker rises, that we give the members a little leeway.

I realize it is very difficult to attend something at 6 and 7 o'clock and be back here

by 8, there is no question about that. I realize that there are rules which we have to obey and the rules say we start on time.

**Mr. Nixon:** Government blackmail!

**Mr. Speaker:** I must say that the quorum call count came from my left. Actually I had one member on my left originally.

If the hon. deputy leader of the Democratic Party would join the House leader and the Leader of the Opposition in suggesting that I have the Clerk make a recount, I would be glad to consider that and do it.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, in the circumstances, yes, but we here always do like to uphold the rules of the House.

**Mr. Speaker:** The Clerk will then make a quorum count.

I find that the new mathematics has been used now and we do have a quorum and the hon. member for Lakeshore was speaking at the time the House rose.

**Mr. Lawlor:** I knew that through you, Mr. Speaker, justice would prevail.

**Mr. J. R. Breithaupt** (Kitchener): The hon. member can always appeal.

**Mr. Lawlor:** Yes. We had declared ourselves unwilling to contest the discretion of the Speaker.

**Hon. A. Grossman** (Minister of Constitutional Services): We just could not suspend the member for Lakeshore.

**Mr. Lawlor:** Not that I was particularly anxious to talk.

**Hon. A. F. Lawrence** (Minister of Mines): If not, it will be the first time.

**Mr. Lawlor:** There are weaknesses in the human nature which you must learn to give.

You know, one considers at times that the utilization of the work of this House has little relevance or worth, but nevertheless driven by some demonic, blind god, stands up to speak once in a while, hoping to bring any great weight to bear upon the affairs.

**Mr. Lewis:** You would think with all the members they could muster a quorum.

**Mr. Lawlor:** That is right. Why can't the government muster a quorum in the same conditions to make harmless the opposition who are—

**Mr. Speaker:** I presume the member is talking on the principle of Bill 9?

**Mr. Lawlor:** Yes, I am dead on The Barristers Act at the moment.

Prior to the break we were engaged in a brief, I trust—and under provocation it gets longer—historical résumé of the interrelationships between the barristers and solicitors which was perpetuated in the laws of this province until the legislation before us of this afternoon and this evening. One missed the boat on The Solicitors Act, things moved so vibrantly in this House, but we recoup all our reserves and resources in the course of The Barristers Act.

I was saying, Mr. Speaker, that there was some kind of altercation and bad faith and poor feeling between those branches of the legal profession for many centuries. Many things in the British heritage, so far as it affects the barristers of this province in that tradition, I think are invidious. I think they undermine—set up false standards—in a democratic society over against an aristocratic one. But however that may be, the solicitors managed, in about 1803, to organize themselves into a separate and distinct body and it was only latterly, in about 1905, that the barristers achieved any degree of coherence or direction. They organized under the terms of an entity called the bar council.

The solicitors were known as the law society. In Ontario the law society covered all possible evils and some, in similar degree, essential goods, in the interrelationship between those two bodies.

You recall that during the 16th century the barristers declared themselves in the position that they could not sue a client for fees. This did not apply to the solicitors. In other words, the ancient tradition of that side of the profession was that you could not pay us; that you could not only not pay us, but you could not pay us enough, and that the services we rendered to the general public were gratuitous, were out of our aristocratic largesse.

This persisted and what anybody gave us in terms of money for doing work was in the Socratic tradition. You will remember that Socrates said that a man who was a true teacher could not be paid, and he was never paid throughout his whole lifetime; and those who were paid were necessarily sophistic. In other words, they really did not believe what they said, but did it for pay.

The same thing happened with the barristers in the 16th century; they accepted honorariums. Of course, the honorariums would

far exceed even their wildest dreams of a vice, but the fact of the matter is that they were on honorariums.

Being lawyers, Mr. Speaker, there were two sides to the coin. If they were not able to sue the client for fees levied, they could not be sued, in turn, by those clients for negligence in doing the work. The solicitors were subject to legal suit for malpractice. This was a true of the professional barristers.

As the 19th century wore on, all that changed and the barristers would place a levy, or "place a vet," as they called it, upon the solicitor with respect to the fee that they would exact for their services rendered. In return for that, if they gave bad service to people who they were supposedly representing, they could take action against them to recover damages in this regard. So there has been a switch in the total social impact of the interrelationship between these two bodies.

The solicitors were unable to do any conveyancing, but they gained a monopoly, as mentioned earlier, under the younger Pitt the conveyancing field on the basis of a deal with Pitt that a certain tax would be levied if they were given exclusive rights to the field of dealing in real property law.

**Hon. J. A. C. Auld** (Minister of Tourism and Information): Mr. Speaker, I wonder if I might interrupt the hon. member on a point of order that has nothing to do with what he is talking about.

I just checked with The Department of Transport and I can tell the Speaker that the clock in this chamber is between five and six minutes fast.

**Mr. Speaker:** I might say to the hon. minister that we adjourn by this clock and this is the clock the members know we operate by and we are now 22 minutes after eight on this clock.

The member for Lakeshore has the floor but I would hope that he would come back shortly to the principle of the bill.

**Mr. Lawlor:** May I just mention, Mr. Speaker, by terms of sidereal time we started at 7.30.

**Mr. E. W. Sopha** (Sudbury): We are going by the Dominion observatory because the federal government controls it.

**Hon. Mr. Auld:** They are always wrong.

**Mr. Lawlor:** Mr. Speaker, I was not clear as to what position was taken on the earlier bill nor on this one. Is it the intention of the Attorney General (Mr. Wishart) to sub

these to the legal bills committee so that we may review item by item? There are many items: the business of British subjects, which was contested so forcibly by the member for Sudbury, who sometimes becomes exercised in a gargantuan way over petty matters one way or the other—

**Mr. J. E. Bullbrook** (Sarnia): Better than exercising pity.

**Mr. Lawlor**:—which is a diversion of energy from the main point of the social legislation. To do a song and dance over minor matters always seems to me a derogation of the real work of this body.

**Mr. Bullbrook**: You do that on every matter.

**Mr. Sopha**: How about the principle of the bill?

**Mr. Nixon**: Get to it. Maybe we should have adjourned.

**Mr. Lawlor**: The civil clauses that have been deleted—that is, sections 2, 3 and 5 of the Act—are completely repealed. Prior to that time, there were certain qualifications—10 years' practice as a solicitor would qualify a man to be admitted to the call to the bar properly; that is, as a barrister to appear before the courts.

We know the whole thing was one vast fiction, and we admit that in all laws—not just the laws of England—fiction is a ruling principle. Jeremy Bentham spent most of his life trying to take the hot air out of many fictions; he wrote a book on legal fictions. We also admit that the obviation and cancellation of the distinction carried forward in The Barristers Act cannot help but be to the good, but the business of the grounds and qualifications upon which one may become a barrister in this province is still a matter that will have to be subject to considerable debate.

I do not think, with the other bills standing before us this evening, that there is much point in really going into it, but it would certainly supply a useful function in committee. That being the case, the Attorney General of this province has made another move in the direction of progress and consolidation of our law as it actually exists and as it is in reality operative, and not according to the mythology of the legal principles involved. Many lawyers continue to be somewhat jealous not only of their role as a barrister, but with the so-called title like QC that came into being in the 16th century. By the way, when it first came into being, it came into being purely and entirely as a political

honorarium to the members of the bench and to the barristers of the Inns of Court continued so for 300 years before it attained any prestige in terms of one's competence at the bar and, of course, of rather recent years except for a few members like myself, gotten back into the same condition.

**Mr. Speaker**: Is there any other member who wishes to speak to this bill before the Minister of Justice? The Minister of Justice has the floor.

**Hon. A. A. Wishart** (Minister of Justice): Mr. Speaker, I will try to be very brief. The bill before us consists only of three sections and the explanatory note does point out the sections repealed, namely 1, 2, 3 and 4. Sections 1, 2, 3 and 4 have been transferred to The Law Society Act, which we considered earlier today at second reading and which will go to the standing committee, as will this bill. I think we are all indebted to the member for Ingersoll for his very erudite historical review of The Barristers Act, but I think we should deal with this bill in the standing committee as we deal with The Law Society Act.

Motion agreed to; second reading of bill.

**Mr. Speaker**: This bill is directed to the standing committee?

Agreed.

#### THE NOTARIES ACT, 1962-1963

Hon. Mr. Wishart moves second reading of Bill 10, An Act to amend The Notaries Act, 1962-1963.

Motion agreed to; second reading of bill.

**Mr. Speaker**: This bill also is directed to the standing committee?

Agreed.

#### THE RETAIL SALES TAX ACT, 1960-1961

Hon. Mr. White moves second reading of Bill 49, An Act to amend The Retail Sales Tax Act, 1960-1961.

**Mr. Lawlor**: We are going to have a very busy evening together, Mr. Speaker. It is why I was most anxious that you continue to be here. With respect to this Act, in his budget speech the hon. Treasurer of this province

MacNaughton) gave an indication that he would be bringing in legislation in this regard. Namely and pointedly, the simple principle in this bill is to remove at least in part the tax imposed by this government against our animadversions last year—and our very pointed ones backed by all the economic authorities in the land, this land and other lands, all other lands—that the minister was completely at fault to traduce every principle of economic policy, running against his own committee's proposals of a previous year, and to the point of sheer expediency in the economic sphere, imposed a tax upon production machinery.

**Mr. R. Gisborn (Hamilton East):** How about toilet paper and washing soda?

**Mr. Lawlor:** Now, what does the Treasurer of this province say in this regard? I was going to say that it almost quite escaped me. In the course of the budget speech a few weeks ago the Treasurer said—oh, I cannot help but repeat his words, they are so exquisite in their deviousness when the government backs down on a measure and sees the light that the opposition was turning on at a previous occasion. He said in 1969:

We extended the retail sales tax to cover production machinery in general. This was a deliberate policy move to strengthen our long-term tax base, to simplify the taxation of business purchases and to increase the neutrality of taxation among different types of industries. Following intensive analysis of the retail sales tax in this area, we are now prepared to induce further refinements.

How refined can you get? The minister is a man of extreme delicacy. All his aesthetic propensities are of an order that would make the head of Michelangelo swim. Here he is, introducing something called "further refinements", when the man means he has given up the ghost. He found it did not work because the whole production industry had gone against it—and he introduces a refinement.

Interjections by hon. members.

**Mr. Lawlor:** He introduces "further refinements" to improve the economic efficiency of the tax—you are telling me! Because the tax is a pyramiding tax. When it is within production machinery, this particular kind of tax is added on at five per cent. As it works into the total productive process of a particular industry, the tax is added on at various points in the industry to other equipment

being necessarily in the total productive process. The escalating, pyramiding effect of the tax by all economic standards is simply unacceptable. The end cost of the production hidden within the tax structure itself which is directly contrary to The British North America Act in the function that you are supposed to be performing in terms of direct taxation is lost in the process of the total productive process.

This ran counter to anything that had ever been previously done. So, to mollify and mitigate what the minister so purlblindly blundered into last year, he brings this legislation before this House tonight. That is basically what the legislation does; apart from performing this function, it has very little worth, very little role.

**Mr. Speaker,** I would like it to be understood, if possible, that this was also a multipronged bill. It deals, I think the minister will agree, with a diversity of areas. There is no single principle in this Act tonight—or the others, for that matter, that will be coming before us, although I shall not be speaking at any length on any of the others. There is not that much that counts; they are mostly housekeeping.

**Mr. E. Sargent (Grey-Bruce):** Glad to hear that!

**Mr. Lawlor:** But—oh, is the member for Grey-Bruce back again? I felt that he had been sufficiently punished on one occasion without unnecessarily intruding.

In any event, I would like to know why the minister, within the confines of section 3, subsection 3—the change of the definition of a place of amusement—feels that it was necessary. What was the mischief to be cured by this particular section, extending it to other words, dancing emporiums, as far as we can see? Was that an oversight on the previous occasion, or by what does it come into light now?

And on section 4, the footnote explains that the definition of a sale is amended to include the consumption of taxable services by the vendor who produced the taxable service. In what context does this happen? How often has the minister encountered this peculiar situation where the vendor is also the consumer of the taxable service?

Apart from that, the important clause in this clause 3, subsection 2, with:

—dies, jigs, fixtures and moulds, patterns for dies, jigs, fixtures and moulds, tools attached to production machinery, explosives and refractory materials, all as defined

by the minister and consumed or expended by the purchaser thereof directly in the process of manufacture of tangible personal property for sale or use.

There have been many occasions over the past year since the legislation came into being, that letters have been received and briefs sent out from associations which gravely question it.

I am thinking of the brief from the Automotive Parts Manufacturers Association of Canada.

But, Mr. Speaker, not only were jigs, moulds, dies and that sort of short-term and short-life equipment questioned deeply as to their taxability and as to the effect they had on the economy, in terms of the end cost of the material. Whole ranges of other types of goods were involved. I wonder whether the minister has really taken sufficient cognizance of this particular kind of machinery?

I would refer him—and I will not waste any time on it—to the brief to the provincial Treasurer by the Automotive Parts Manufacturers Association of Canada, page five, and page six. It was submitted to the Smith committee of this Legislature, and covered a great quantity of other goods and services: shipping racks, tow motors, forklift trucks, blueprints, maintenance equipment and numerous other areas.

Brief after brief has come, apart from that, saying that this has a most detrimental and retardatory effect, not only upon our internal economy, but upon our export sales—particularly, again, under the trade pact agreement with the Americans touching automobile supplies and equipment.

Does not this offer sufficient hesitation? The minister has pointed out that \$1 spent in production machinery produces export trade of something in the region of about 50 or 60 times as great, which therefore, in terms of the total revenue turnover of the province—and again, in external sales tax, and in income tax—will accrue to the total benefit of the province without having the added retardation of this sales tax caught up in the productive aspects.

The minister argued heartily—and I have the text before me, again which I will not go into—on March 12, 1969, and made many statements, of course, defending his position in the imposition of the tax at that time. But, I would feel he would feel that he might be in some difficulty tonight trying to explain away, much less explain, what he said on that occasion so trenchantly—the absolute neces-

sity of the production machinery tax—that that it had very little impact really, if you go down to it, on, what was it, the three-seventh or four-sevenths of the total production machinery which was falling within the tax?

And now, the recognition by the minister. I hope in all humility—that he was wrong on that particular occasion and I would not wish his admission of abject surrender in the face of this House tonight, of his failure to stand up by the words of wisdom on that occasion which were now again uttered by the opposition in this House with respect to taxation matters.

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

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I would like to express my appreciation to the minister for at least drawing attention to us one year ago when he attempted to point out the fallacy of his position of the five per cent sales tax on building—not building but on production machinery. The minister in the bill before us today does not remove the complete tax, but at least does give some relief to many of the industries that found themselves a little hard pressed.

Now one year ago, on the imposition of the tax, we attempted to point out to the government the hardship this could impose on industries that are attempting to produce a greater and a larger amount of employment in the province. I would say that the difficulties that we are confronted with today in certain facets of our manufacturing industry are a direct result in some degree of the imposition of this tax.

Now it is kind of strange, Mr. Speaker, to come along and note—this was pointed out in no uncertain terms to the minister one year and I am going to read just one paragraph, or really just a sentence, from the April, 1969, issue of *Executive* magazine. It was the editorial comment, "Ontario's Credible Tax Move," it appeared one year ago.

Interestingly, the federal government introduced a 12 per cent sales tax on production machinery and building materials only a few years ago. When the incentive effect began to affect new construction the tax on machinery was reduced, and then eliminated.

It is sadly ironic too, that the federal Progressive Conservative Party had opposed such taxes when introduced by the federal government.

That is the end of the quote. And here we have, one year ago, the Progressive Conservative government in the province of Ontario imposing this. We are very pleased to see that the minister has now seen the light of day, and has—

**Mr. Lawlor:** Did the member read what he said about the federal Liberals?

**Mr. B. Newman:** I will let the member do that reading. I will read what I like to read, if the member does not like it then—

**Mr. Lawlor:** I have used up my time.

**Hon. A. F. Lawrence:** Obviously!

**Mr. B. Newman:** Is that right, Mr. Minister?

**Hon. A. F. Lawrence:** I said, "Obviously".

**Mr. B. Newman:** One year ago I received a whole series of letters from manufacturers in my riding, the list of which I think I made mention. There were approximately 14, and they were manufacturers concerned with and involved in the various facets of auto manufacturing; companies like the Bendix-Eclipse of Canada Limited, Hull Thompson Limited, Kelsey-Hayes Limited, Tamco Limited, Fabricated Steel Products Limited, Somerville Industries Limited, Auto Specialties Limited, Fabco Limited, Champion Spark Plug Limited, Duplate Canada Limited, Kendon Manufacturing and I.T.L. Now in no uncertain terms every one of the industries that I have mentioned were in communication with the minister or with some branches of the minister's department and pointed out the adverse effects that this type of a tax could have on them.

Now I am going to read from one or two of the letters that I received. The first one is from Bendix-Eclipse of Canada Limited. The letter made mention that the imposition of the five per cent provincial sales tax on production machinery will inflict a real hardship on the industry in Ontario, and may inhibit growth, and it may reverse the employment growth trend brought about by the Canada-U.S. auto trade agreement and is contrary to the aims of the government toward increasing exports. Now the company writes that it happens to be in the middle of plans to expand its facilities but has to pull back because of this unfair tax or to go ahead at the risk of becoming non-competitive and not being able to fully utilize its new expanded plant.

Somerville Industries Limited, which now has a branch in the minister's fair city, had

this comment, and this is from its letter me:

It is self-evident that this tax will make Ontario manufacturers of automotive parts such as ourselves, less competitive with automotive parts manufacturers in the United States:

The Auto Specialties Manufacturing Company pointed out:

We are no longer competing in Canada but in the USA, and if we are to remain competitive additional changes will have to be made. Most of these changes involve the purchase of very expensive machinery and some of our plans are presently underway. Our competition in the USA do not have such tax burdens in their cost, therefore it seems to us to be a very unreasonable tax by a government who should try to be helpful rather than take the negative approach toward its industries and employment.

**Mr. Speaker:** I would point out to the hon. member that both the deputy Speaker and I have ruled that reading of letters is not the proper way of making a speech. We will always allow one or two letters. I have allowed the member to read from three letters. I would point out that any further reading of letters would be out of order.

**Mr. B. Newman:** I will not read the letter. I will paraphrase it then, Mr. Speaker.

**Mr. Speaker:** Yes, if the member wishes to make it his speech it is quite satisfactory but not reading the letter or an extract.

**Mr. B. Newman:** Well, Mr. Speaker, seeing that you would cut me off if I attempted to read the letter, I will simply paraphrase that each of the manufacturers that I have received communications from has pointed out in no uncertain way that the imposition of this tax one year ago could render a real hardship on them and it did render a real hardship, as you can see in the unemployment picture throughout the province of Ontario. I am very pleased to see that the minister now has realized the point that we attempted to make one year ago and in repealing the tax on certain parts of production machinery.

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

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, the elimination of the dies, jigs, fixture moulds and patterns for dies and so on that is enunciated in Bill 49, I suppose, would be

some relief to the manufacturers in the province of Ontario but I do not think that it really goes far enough. One of the things that the automotive industry, particularly the parts manufacturers, are faced with is American competition under the U.S.-Canada free trade agreement. The small parts automotive manufacturers are competing with manufacturers in the state of Michigan, as an example, who are not faced with the same kind of tax. In the tendering procedures that they have in the automotive industry, \$15,000 may be the difference between their getting the contract as opposed to some U.S. manufacturer.

What does this really mean? This really means that we are curtailing job opportunities here in Ontario. I want, just for a moment, to read a couple of paragraphs from an editorial that appeared in *Executive* magazine, and it goes on to say:

Ontario is showing growth in manufacturing achievements. It could be doing much better, as could Canada as a whole. In light of this it is astounding that the provincial government would weaken one of its chief wealth-generating and job-creating forces by implementing a retrograde tax. Despite the province's much-touted progressiveness, it seems to us that the tax reflects opportunistic thoughtless action designed to put moneys in the coffers.

**Mr. Lawlor:** The Minister of Revenue is an opportunist.

**Mr. Pilkey:** Now, let us look at the next paragraph:

Interestingly, the federal government introduced a 12 per cent sales tax on production machinery and building materials only a few years ago. When the disincentive effect began to affect new plant construction, the tax on machinery was soon reduced, then eliminated.

At least the federal government came to the consensus that they ought to eliminate that tax because it was reflecting on the manufacturing of small parts here in Canada.

It is sadly ironic, too, that the federal Progressive Conservative Party has opposed such taxes when introduced by the federal Liberal government. We are fascinated to note that the provincial Liberals in Ontario are now strenuously opposing the production machinery tax which a Progressive Conservative Party intends to introduce. As a matter of fact, they did introduce it.

There is that kind of inconsistency. You the federal Conservatives in opposition. Then in the province of Ontario, you the Conservatives introducing that kind of tax structure on small parts manufacturing.

**Mr. Lawlor:** They do not know what they are doing. Opportunistic.

**Hon. A. F. Lawrence:** Are you opposing what we are doing now?

**Mr. Pilkey:** The Conservatives in Ottawa.

**Hon. A. F. Lawrence:** No. I am saying, you opposing what we are doing now?

**Mr. Pilkey:** I am opposing the tax on production machinery. I just happen to think that we are going to lose job opportunities in the province of Ontario if we carry on that kind of tax.

We are now in the most competitive position that is possible in the automotive industry. We are in complete competition with the American parts manufacturers, and this government sees fit to impose a tax on this area that will not put the small manufacturers in the same competitive position as their American counterparts.

**Hon. A. F. Lawrence:** Are you opposing it?

**Mr. Pilkey:** I sure am opposing it. I do not think the small parts manufacturers ought to be put in jeopardy because of this government. That is exactly what they are doing. Let me point out that the automotive parts manufacturers in Ontario, there is no question about it, have made some progress in the few years, because of the automotive trade agreement.

There have been jobs created in the province of Ontario particularly, because that is where the automotive manufacturing is concentrated—right here in the province of Ontario. Yet this government sees fit to propose a tax that would retard that kind of progress. It seems to me that this tax on production machinery should be eliminated entirely. You want to tax business, you want to tax about it some other way but not like this, putting them in a very uncompetitive position as it relates to their American counterparts.

**Mr. D. A. Paterson (Essex South):** Are you for the bill or against it?

**Mr. Pilkey:** As I pointed out, these taxes are imposed in Canada and not imposed in the United States. Very frankly, I recognize that they have a different tax structure,



to the best of my knowledge, from talking to some of the small parts manufacturers, they are not faced with the same type of taxes in the U.S. This puts them in some jeopardy.

As a matter of fact, what we have in the province of Ontario, particularly for automotive parts manufacturers, is the introduction of the branch plant economy. We find that the small parts manufacturers have a plant in Canada and possibly two or three in the United States. They are not only in competition with other manufacturers, they are in competition within their own chain.

They have to meet that competition or jobs are not going to be there, or that work is not going to be left in Canada and, particularly, as I have said, in the province of Ontario. This tax in the Act should be eliminated as the federal Liberal government saw fit to eliminate the tax. I do not really understand why the Tory government in the province of Ontario introduced it. They came to recognize under the free trade agreement that they were putting the small parts manufacturers in an uncompetitive position. Yet it seems to me very difficult to get through to the Tory government in the province of Ontario that they are putting jobs in jeopardy.

I want to mention one plant as an example. The Houdaille Industries have three plants—one in Canada and two in the U.S.—and it could very well be this tax could be the deciding factor whether the bumpers for automobiles are going to be produced in the province of Ontario, as opposed to West Virginia or the state of Michigan. That is the difference. That five per cent is going to make the difference. I do not happen to think that those jobs in Oshawa ought to be put in jeopardy over this five per cent sales tax. I would urge the government to eliminate all the tax on production machinery.

**Mr. Speaker:** The hon. member for Kitchener was on his feet.

**Mr. Breithaupt:** Mr. Speaker, I would only add a few comments to those which have been given by the previous three speakers. I think that in the debate so far on this bill, the minister has worn his hairshirt very well. He seems, in his entrance to the cabinet, to have brought a certain amount of leavening to the lump. As a result there is a greater interest in the kind of—

**Mr. F. Young (Yorkview):** The lump is still there.

**Hon. Mr. Crossman:** Do not call me a lump.

**Mr. Breithaupt:** If the lump fits, wear it. I do encourage the minister to continue to show interest in the kind of intelligent tax reform that he knows should take place in Ontario. There have, of course, been many complaints about the tax burdens on production machinery which were introduced last year.

I need not repeat the comments of the Automotive Parts Manufacturers Association nor of those of the many other manufacturers that I am sure have written to all of the members of this House to show us the problems that are being created. Certainly, I have said that this tax situation was discriminatory. We have also said that the burden would make us less competitive. We attempted to develop continuing markets and a further increase of our sales, especially in the United States. Be that as it may, the government has, I hope, seen the error of its ways and we can only hope that further it will be removed from this taxation pattern in the next budget.

There are within the balance of this bill several other points that I would like to raise with the minister and perhaps he can, in his remarks, expand upon them. I notice first of all, sir, that section three, subsection two, refers to certain changes in The Retail Sales Tax Act with respect to section five, paragraph 55, subsection one of that Act, concerning coin, paper money or banknotes.

I presume that this is with respect to numismatists and their various collections of coins and paper money that may change hands from time to time. While, hopefully, the amendment clarifies, in accordance with the notes, the conditions in which they can be exempt from sales tax, it would appear to me it is only on the difference between their face value and whatever their market value would be that this exemption exists. Perhaps the minister might clarify that for me.

Further, in subsection four of that section there is a certain comment made with respect to the ability of Indians on a reserve to purchase certain services exempt from tax. I would appreciate hearing from the minister how this area was developed, especially in the light of the various difficulties that Indian citizens are facing with respect to the continuation of their benefits.

It would appear to me that this exemption must have been developed with some co-operation from the federal authorities. I am wondering in what way the Indians were involved themselves in requiring this amendment for their own benefit.

In section 5 the minister refers to some further amendments that will allow a 20-day term to exist in which the vendor can notify the minister of certain liabilities for taxes which apparently have not been paid. Perhaps the minister could give us the benefit of experience in this area within his department, so that we might know just what the problems are that now require a 20-day period to elapse.

In section 7 of the Act, apparently, interest on overpayments is to be allowed.

Now I note that from the terms of section 27a, as it is set out here, the interest is to be allowed at, and I quote: "Such a rate as is prescribed by the regulations". I am wondering what the regulatory rate is to be at the present time, whether it is simply to be a reflection of The Interest Act of Canada, with a five per cent term, or whether it is to have some bearing on the various costs of provincial government financing. Perhaps the minister would be helpful to us in answering those points which I have raised?

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. Sargent:** Mr. Speaker, nowhere in this amendment to the Act is there any reference to recompense of business for its part of collecting these many millions of dollars that we so badly need.

I have had some experience with the minister insofar as levying penalties on retail businesses in my area is concerned, and I must say that in all fairness the minister has been very fair in his judgement of the situation. I do congratulate him for the job he is doing in this area. I say respectfully, Mr. Speaker, that businesses of all sizes in Ontario, large and small, are getting fed up with the cost of the collecting, the administering, the submission and the rendering of this type of revenue on behalf of the government.

**Mr. Speaker:** Order please!

I must point out to the hon. member that there is nothing in this amending bill that—

**Mr. Sargent:** Well, I am going to get to that in a moment where the—

**Mr. Speaker:** I must point out to the hon. member that—

**Mr. Sargent:** You have read the bill have you, Mr. Speaker

**Mr. Speaker:** I have read the bill. There is nothing in this bill having relation to the point raised by the hon. member.

**Mr. Sargent:** I will get to that point you are talking about, but I want to get back to what I really want to say, though.

**Mr. Speaker:** We are debating this amendment.

**Mr. G. E. Smith (Simcoe East):** Try again, Eddie!

**Mr. Sargent:** The fact that the minister has a section here called subsection 6—no subsection 1—where he levied a fine of \$500 on a businessman who does not return the money on time, in the prescribed limits, I say it must be a pretty heinous offence in the laws of Canada today to fine a man \$500, particularly in view of the fact that the businessman is rendering this government a service and supplying it money. Administering this lucrative fund for the minister is costing businessmen in this province, individually and collectively—

**Mr. Speaker:** Again I must point out to the hon. member, there is nothing in this amendment regarding the matters he is speaking about.

**Mr. Sargent:** How do you know, sir?

**Mr. Speaker:** I have the facts before me.

**Mr. Sargent:** I am talking about the submission of this subsection 6, where they levied a \$500 fine on a man. If you will read paragraph 4 you will find out what is going on here.

**Mr. B. Newman:** It is in there, Mr. Speaker.

**Mr. Sargent:** If you want to make a speech you come and make it, but I want to say something while I am on my feet.

**Mr. Speaker:** Order!

I apologize to the hon. member; I thought he was just hanging on a thread.

**Mr. Sargent:** Well, okay; try and get along then, try and get along!

**Mr. Lawlor:** You are perfectly right, Mr. Speaker, he is just hanging on a thread.

**Mr. Sargent:** Oh, come on now!

**Mr. S. Farquhar (Algoma-Manitoulin):** The tooth goes another tooth.

**Mr. Sargent:** There goes another tooth?

**Mr. R. F. Ruston (Essex-Kent):** They just do not want to hear the facts of life, that is all it is; just stay with it.

**Mr. Sargent:** Pretty tough to beat the club and beat the members too!

**Mr. Lawlor:** The member is stick handling.

**Mr. Sargent:** Nowhere in this legislation, on top of the penalties the minister wants to impose, nowhere is there any recompense for the businessman who collects this money. The department store man, the jeweller, the shoemaker—all across the board, there is no fair play at all, sir.

It costs us millions of dollars to collect this tax, and the businessman not only has to pay the tax, he is the collector, he is the remitter. He is the whole operator for the government, all at his expense. And if he is remiss in any one of these things, the minister can put him in jail or close his business.

In the case I am talking about, the minister's people walked into a restaurant in Owen Sound and they went back three years. They were remiss in their job for three years. They did not supervise the taxes that were collected and they walked in there and they said to this poor chap who has a small restaurant, they said, "We have not checked your records properly."

This man runs a restaurant where the kids come in after school and they order a Coke and a hamburger. There are six kids at a table and so the bill is maybe 50 or 60 cents a check. So he gives them one blanket check for the whole deal, a cost of maybe \$2, because the kids want to walk out without having to pay individually.

**Mr. Lawlor:** As usual the member is completely wrong.

**Mr. Sargent:** He gives this one check, and so the minister's people walk in there and say to this poor man—

**Mr. Lawlor:** There is provision in the Act to cover this.

**Mr. Sargent:** So they walk in there and they say to this poor man, they say to this poor man, "You owe us \$2,000."

**Mr. Lawlor:** There is compensation in the legislation.

**Mr. Sargent:** "You owe us \$2,000, and you pay up or we will close you up."

**Mr. J. W. Snow (Halton East):** The member is five years behind.

**Mr. Sargent:** This department says this. They say, "You pay us \$2,000 or we will close you up."

Now I go to the minister and he says, yes, this is a bit wrong. He is very fair. I like the

minister for his approach to this thing. But law is wrong in that the minister has power to say to a man—first of all the man a collector for the minister, he administer for him, he sends it in to him, he gives millions of dollars across the province; the minister pays him nothing for this. If he does something wrong—

**An hon. member:** That is not true.

**Mr. Sargent:** —the minister puts him in jail or closes him up. It is wrong somehow in the piece, Mr. Speaker.

**Mr. Lawlor:** You are supposed to play the game both ways.

**Mr. Sargent:** Well the government does not backcheck it at all, they do not even know how to backcheck.

**Mr. Speaker:** Order!

**Mr. Lawlor:** The member does not even know what he is talking about.

**An hon. member:** Does the member want to come over here and punch him in the nose?

**Mr. Lawlor:** Out in the lobby!

**Mr. Sargent:** Oh, the member scares me, he really does!

I think it is wrong, Mr. Speaker, in summarizing my very inept remarks—because I am not in the same ball game as these lawyers who can elucidate so beautifully with these long words—another thing I might mark on is that I think it is disgraceful that anyone would stand in this House and speak for an hour and a half about any subject that makes me sick to my stomach because—

**Hon. Mr. Grossman:** Do not be sick to my stomach here!

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

**Mr. Sargent:** Anyone who can think can tell what they want in 20 minutes.

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

**Mr. Sargent:** I think that somehow there should be some—

**Mr. Speaker:** Order! The hon. member is out of order.

**Hon. Mr. Grossman:** Address the chair.

**Mr. Sargent:** I address the chair. Mr. Speaker, is it not right?

Mr. Speaker: It sure is—

Mr. Lawlor: You are never relevant, that is the point.

Mr. Sargent: I might be one day, one never knows.

Mr. Lawlor: I will wait and see.

Mr. J. B. Trotter (Parkdale): He is just jealous.

Mr. Speaker: Order!

Mr. Lawlor: On a spot, the member is.

Mr. Sargent: I think that somewhere along the line somewhere in the piece the minister is being completely unfair to people, since he is going to charge them a five per cent fine for their lack of performance. They are collecting thousands of dollars, millions of dollars collectively across the province.

The minister might say to businessmen across Ontario that we will pay them 25 per cent, sir, of the tax they collect for the staff its costs them to administer this tax. There is a great need for this in the minds of the people of Ontario.

In other words, a man collects \$10,000 a year in business retail sales; the government should give him back \$2,500 for the staff to collect that. There should be some sort of equity on the minister's part if he is going to charge them. It should be reciprocal; I think it is time, in the amendments to this Act, that the minister should give the small businessman a break somewhere in the piece.

Hon. J. H. White (Minister of Revenue): I followed with interest the remarks of the members opposite, and I am gratified by their welcoming of the modifications to the retail sales tax on production equipment. I have got to say I was tremendously entertained, too, to see the socialist breast-beating on behalf of the automotive industry, very largely owned by Americans whom the hon. member for Scarborough West and his neo-Maoists are pursuing through every back alley of this province.

Interjections by hon. members.

Hon. Mr. White: So I am very deeply touched when I see the member for Oshawa and the member for Lakeshore and the other members stand up and defend General Motors *et al.* That is wonderful.

Mr. Lawlor: You blundered, John. Why do you not admit it?

Hon. Mr. Grossman: They are Maoists now.

Hon. Mr. White: However, Mr. Speaker will be coming to that particular section in a moment or two.

Mr. Sopha: Mao would not associate with them.

Hon. Mr. White: The previous speaker have touched on almost every change contemplated and I think with your permission will start at the top and provide the explanations for each of the sections that have been queried. Then I will deal more fully with changes in the application of sales tax to certain types of production equipment.

I was asked by my friend from Lakeshore why we were amending the Act concerning the application of retail sales tax on dance public where beer and liquor are served. As a point of fact, we have always taxed this particular application but, when we cancelled the hospital tax and established a new definition in The Retail—

Mr. Lawlor: You had no authority to do this tax?

Hon. Mr. White: —Sales Tax Act, so words were dropped out. The feeling of experts at the time was that they were redundant. Now they are worrying that we are applying a tax in a way that the statute written does not provide for.

Mr. Lawlor: I see. Are you going to remove all the tax?

Hon. Mr. White: I am not saying we collected it illegally, by any means. I am simply saying there was the doubt in the minds of some taxpayers and we seek to remove the doubt.

Now the section dealing with—

Mr. Gisborn: Cute, very cute.

Hon. Mr. White: —the application of tax to services consumed by the company producing the service.

This is the telephone industry, in particular where some number of companies questioned whether or not we had the right to collect sales tax on the telephone service as consumed by the telephone company. The companies, I think, have been paying this tax, a large company informed us that they do not expect to pay the tax after a certain time in the near future because they thought the statute did not provide for it. Well, this is the plug that loophole, if loophole there was

**Mr. H. Peacock** (Windsor West): You mean, would not pay it.

**Hon. Mr. White:** The next section has to do with the requirement which was in the Act that a vendor had to apply for and receive a vendor's permit, whether or not he sold taxable items. I imagine that in 1961 or thereabouts, it was thought that every such retail establishment had to be "vendorized" in order to ensure that those who did sell taxable goods were all covered.

Now, some number of years having gone by, we do not want to vendorize those—

**Mr. Peacock:** That is an abomination, that word—"vendorization!"

**Hon. Mr. White:** —enterprises which sell nontaxable goods or services. We are in the process of removing between 7,000 and 8,000 such vendors from our list. This will give us the statutory authority not to require that in the future.

The next item has to do with production equipment. I think, Mr. Speaker, you would not want me to recapitulate the arguments pro and con in the matter of the application of retail sales tax on—

**Mr. G. Bukator** (Niagara Falls): No, no, we do not need that.

**Hon. Mr. White:** —production equipment which was dealt with very fully a year ago. My hon. friends opposite will not understand, nor cannot understand, that this is not a black and white situation by any means.

There is a continuum of assets, ranging from something consumed instantaneously—like an explosive—to an asset like a dam, or structure which lasts for 50 or 100 years. And in this continuum, there is a wide range of such assets, 70 per cent of which have always been taxable in this jurisdiction and which are in fact taxable in virtually all jurisdictions.

At the short-lived end of the range were exempted consumables, taps and dies, jigs and fixtures, production machinery—that amounted to 30 per cent of the capital assets put in place in this province. The other 70 per cent has always been taxable.

**Mr. Lawlor:** Why did you not know that last year?

**Mr. Nixon:** That is a good question.

**Hon. Mr. White:** We did always leave some of these items exempt, e.g. catalysts and consumable. We are now broadening the exemption—

**Mr. Nixon:** You were wrong last year. Or partly right now.

**Hon. Mr. White:** —to include certain short-lived assets, by which I mean those assets which are expendable at the time of acquisition—

**Hon. C. S. MacNaughton** (Treasurer): Let us get into the 1970s.

**Hon. Mr. White:** —for income tax purposes and also those assets which are fully depreciable in the year of acquisition shown in class 12 of the federal regulations.

We are exempting these, Mr. Speaker, because in seeking a broader base and to increase revenue and the increased equity as we did a year ago, we found that the application bore with undue severity on some number of companies and some small number of industries. The automotive industry, which my friend from Windsor-Walkerville has mentioned, was found to be one of those. And when the Treasurer made his budget address on March 31, he pointed out that this was refinement and an attempt to bring greater equity into the situation.

As I say, Mr. Speaker, I am quite prepared to debate it at length and to trot out our experts, because Musgrave is better than Dr. Yes, my daddy Professor Musgrave can beat up your Professor John Due and you know

Professor Musgrave says in the interests of minimizing distortion the tax should go on capital goods and consumer goods, because you have a tax on one and not the other, you are inducing a shift of resources from the taxable area into the nontaxable area. And that is a matter of fact—

**Mr. Gisborn:** You are learning. You are learning.

**Hon. Mr. White:** —in an age of over-consumption I suspect that time will prove that Musgrave, MacNaughton and White are a great deal closer to the truth—

**Mr. Lawlor:** Against Kenyon, Poole, Cartwright and Smith.

**Hon. Mr. White:** —than John Due and the member for Lakeshore and the others.

**Mr. Lawlor:** How about Poole?

**Hon. Mr. White:** My hon. friend has mentioned of some matters here which are highly questionable; e.g., the idea of pyramiding and escalating. I do not accept that proposition at all.

In point of fact, the predominant influence—and perhaps in the long term the only influence—is the return on capital—

**Mr. Lawlor:** Your education as Minister of Revenue has been sadly neglected.

**Hon. Mr. White:** I know—

**Mr. Lawlor:** You might be more of a dud than I thought.

**Hon. Mr. White:** I know that a person having had Grade 3 public school arithmetic is tempted into some set of percentage increments and, if one adds the first increment back further, then one escalates that upward. But, in point of fact, if the return on capital in the long run determines the price of the goods and services, then no such escalation can take place.

**Mr. Lawlor:** Vicious fault of the French system.

**Hon. Mr. White:** That is an oversimplification, no doubt. I know that there are other applicable situations where that will not prevail, but generally speaking, that will be the case.

My hon. friend mentioned the competitive disadvantages with other jurisdictions. In point of fact that is grossly overstated.

Most jurisdictions in North America do apply retail sales tax to production equipment. Most of the U.S. states do. It happens that Michigan does not. But Michigan must find the revenue for schools, hospitals, roads and so on, and if they have not got this particular tax they have another tax, do not worry. Never fear, the Ford Motor Company in Michigan is paying its fair share of that other tax or those combination of taxes.

Of course, these international firms handle each jurisdiction in turn. They come to us and say, "Michigan has not got the retail sales tax, therefore you take it off or we are going to move out." And no doubt they go to Michigan and say Ontario has not got whatever type of tax Michigan may be relying on.

Yes, that is the name of the game. We understand that. We do not object to it. It was grim to find my friend from Lakeshore, who is so preceptive ordinarily in such close alliance with these large corporations, many of them American controlled.

**Hon. Mr. Grossman:** Well he wants to be a Tory.

**Mr. Ruston:** Yes, they are all Tories.

**Hon. Mr. White:** Now, the province Quebec, where we have further illustration, has an eight per cent sales tax on production equipment. They allow some kind of rebate on the export portion, but you and I know that the export portion is not going to be anything like three-eighths. Therefore, our per cent is going to be less than the eight per cent diminished by the amount of the export. My hon. friend says we have surrendered abjectly. "Abject surrender" is the phrase used. We have done no such thing, of course. We are retaining the sales tax on production equipment.

**Mr. Lawlor:** The minister's effrontery knows no bounds.

**Hon. Mr. White:** What we are going to do is take it off those short-lived items which are used in very great quantity by some manufacturers and hardly at all by others.

**Mr. Lawlor:** And is a substantial portion of the tax.

**Hon. Mr. White:** I have in my hand, Speaker, the first draft of the regulation. I think, rather than read this somewhat lengthy document, I will undertake to provide copies to the hon. members opposite. We have enlisted the co-operation of some number of business associations and I would invite members of the opposition, who are interested in this subject, to scrutinize this list and see if any improvements can be made to it.

My hon. friend from Windsor-Walker was good enough to read two or three letters that he received a year ago criticizing us. I am glad to be able to inform him that we have in recent weeks, since March 31, received some number of congratulatory letters from automotive parts manufacturers and other companies who have welcomed the change announced by the Treasurer of Ontario. Perhaps next year, my hon. friend will have an opportunity to read those congratulatory letters into the record.

**Mr. Ruston:** We got them too.

**Hon. Mr. White:** My friend from Oshawa brought up a couple of matters here; one to do with sale tax in the U.S., which I think I covered. I do not know that I can be of comprehension to my friends opposite. Was it Dr. Johnson who said, "I can give you an answer but I cannot give you comprehension"?

**Hon. Mr. Grossman:** That was the member for Lakeshore.

**Hon. Mr. White:** This particular tax is neither good nor bad. I think it very largely depends on the timing. The 12 per cent tax that the Liberals brought in federally—12 per cent do not forget—in 1963 cannot compare to the five per cent that we brought in in 1969. Why so? Well, the 12 per cent is a lot more than five; that is point number one. And point number two, 1963 was a recessionary year and 1969 was a very buoyant year, at least until Messrs. Trudeau and Benson got to work on it.

**Mr. Sopher:** Were they good vintage years?

**Hon. Mr. White:** They caught up with it in October or November, but until that time it was a very buoyant year indeed.

Interjections by hon. members.

**Hon. Mr. White:** And so we are removing this tax on a particular range of short-lived assets, in part to bring greater equity, as the Treasurer explained. And in part because we notice some softening, to put it mildly, in economic indicators. We think it is an appropriate time to lessen taxes on those industries affected.

Now my friend from Grey-Bruce has brought up a couple of questions, the first of which has to do with compensation. We probably pay more compensation in total to the retail sales tax vendors than any other province in this country. That is point number one. The federal government does not pay a nickle, not a five-cent piece.

**Mr. Sargent:** What does the minister pay?

**Hon. Mr. White:** We start at 2.5 per cent and it slides down as the volume increases. We pay 2.5 per cent sliding down. The federal government pays nothing on its 12 per cent.

**Mr. Sargent:** Two wrongs do not make a right.

**Hon. Mr. White:** The select committee on taxation, which included the member for Parkdale, the member for Kitchener and the member for York Centre (Mr. Deacon) said that the compensation paid to retail sales tax vendors should be terminated. Yes, the Liberals endorsed that particular recommendation.

**Hon. Mr. Grossman:** What do you know about that? What a revolting development.

**Mr. Sargent:** Would the minister accept a question? The minister has been very successful in his own private business; he knows what I am talking about. But across this prov-

ince, Mr. Minister, it is becoming increasingly difficult to cover all the demands on you, businessman, for government forms.

**Mr. S. Apps** (Kingston and the Islands) that a question?

**Mr. Sargent:** I am building up to it. The thing is, does the minister agree that somewhere in this piece there should be some equity? If people are going to work to help money to government they should not have to pay for staff to do this because they have to buy staff to look after government submissions.

**Mr. Paterson:** That is right!

**Mr. Sargent:** The member for Essex South knows this. Anybody who runs a business knows that it is becoming prohibitive now to be in business because of your demands. The law is on your side. You can say, "If you do not do this, we will close you up or put you in jail," and everything is on your side. You do you not be fair and say, "Look, we will give you a staff or something toward a solution that does this"? But no one is looking toward helping and being fair any more.

**Hon. Mr. White:** I understand what you are saying. I am saying that we do pay a commission.

**Mr. Sargent:** That 2.5 per cent is a laugh.

**Hon. Mr. White:** That 2.5 per cent is better than nothing. How much does the federal government pay for collecting employment insurance? How much for collecting personal income tax? How much for collecting the federal sales tax?

**Hon. Mr. Grossman:** Nothing.

**Mr. Sargent:** I think they are wrong.

**Hon. Mr. White:** You may not be satisfied with the rates that we are paying, but at the rate we are going further with this particular burden on industry than anybody else.

**Mr. Sargent:** Not far enough.

**Mr. Apps:** Mr. Speaker, may I ask the minister a question? Just to follow up on the member for Grey-Bruce's point, and I think he has a point that is well taken. The businesses pay the 5 per cent tax because they get the money to pay it. In other words, they may be paying 10 per cent bank interest in order to pay this five per cent tax over a period of 30, 60, 90 or 120 days. There is a legitimate reason—

**Mr. Speaker:** May I interrupt the member to say that I have just taken over the chair, but my understanding was the ministry had the floor to close the debate. The member for Grey-Bruce was asking a question and the normal course is that after the ministry takes the floor there is no further debate. Now, if I am wrong, I stand to be corrected; but if I am correct, then the minister either completes the debate or we reopen it.

**Hon. Mr. Grossman:** Let us reopen the debate.

**Mr. Speaker:** We cannot reopen it because those are the rules of the House.

**Mr. Apps:** I agree, Mr. Speaker, but when I got up to speak you were preoccupied with the Clerk and I was not able to get your eye, so I just went ahead, anyway.

**Mr. Speaker:** Even if the member had got my eye, I would not have allowed him to speak. Will he finish up quickly and then we will go on?

**Mr. Sargent:** Mr. Speaker, on a point of order. Is there any reason why we can not have some logic in this session? The member for Kingston and the Islands has said the first intelligent thing that has been said all night, and you have the audacity to say he could not say it.

**Mr. Speaker:** That certainly settles the matter. The hon. minister has the floor. There will be no further debate after the minister has completed.

**Hon. Mr. White:** I am very glad indeed, Mr. Speaker, that the member for Kingston and the Islands has brought up this point because in point of fact those moneys represented by sales in March 1970, are not paid by the retail sales tax vendor until April 23. So he can have that money on average for 15 days in March plus 23 days in April; he has our money an average of 38 days, and we charge him no interest on that; as a matter of fact, we pay him a commission.

**Mr. Apps:** Mr. Speaker, may I make a comment?

**Mr. Speaker:** No, if the minister wishes, the hon. member may ask him a question. If the minister will accept the question, yes.

**Mr. Apps:** May I ask the minister a question? I think that what he has just said may in fact be true on maybe five or 10 per cent of the money involved: normally in the business you do not get that money until 30

days after the end of the month, if you are lucky. In many cases, as I mentioned before it is 60 and 90 days before you—

**Mr. Speaker:** Turn it into a question.

**Mr. Sargent:** Oh, why cannot we have some intelligent questions?

**Mr. Apps:** So I ask the minister whether he feels, under this particular circumstance if the business is being penalized to quite an extent in order to get the money to pay the retail sales tax? Because, normally in business this money is borrowed, and I would ask the minister to take a look at this and see if he might be able to do something in connection with paying a little bit more for the business for collecting his tax money.

**Mr. Bukator:** That is a good question.

**Hon. Mr. White:** Well, I do not want to say I will not consider, but in point of fact it is pretty hard to increase the rate of compensation when the select committee unanimously said to withdraw completely.

**Hon. Mr. Grossman:** What do you know about that?

**Hon. Mr. White:** It is pretty hard for the government to increase that particular expense which runs into millions of dollars a year—

**Hon. Mr. Grossman:** You would have to up the sales tax to offset the extra expense.

**Hon. Mr. White:** —in order to meet the demand. However, I would not want to close my mind to it—

**Mr. Lawlor:** You never paid any attention to the rest of the select committee recommendations.

**Hon. Mr. White:** —and I will tell the member for Kingston and the Islands that we will review it periodically.

Now, Mr. Speaker, moving on to the next point raised, this time by the member for Kitchener, having to do with the tax on coins and money. If one goes in and buys an antique \$1 bill for \$100, there is a five per cent tax, not on the \$1 bill, not on the \$100 markup, but on the \$100 transaction. Is that clear?

The next section touched on by my friend from Kitchener has to do with Indians and reserve purchasing taxable services. I am sorry the leader of the opposition is not here. In the past we have not expected to



phone companies and such-like to collect tax on telephone services sold to Indians on a reserve. There is some doubt in the minds of the vendors concerned whether or not they had the power not to apply that tax, and this will make that crystal clear. In point of fact I think the tax has not been applied in the past, but this regularizes that practice.

Now, on to section 4. You will see that we are no longer going to send notices of assessment to vendors by registered mail. We will save between \$30,000 and \$40,000 a year. In point of fact the registered mail is not necessary. If the assessment goes out and we follow it up with the vendor and he says he did not get one, all right we will get one to him quickly. We anticipate no trouble about it. It will save \$30,000 or \$40,000, and we will save ourselves and the vendors a lot of time-consuming nuisance.

**Mr. Sargent:** Mr. Minister, a point you have not touched on is what if your staff is lax in review of books—

**Mr. B. Newman:** Public relations money.

**Mr. Sargent:** —and, if they are three or four years' lax in reviewing a situation, what happens?

**Mr. Speaker:** Order.

**Mr. Sargent:** Is the minister going to give some consideration to the vendor? Do we not put all the onus on him? Could not there be some onus on the minister's staff?

**Hon. Mr. White:** The small vendors the member is speaking about are audited every nine years.

**Mr. Sargent:** Every nine years?

**Hon. Mr. White:** The smallest vendors are audited every nine years.

**Mr. Sargent:** Is that fair?

**Hon. Mr. White:** Well, you tell me. You listen to this story for a minute. The big companies are audited annually; the smallest companies are audited every nine years. On an average, they are audited every three years. When they are audited, we go back to the previous audit, or if that is more than three years previously, we go back a maximum of three years. You will see that if a small firm was audited six years before and was making mistakes either on the purchasing side or on the selling side, and we go back three years, they have in effect saved themselves some money for the previous three

years of the six. We cannot change that one or two years without bonusing the people who are avoiding the tax, whether that accidental or purposeful.

I do not like it at all. I do not like three year period at all. We have spent a lot of time and effort trying to determine whether we should be auditing more frequently. I am reluctant to do it because that is a very decided internal cost to hiring more people. They are well-trained people; they are fairly well paid. I am reluctant to pay for one or two or three million dollars more for that purpose and I am reluctant to import another group of inspectors or auditors on the private sector. So, we are just trying to come down to something that is reasonable, which keeps the system honest and which does not unduly bear on the companies in this province.

**Mr. Sargent:** Then, sir, would the minister bring in some compromise—

**Hon. Mr. White:** Well, we are trying to be reasonable about it.

**Mr. Sargent:** If you find the three year audit is in error, would you give him a compromise, instead of the full tax?

**Hon. Mr. White:** Well, we try to be reasonable about it—

**Mr. Sargent:** I know.

**Hon. Mr. White:** —within the constraints of the legislation and the regulations.

**Mr. Sargent:** I ask you, sir, if they have gone full swing themselves, they would be nailed the guy to the cross.

**Hon. Mr. White:** Well, that is what we are for.

**Mr. Sargent:** Pardon me?

**Hon. Mr. White:** That is what you are for.

**Mr. Sargent:** That is what I am for? Supposing they do not get to a member of Parliament, what happens to the fellow? He goes out of business.

**Hon. Mr. White:** They get to us; do not worry. They get to us.

**Mr. Sargent:** Now the minister knows it is not right!

**Mr. Speaker:** Order.

**Mr. Sargent:** Pardon me, Mr. Speaker, may I ask him a question? This is not right. We should anyone—

**Mr. Speaker:** This has gone far enough.

**Mr. Sargent:** For the guy who has been clipped it has gone far enough.

**Mr. Speaker:** Order!

**Mr. Sargent:** Do you agree that, because I think you did me a good turn, you kept this fellow in business?

**Mr. Speaker:** The hon. member—

**Mr. Sargent:** I am asking him a question, sir. Would you agree then, that because either the hundreds of thousands across the province who do not have access to me or the 117 members here, could have the same break that he had? They will not get it, will they?

**Hon. Mr. White:** In fact, most businessmen are bright enough and aggressive enough to go to their member when they think an injustice has been done. We are going to strengthen these appeal provisions by introducing a tax review committee within the department, as the select committee recommended. We have had the advice of the advisory committee of tax accountants and the advisory committee of lawyers of my department. They have been working on it. I think you will remember during my estimates last November I described the approach we proposed to take, and when that has been established we will inform the taxpayer or the vendor in the bulletins and in notices sent to him that this course of appeal is open to him.

There probably are some people who do not dare approach their MPP, but there are not a lot of businessmen who are afraid to do that.

Now, the member for Kitchener touched on section 8, which provides the vendor with 20 days in which to notify the minister if a purchaser refuses to pay the tax. There are only about 100 of these a year, but in the past the statute read "immediately"; now the vendor has 20 days. So, if you walk in and buy a grand piano and give the fellow \$3,000 or whatever it costs and say, "I will not pay the tax," then the vendor has 20 days to tell us that you would not pay the tax. Then we make our claim on you directly. The vendor is not expected to act as the policeman in this transaction.

The next section was touched on by the member for Grey-Bruce. It has to do with penalties. In the past, there was a penalty applicable when a vendor did not make a return. There was no penalty if he sent in

his return showing he owed us \$10,000, did not send the \$10,000. That is a situation which is not appropriate, and this remedies the situation and does require that the return be filed and that the moneys owing be paid or penalties can be incurred, up to a maximum of \$500. I point out that this applies only on amounts of tax of \$10,000 or more, so I think it is not unnecessarily harsh.

Section 7 permits us to pay interest on overpayments.

I think the hon. member for Kitchener brought this up. We are going to pay 10 per cent on overpayments that are the error of the vendor. We are going to pay 5 per cent on overpayments resulting from assessment by us, which assessment was later reduced. We do not want to pay a high rate of interest on overpayments which originate with the vendor. During the Second World War in the United States, when interest rates were held very low by monetary policy, the rate of interest paid on income tax overpayments was greater than that paid on savings bonds, so some number of clever people were grossly overpaying their tax, earning more interest than if they had bought bonds with the same amount of money. We do not want that to be the kind of thing that we do not want to happen, and that is why we are moving the interest rates out of the statutes and into regulations, which I think also—the member for Lakeshore can tell me if I am wrong—was one of the Smith committee recommendations.

Well now, Mr. Speaker, that would serve to conclude the various items in this bill, I think I have made some comment, however brief, on the criticisms offered by the members of the opposition.

Motion agreed to; second reading of bill.

**Mr. Speaker:** Is this bill to be ordered third reading?

Agreed.

## THE INCOME TAX ACT, 1961-1962

Hon. Mr. White moves second reading of Bill 50, An Act to Amend The Income Tax Act, 1961-1962.

**Mr. Sopha:** A very curious statute indeed and a good illustration of the paper pollution that we have in this province.

I just say, in passing, I wonder why, in a statute like this, where it is intended to substitute one minister of the Crown for another

that it could not be done in one section. All you need to say is, wherever the term "Treasurer" is used, there shall be substituted in lieu, "provincial minister," or "Minister of Revenue," or as the case may be. But that is not important and I do not want to dwell upon it, because I will come under the scalding criticism of the member for Lakeshore.

There is another more important principle which immediately struck our eye in this bill. Apparently in every aspect of the affairs of The Department of Revenue, where the Treasurer previously had responsibility, there is now substituted this minister, save in the most important aspect of all, and that is in relation to the direction of the cheques of the taxpayer. Presumably they are still to be directed to the Treasurer.

The most important cheque of all that is received, is the cheque for \$948 million—did you grab that figure, Mr. Speaker, \$948 million? I do not know if it comes in one cheque or a series. I expect that Brinks bring it down in a series of cheques, but \$948 million is the amount of money received by the government of Ontario from the federal government.

It underlines what sort of supernumerary piece of flotsam and jetsam this new minister is, and it shows the redundancy of the head of the government in setting up this department. This was a make-work project. He had to find something for the member for London South to do. He had got tired of looking after the constituency problem in London South, and he found him a slot and identified him as Minister of Revenue. But to show how insignificant he is—

**Hon. Mr. MacNaughton:** Cheap stuff!

**Mr. Sopha:** Not at all.

**Mr. Speaker:** I am not sure what this has to do with the principle of the bill.

**Mr. Sopha:** Do you want to know? Will you look at section 1, subsection 4 of the bill. That sets out the principle, where it says that in definition the "Receiver General for Canada" means the Receiver General for Canada—now that is a great statement, that is a literary effort.

"The Receiver General for Canada" means the Receiver General for Canada, but in any provision of the federal Act that is incorporated by reference in this Act, unless a collection agreement is entered into, a reference to the Receiver General for Canada shall be read and construed for

the purposes of this Act as a reference to the Treasurer.

**Mr. Sargent:** Beautiful, beautiful!

**Mr. Sopha:** Now, do you know the reason for the amendment? I will tell you.

To show you how we waste the time of the House, I say to my friend from Grand Bruce, do you know the reason for the amendment? That amendment is the substitution of the preposition "for" for the preposition "of."

**Mr. Sargent:** The member lost me a few minutes ago.

**Mr. Sopha:** Well, look at the name of the Receiver General for Canada—do you see that?

**Mr. Sargent:** This is legal jargon, though.

**Mr. Sopha:** Do you see that, where it says Receiver General for Canada? In the other bill, statute 61/62 that reads, Receiver General of Canada. Now do you grab it?

**Mr. Speaker:** I hate to interrupt the member, but he might perhaps address his remarks through the chair as is customary.

**Mr. Sopha:** Yes of course. Now, that is a earth-shaking amendment. We substitute the word "for" for the word "of."

Everybody knows the Receiver General gets all direct cheques to him, and he goes and gets them and cash them whether he calls them "of" or "for"; it is the same fellow who the bank would honour the cheques.

What I am raising here—what I am raising in respect of this supernumerary up here that in every other part of the bill—do you notice? Look at it in all its pages; look at one or eight of them—all it does is change the Minister of Revenue for the Treasurer—

**Mr. Sargent:** It is a housekeeping bill, that is all it is.

**Mr. Sopha:**—except in that one vital area that the recipient of your cheques, and that is from businessmen in Owen Sound from northern Ontario, will continue to be the Treasurer of Ontario. This guy is not considered to be responsible enough to get them.

And the major cheque—tell us, get up and tell us why you are always moaning about what you get from Ottawa, how much you get. You always want more. You always say you have enough, you always have enough but you are moaning about wanting more.

In the one area where they send down the big lumpen sum, the big amount, \$948 million—my, that is a generous federal government to give you \$948 million, yes, sir—you have not even got some Christian forbearance to show some humility and thank them for it.

Interjections by hon. members.

**Mr. Sopha:** And it was said, it was said a long time ago, and I say to you now, to the Treasurer, through you, Mr. Speaker, that you are all right as long as you have the federal government paying your bills. You are great fellows. But the moment you have to start collecting it yourselves and making out, then you are in trouble.

That is what is going to bring you down, because that fellow up in Ottawa, he has got your measure. He has got the yardstick.

**Hon. Mr. MacNaughton:** You terrify me. You really make me shake.

**Mr. Sopha:** Yes, sir, well I have some beliefs in the principles of federalism in this country. I know something of its origins and I know something of how it ought to function. It does not function well if the Treasurer of Ontario and the Prime Minister (Mr. Robarts) are always beating their breasts and crying crocodile tears about the relations of the provinces to the federal government in fiscal matters.

As has been pointed out many a time—the relation of this section 22, where the cheques are payable—it has been pointed out many a time that you never give away a dime yourself, not a nickel, a red cent.

I say to my friend from Grey-Bruce, they never give away a nickel that they do not want full credit for. They want advertising; they want the PR people to get busy and then tell about their largesse.

**Mr. Speaker:** I presume this has to do with the matter of the principle of the bill.

**Mr. Sopha:** It has to do with the receipt of the money from Ottawa and the money from Ottawa is received under that paragraph 22.

**Hon. Mr. MacNaughton:** It is collected here in the first place.

**Mr. Sopha:** What do you mean, it is collected here?

**Hon. Mr. MacNaughton:** Of course it is.

**Mr. Sopha:** Get off it, "it is collected here." Everybody sends their income tax to the Receiver General for Canada.

**Hon. Mr. MacNaughton:** That is what I say.

**Mr. Sopha:** It is collected by him.

**Hon. Mr. MacNaughton:** The money is referred to, came from here before we put it back.

**Mr. Sopha:** Well, certainly it came from here but it went to Ottawa first.

**Hon. Mr. MacNaughton:** Oh sure!

**Mr. Sargent:** A lot of siphoning off is done before it gets back here.

**Mr. Sopha:** Now that is a great intervention.

**Hon. Mr. MacNaughton:** Tell them to get down and pick it up.

**Mr. Sopha:** Yes, you want them to be blamed for it. Oh, you are tricky people. You want them to get blamed for collecting it. Yes sir, you want them to get blamed for enforcing The Income Tax Act, then you go round and pick up the cheque for \$948 million.

Well, Mr. Treasurer, through you, Mr. Speaker, you get up, because I would like to know as a member of this House why you substitute your buddy, the Minister of Revenue, with every other aspect of the collection of revenue, but there is one area where you will not let him get his glommers on the money; you keep it.

**Hon. Mr. MacNaughton:** Read The Financial Administration Act. Read it!

**Mr. Sopha:** Yes. What is to prevent us from amending that one too—why do you not bring in an amendment to that one? All right. Because it underlines the fundamental principle of this bill that this ministry is a redundancy. That is all that it is, a make-work project. A great expense to the people of Ontario.

**Hon. Mr. White:** I am quite prepared to debate whether or not there should be a Department of Revenue, but it does not relate to this particular bill. I would be glad to—

**Mr. Sopha:** All right!

Interjections by hon. members.

**Mr. Speaker:** The hon. minister is rising on a point of privilege, I presume?

I have been attempting to draw the attention of the member for Sudbury for so

time that I felt he was not on the principle of the bill but I apparently was not successful in the minister's viewpoint. I would ask the hon. member for Sudbury to come back to it.

**Mr. Sopha:** All right, I will point it out again. I do not mind. I am a very patient man. I am a lawyer and if I do not get through to the bench the first time, I will go through it all again.

An examination of the statute reveals beyond peradventure and even to the most obtuse—that does not include you—that in every other aspect of the Act they substitute the Minister of Revenue for the Treasurer. Are you with me up to that point? All right.

But in the one vital section which is in respect of where the taxpayer will send his cheque when he pays his tax, they decline to substitute the Minister of Revenue for the Treasurer. The cheque has to still be directed to the provincial Treasurer, under paragraph 22. That is one side of it. That is you and I sending in our cheques; we have to make them payable to the Treasurer.

The other side is that, in an equally important fashion, when the federal government send their cheque to the provincial government, they do not permit them to send it to the tax collector, the Minister of Revenue; it has to be sent to the Treasurer. Now are you with me up to that point? That is paragraph 22.

**Hon. Mr. MacNaughton:** Would the hon. member permit a question? Would the hon. member care to describe to the House the material difference between what he has described and sending cheques to Ottawa to the Receiver General, who is the same as the Minister of Finance, rather than the Minister of National Revenue? Is there any material difference?

**Mr. Sopha:** I always thought the Receiver General was the Minister of Revenue.

**Hon. Mr. MacNaughton:** No, he is not. He is the Minister of Finance.

**Mr. Sopha:** What does it matter?

**Hon. Mr. MacNaughton:** What are you complaining about?

**Mr. Sopha:** What does it matter?

**Hon. Mr. White:** Well, what does it matter here then?

**Mr. Sopha:** We have set up here a Minister of Revenue and we are told, in setting

up the department, that he was to be chief tax gatherer.

**Hon. Mr. MacNaughton:** On the recommendation of the Smith committee.

**Mr. Sopha:** So what?

**Hon. Mr. MacNaughton:** A number of Liberals were on the select committee.

**Mr. Sopha:** He is the chief tax gatherer you see, but it turns out, he is not. He is not the chief tax gatherer at all.

**Hon. Mr. MacNaughton:** The money goes to the Minister of Finance.

**Mr. Sopha:** Yes. I say to the new members from Middlesex South (Mr. Bolton) that it is fundamentally important to bear in mind the public expenditures of this province are financed. And to keep in mind that 25 per cent or more of them are financed by revenue derived from the federal government. It is, indeed, one of the basic principles of federalism. I go on and I am not going to be too prolix about it. I go on to say—

**Mr. W. Ferrier (Cochrane South):** You are splitting hairs.

**Hon. Mr. MacNaughton:** You are away from the base.

**Mr. Sopha:** I go on to say that the Treasurer and some of his other colleagues about the province sobbing and chastizing and moaning and bewailing the treatment of the federal government. But all the while we have to remember that the largesse that comes from Ottawa is not immodest. It is not immodest. My words—and to show the hypocrisy of the position he takes—he is able to increase expenditures by \$500 million in one year in this province and not raise taxes a dime.

**Mr. Lawlor:** Mr. Speaker, in my opinion under this bill—it is a housekeeping bill; the measures are not of searching importance—what I have to say is of minor import, nevertheless not picayune, I would trust.

Throughout this bill the term "provincial minister" is used in substitution of the word "Treasurer" being presently done by the Treasurer. It is a semantic difficulty, but I would like to think that there were 22 provincial ministers in this province. The grievous way in which the term "provincial minister" is used—meaning the Minister of Revenue—if they are going to talk about the Minister of Revenue, why do they not say so instead of this particular kind of reference?

**Mr. Sopha:** You have missed the point. You are referring to the federal Act.

**Mr. Lawlor:** I admit it is a minor point, but this is the way in which this legislation has been set up.

The other point. It is curious that at page seven, having to do with section 21 of the Act, they swing into new terminology where they talk about the department of "the provincial minister." As the member has just pointed out, in his opinion he is the most diminutive of provincial ministers, but seems to have suddenly grown in size as "the provincial minister". It swings over in section 21 to talk of The Department of Revenue. It is, after all, The Department of Revenue merely in an organizational change that is meant in this legislation. I cannot, for the life of me, see why you do not say so and get it over with instead of calling yourself by some honorific such as "the provincial minister".

You are not "the" provincial minister. There are many others who enjoy a place of equal rapport and equal prestige at least as well as yourself in this regard.

I think the drafting is bad in that particular hand. The only other thing that bothers me is why so late in the switchover? Are you not, within the terms of your jurisdiction, presently exercising these functions? As in the two bills that will be coming on shortly, The race tracks tax and the tobacco tax, this is a rather late date upon which the minister begins to exercise the functions involved in the collection of income tax, which is our primary tax in the province.

What has been the condition up to this point in your department with respect to your functions in overseeing the collection of this tax? My feeling was that this is what you were doing, at least in part. Were you doing it under informal circumstances and without actual legislative power so to do? Or what was your position up until this hour in the whole area and in the areas that we will be reaching shortly?

**Mr. Speaker:** Is there any other member who wishes to speak before the minister? The minister has the floor.

**Hon. Mr. White:** Mr. Speaker to answer the questions of the member for Lakeshore, the departmental Act, which was passed two years ago, gave the powers vested in the Treasurer in the various statutes to the newly created Minister of Revenue. The Treasurer served that post for six or seven months.

We want to bring these things up-to-date for the RSO 1970, and that is the reason the housekeeping changes are coming along at the present time. I do not disagree with my hon. friend that "the provincial minister" may not be the best choice of words. I have not really expended a lot of energy in years gone by trying to decide why lawyers in general insisted on using archaic 18th century language; or why my hon. friend from Sudbury insisted on perpetuating 19th century nationalism, but I do not think it is my role particularly to try to modernize the phraseology of lawyers in general or the nationalist inclination of my chauvinistic friend.

I think those cover the two points, although before I sit down, I want to say that the dissertation given by the member for Sudbury is the greatest contribution to the public weal since the great Arthur Reaume, Minister of Finance, gave a speech in this very chamber, about nine years ago. He elicited a similar comment from the great Mr. Frost.

**Mr. Sopha:** Why do you not tell us why they do not make the cheques payable to you?

**Hon. Mr. White:** For the same reason that we do not make the cheque payable to the Minister of National Revenue.

**Mr. Speaker:** The motion is for second reading of Bill 50.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be referred to third reading?

**Mr. Lawlor:** Mr. Speaker, I would like to speak to this as to the reference. I missed the boat, and I think the House missed the boat on the previous bill. I wonder if the minister would consider reversing? As far as I am concerned, the retail sales tax should go to a committee, being a finance bill, with many ramifications, and so on. This bill, which is not nearly as important, can go on for the second reading as far as I am concerned, but would the Speaker and the minister consider reversing themselves and permit us to discuss at greater length Bill 49?

**Mr. Speaker:** I certainly have no objection if the House wishes. What would the minister's view be?

**Hon. Mr. White:** I have no objection.

**Mr. Speaker:** Then Bill 49 will be referred to the standing committee; is that what you

House wishes? The committee of the whole House?

Agreed.

**Mr. Speaker:** Now on Bill 50, which has just now been given second reading; shall it be ordered for third reading?

Agreed.

### THE RACE TRACKS TAX ACT

**Hon. Mr. White** moves second reading of Bill 51, an Act to amend The Race Tracks Tax Act.

**Mr. Lawlor:** Again, in this particular bill there are several points that are worthy of considerable mention, some of which will interest the member for Sudbury I am sure, as to the bringing in of a jury, preventing the matter from being taken before a judge and jury. Previously it was only before a judge—that is with respect to matters being tried in the courts touching this minister.

Apart from that, again I think that it is rather belatedly that the legislation is brought forward. Why these slow accretions, these tortoise-like movements sideways and aft, that take place? What is the role of the minister's department thus far in forwarding this legislation? Has he had surveillance, generally, over it?

We did not want to load the minister with legislation from the inception, but in what, precisely, is he validating what he did previously under the powers given him last year under the new revenue Act?

Apart from that, on the kind of complaint made previously or the objection which was addressed to section 4; where previously the minister had seven days in which to serve notice, he has now extended that period for 30 days.

It is the same kind of problem as arises in the sales tax bill where immediately before he gave us a 20-day period. Now he is extending it to 30 days. I would like a little explanation for the rationale behind that.

Secondly, coming to section 5, why does the minister extend the court procedures with respect to his powers to recover taxes and penalties, financial of course? Why is he extending it to a jury proceeding? As a lawyer I would have some misgivings about that. It would be more equitable from the minister's point of view that it be done this

way, but on the other side of the fence there is perhaps in the minds of a jury a certain ingrained prejudice against taxing statutes and against ministers of taxation for citizens through the courts in this regard. Some portion of revenue might very well be lost with respect to juries who are not averse to depriving the minister.

What was operating in the minister's mind at the time in order to bring it into being?

Finally, with respect to the interest-free provisions, again the minister is reverting. He has a six per cent ceiling at the present time. One can well appreciate that he has to live with that under the present market conditions but switching it into regulation gives some measure of flexibility from time to time. At the same time can the minister give the House any indication of what he intends to change it to in his first set of regulations under taxing statutes? If he is going to raise it to 10 per cent, if that is his intention, would he have the gravest misgivings as a legislator of imposing that sort of burden upon the populace at large.

**Mr. Sargent:** Why not leave it at six per cent?

**Mr. Lawlor:** Well we will see what he says. Thank you, Mr. Speaker.

**Mr. Speaker:** Is there any other member who wishes to engage in this debate? The hon. Minister has the floor.

**Hon. Mr. White:** Well, Mr. Speaker, permit me to deal with the several sections which have been discussed here by the previous speaker.

First of all, under section 4 we are changing the length of time permitted from seven days to 30 days because we think the seven days is too short. The seven days of course is that period of time in which the taxpayer is required to supply written information as to why he is under this section. We think that the taxpayer should have 30 days in which to collect and remit the information required.

I think it is perhaps a little different from the 20 days maximum in a previous situation because in the previous situation the taxpayer was—excuse me, I am going to have to correct that bill.

What section was that, does the hon. member remember? I am sorry I cannot pick out.

Well anyway, we just do not think the seven days is long enough to give a

payer in which to provide the information requested by the department and we are changing that to 30 days.

We are changing this in the RSOs. We are trying to get this legislation ship-shape for a decade, and we are making those things right which we think are less than perfect.

That brings me to the next point raised, which is to be found under section 5 and which has to do with the right of a taxpayer being brought into a court action by the Treasurer or by the Minister of Revenue to decide himself whether he wishes the case to be tried by a judge or by a judge and jury.

Now my hon. friends surely would not suggest that in broadening the provision in that section that we are in any way inhibiting the rights of the taxpayer. As a matter of fact—now for the first time he has that option and if he thinks that he is likely to receive better justice from a judge alone, he may so request. If he thinks his chances are enhanced by a judge and jury, he may so demand, and at his option the court will accede to his request. I think that was a very sensible step forward.

We are moving all of the interest rates out of the statutes so that we can adjust them upward and downward by regulation to meet changing market conditions. Generally speaking—we are using a uniform approach. If a man overpays and it is as a result of his error, we pay four per cent. If he overpays as a result of an assessment which is reduced, we are paying seven per cent. In this section in the statute it calls for six per cent. The regulation will be proclaimed, I think, to be effective June 1, 1970, and the interest rate prevailing at the time will determine the particular rate of interest as supplied in this instance.

I think, Mr. Speaker, I have covered the points that were raised by my hon. friends.

**Mr. Speaker:** The motion is for second reading of Bill 51.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

**Mr. Lawlor:** No; committee!

**Mr. Speaker:** Committee of the whole House?

Agreed.

Hon. Mr. White moves second reading of Bill 52, An Act to amend The Tobacco Act, 1965.

**Mr. Lawlor:** Mr. Speaker, on this which is the last of the evening, I think it is an organizational change which is late in coming and delayed for some reason. The formal validity has not been given to the minister's position continues to escape me.

In any event, a more important principle perhaps than that is involved in section 3 of the bill. It has to do with the minister's power to suspend or cancel licences as they presently exist and, within the terms of the so doing not affording, in line with McFadden and the recommendations that he has already before him, any means of appeal by legitimate ways of appealing to the minister should the minister so suspend or cancel a licence.

This is a grave defect in the legislation and, to the extent that it is re-enacted in its present form, an arbitrary imposition upon the general public. The minister will place that within the confines of his own department he will set up such a tribunal for appeal purposes. If it is staffed and is a tribunal with an imposition coming from the minister's own hand—in other words, a kind of blanket check on the citizenry and therefore not a truly independent tribunal—then I would think that this legislation bypasses and undermines most of the things that have been said in this House for many months past. Why provision was not adequately made within the terms of this legislation for such an appeal provision quite escapes me.

Apart from that, I would like to know what the evil is that is to be cured which would require a wholesale dealer, for the purpose of his stock under The Bulk Sales Act, to obtain a certificate from the minister. I understood under the present legislation no matter whether you were a wholesaler or not, anybody disposing of property under the Bulk Sales Act was under some obligation to obtain a certificate or at least to report the sale under this Act to the minister to be assessed with respect to the tax. There is no legal obligation.

Apart from those two points, once again the House did not mention the matter of the minister having an overriding prerogative which is perpetuated in this legislation; and the minister has been good enough to indicate even his own dissatisfaction with this terminology.



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

**Mr. Breithaupt:** Mr. Speaker, I would ask simply for a bit of amplification on the two points my friend from Lakeshore has raised with respect to the third section of the Act. I am wondering if the minister can inform us what experience he has had in this general area with respect to the necessity of suspending these permits. I agree with my friend from Lakeshore that certain appeal provisions are required, and I would be interested in finding out from the minister what his intentions are.

With respect to section 5, it would appear to me that the kind of certificate the minister is calling for is about to develop to a minor extent in the same way that the whole approach to corporate taxation is faced within the province.

As the other solicitors in the House are aware, it is necessary for a corporate tax clearance to be obtained by a prudent solicitor in a real estate transaction. As a result, the onus seems to be upon the purchaser in each case to satisfy himself that the province does not have a claim.

There have been discussions within this House that this onus should shift; that if there is a claim to be made by the province, it should be set out by the province positively, rather than having the necessity of checking this approach out each time. It would appear in this situation that much the same type of approach is being made by the present minister. Anyone acting on behalf of a purchaser of a certain stock of materials through a sale in bulk, would appear to have the onus on himself to check to see whether the taxes collected have been paid. And this, of course, is rather than having the onus on the part of the department to say what taxes are in effect owing.

I am wondering how many sales existed in this kind of an approach last year. Was the minister attempting to resolve a problem between the tobacco growers and the cigarette manufacturers, or is this the kind of a problem that exists at a wholesale-retail level between the jobbers and the various purveyors of cigarettes and tobacco? Perhaps the minister could develop that point. I presume, of course, that section 6, by the way, deals again with this same four per cent equals seven per cent approach that the minister has set out in the earlier bills this evening.

**Mr. Sargent:** Mr. Speaker, subsection 7 permits the minister to require a dealer to

make an inventory of his tobacco stock any time. In the summation, I wish the minister would verify to me how far we are going in this government insofar as Gestapo-like tactics of saying to a business man, "We reserve the right to inspect your stock."

**Mr. Snow:** The member does not really mean all that.

**Mr. Sargent:** What I am trying to do, Mr. Speaker, is to get across a point. Try and follow me, will you, please?

**Mr. Snow:** The member does not really mean all that.

**Mr. Sargent:** In other words, the government can say, "We reserve the right to check how much stock inventory you have." "I am an inspector from the government and I am going to check what you have." In other words, do you say to the drug industry, "We want to walk in and check your inventory." Do you say to a druggist you want to check his stock? Do you say to a distiller you want to check his inventory? Do you say to a brewer you want to check his stock? How are we going in this area?

**Mr. Snow:** What about a dry hotel?

**Mr. Sargent:** Pardon?

**Mr. Snow:** Do you check the stock in a dry hotel?

**Mr. Sargent:** A dry hotel?

**Mr. Nixon:** Why do you not go home?

Interjections by hon. members.

**Mr. Sargent:** What party did you go to, the library or to the chiropractor? Sharp up, eh.

**Mr. Snow:** Both.

**Hon. Mr. Grossman:** Make no bones about it.

**Mr. B. Newman:** Come on, sharpen up.

**Mr. Sargent:** In his summation, I wish the minister would say how far we are going to go and say we control the right to say we are going to check your inventory.

**Mr. Speaker:** Is there any other member who wishes to speak before the minister? The minister has the floor.

**Hon. Mr. White:** Mr. Speaker, I am grateful to the two members opposite who have drawn attention to section 3. The explanation I had which is, no doubt, entirely correct was simply that there was no change in concept; that the controller of revenue is being changed to the Minister of Revenue which, incidentally, was also recommended by the Smith committee as a general proposition; that the responsibility and the power should rest with the minister.

I did not look behind there. It may be that there is some improvement to be made so I will look into that, sir. I will have additional information by the time this bill comes to the committee.

Under section 5, I would point out to my hon. friends that there is a very high proportion of tax in every dollar of tobacco, whether that be cigarettes or some other form of tobacco. I would also point out that tobacco products are a very liquid form of asset and are almost as negotiable as currency. We must have, therefore, certain additional checks which would not apply to bulk sales, perhaps of furniture, where the component is going to be five per cent or seven per cent on wholesale or something like that. The proportion of tax on tobacco products may be half or more than half.

That matter of liquidity of inventory is the reason we find it necessary to have the powers to require inventory checks from time to time. Let me tell you, if you are not able to police these taxing statutes, you do not get any tax.

**Mr. Breithaupt:** But at what level is this?

**Hon. Mr. White:** We appoint wholesale distributors as government agents for the collection of this tax. In the process, we relieve thousands of small tobacco shops of the necessity of being collectors. We improve the efficiency of the tax collection. We pay a very generous commission—I am sorry, I cannot tell you the percentage right now—a very generous commission to these wholesalers to act as our agents. In return for that appointment to act as our agent, in return for the very high commissions which we pay, we require of these wholesale agents inventories from time to time, prompt remittance, close policing by us of those remittances, and such like.

If the wholesale distributor does not want to collect on our behalf, he does not have to. The manufacturer can charge the wholesale distributor and we will get our tax from the manufacturer who, in that case, will act as

our agent. I am not aware of any wholesaler that does not want to act as our agent because we do pay a commission for the work they render. In the process, we increase efficiency and the collections of the system and take the burden of collection off the very small retailers at the same time.

**Mr. Breithaupt:** How many wholesalers involved?

**Hon. Mr. White:** I am sorry, I will try to find that out for you—

**Mr. Sargent:** What percentage do you

**Hon. Mr. White.**—it would be several hundred no doubt.

**Mr. Sargent:** What is your percentage?

**Hon. Mr. White:** About two per cent.

**Hon. Mr. MacNaughton:** Two per cent of the tax collected.

**Hon. Mr. White:** It is a lot of dollars really does add up to quite a lot.

I think I have covered the points mentioned, Mr. Speaker, and I want to take a recess into section 3 before we get to committee of the whole House.

**Mr. Sargent:** Mr. Speaker, I am sorry I did not get it right. Would the minister rise in and say, "We reserve the right to check inventory"? Do you do this for a gas company? Do you check their inventory? Do you do it all across the economy? Do you do it for tobacco?

**Hon. Mr. White:** Certainly, inventories are always checked for retail sales tax purposes on occasion; for corporate income tax purposes on occasion; for personal income tax

**Mr. Sargent:** You have the power to do that across the board?

**Hon. Mr. White:** This is no additional power at all. You know, when you turn a profit—

**Mr. Sargent:** Just a second; do you do that across the board then?

**Hon. Mr. MacNaughton:** Yes, when inventories are involved.

**Mr. Sargent:** You have the power to do that in and say, "We have the right to check inventory"?

**Hon. Mr. White:** Where have you been?

**Mr. Sargent:** I am sorry, I am learning. That is why I am here. We are not all as smart as you are.

**Mr. Nixon:** Surely some of us are.

**Mr. Speaker:** Order! The motion is for second reading of Bill 52.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

**Mr. Lawlor:** No; committee.

**Mr. Speaker:** Committee of the whole House?

Agreed.

**Hon. Mr. Grossman:** Mr. Speaker, tomorrow we will proceed with the estimates.

**Hon. Mr. Grossman** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.20 o'clock, p.m.









# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Wednesday, April 15, 1970

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, APRIL 15, 1953

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon we have as guests in our galleries, in the east gallery, students from the adult education centre at George Brown College in Toronto; and in both galleries from Dr. G. W. Williams Secondary School, Aurora. Later this afternoon there will be students from Durham College in Oshawa with us.

Statements by the ministry.

**Hon. A. B. R. Lawrence** (Minister of Financial and Commercial Affairs): Mr. Speaker, I have sent a notice to the press gallery and to the members, of the meeting arranged for 1 o'clock tomorrow to discuss some new policies in relation to lotteries and specifically in relation to fall fairs. There will be a certain amount of written material involved in the discussion.

It seemed to me that it might assist everyone if the press and members received this material prior to that meeting. This is merely to advise that I am going to distribute the material at 10 o'clock, with the thought that the period from 1 o'clock to 2 o'clock tomorrow would then be completely open for questions in relation to detail or interpretation. Thank you, Mr. Speaker.

**Mr. E. W. Sopha** (Sudbury): Is it appropriate to ask a question?

**Mr. Speaker:** No, not until the question period.

Statements by the ministry.

Oral questions.

Is there someone on behalf of the official opposition?

**Mr. Sopha:** I have been so signified.

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

**Mr. Sopha:** I can hardly bear the weight of responsibility.

Having noted that twice the Minister of Financial and Commercial Affairs put the

pecking order in the way of, first the press and then the members, I should like to ask him out of no spirit of petulance, of course—what is the nature of the meeting? Is it a press conference that is being held tomorrow which we are being invited in ancillary fashion?

**Hon. A. B. R. Lawrence:** Mr. Speaker, it is a conference of the members to which the press has been invited.

**Mr. Speaker:** Has the member for Sudbury any more questions?

**Mr. Sopha:** No, if I may revert when the Prime Minister (Mr. Robarts) comes in.

**Mr. Speaker:** The member for York South.

**Mr. D. C. MacDonald** (York South): I have a couple of questions of the Attorney General in the absence of so many of his colleagues. In view of the Attorney General's clarification as to the use of Mace in the province of Ontario, would he indicate what his views on the department's views are in the use of Mace is known as the pepper-fog-tear-smoke generator machine, at least one of which has recently been bought by the Metropolitan Toronto police department?

**Hon. A. A. Wishart** (Minister of Justice): Mr. Speaker, I noted the comment in the press about the purchase of this odd item and I am getting some information on it to tell you exactly what it is and what it does do; what kind of chemical it produces in the way of gas. I do not know yet what my answer should be until we get a little more information about it.

**Mr. MacDonald:** Mr. Speaker, by way of a supplementary question. The regulation that has been put out by Ontario Police Commissioner R. P. Milligan, states that the use of tear gas substances commonly known as tear gas is permitted provided it is not applied intentionally in concentrated forms directly to a person. It is inconceivable that this machine could operate on that basis, indirectly to a person, in the view of those who are familiar with it.

**Hon. Mr. Wishart:** I am quite familiar with the regulations because they were prepared under, I might say, my supervision and direction along with consultation with various police personnel including the Ontario Police Commission. According to the Act, they could only be published and made effective with the approval of the Attorney General. I am not aware that this particular piece of equipment applies this gas directly to the person. I cannot draw that conclusion yet until I know a little more about it.

**Mr. MacDonald:** My second question of the Attorney General is: Has he or, again, his department, any restatement to make of an issue we have discussed before in the House as to the use of police pursuit cars? We had an example recently when a Metro police pursuit car went 105 miles an hour and eventually caught the car. In the process there was an accident in which four people, including two children, had to be taken to hospital.

**Hon. Mr. Wishart:** Mr. Speaker, this is a subject which has been, I think, a matter of consideration—a matter of concern—to many people, the public, law enforcement people, citizens in general, over a period of time. I do not think one can make a hard and fast rule that must be always followed, that the police shall not pursue a criminal or criminal persons or vehicles containing criminals; that you must never give hot pursuit, at high rates of speed.

I think it is a case where common sense must be used by the police. If it is a traffic violation, some minor thing, perhaps even a break and entry of a minor nature, it maybe does not justify the great danger which arises in a crowded area from hot pursuit; but I think a holdup, a killing or a shooting may, depending on the circumstances of the municipality or the population or the type of traffic through which that pursuit has to be carried on. The police have to then exercise discretion whether the apprehension of that criminal would justify a fast and furious pursuit.

To lay down a rule that you must never exceed a speed of 70 miles or 80 miles or 90 miles or whatever, I think, would not fit the situation. I think it is a matter that has to be left to discretion and judgement, depend-on all the circumstances that surround the situation. That is my own view. I do not think we have put out a departmental directive at all about it.

**Mr. Speaker:** The member from Windsor-Walkerville has a supplementary.

**Mr. B. Newman (Windsor-Walkerville):** Speaker, I am fairly sure that the minister is aware of the death of two teenagers who committed a fairly minor traffic violation who were pursued by the police from town of Essex. As a result, both of the teenagers lost their lives. Surely, under a condition such as this, some type of directive should come from the department that where there is minor traffic violation, there absolutely no need for the police officer to be travelling at such a speed —

**Mr. Speaker:** Is this a statement or a question?

**Mr. B. Newman:** —to apprehend individuals who have really done very little.

**Hon. Mr. Wishart:** Mr. Speaker, perhaps I might say something to this. I have just said that my own view as minister is that minor traffic offences, even an offence, as I speak of breaking and entering, would not justify in most circumstances, a pursuit in conditions which would be very dangerous. In this case it was dangerous to those being pursued. I do not know again whether a directive can be made effective or can cover the situation but I would certainly—and perhaps my words might be broadcast by the press—I do say that the minor offence, in my view, does not justify furious pursuit where the circumstances are such that it may cause serious injury or death to the pursued or the public.

**Mr. B. Newman:** A supplementary, Mr. Speaker. Would the minister not consider then, categorizing or listing some of the minor offences that seem to be fairly common that could lead to the type of accident that had in the town of Essex just recently—mean a traffic violation—not stopping or so on thing of that sort—

**Mr. Speaker:** Order! The hon. member has asked his question.

**Hon. Mr. Wishart:** Mr. Speaker, I think the hon. member will consider with me that the police cannot always know—

**Mr. B. Newman:** They did in this instance.

**Hon. Mr. Wishart:** Yes, but the member is asking me if I will make a general directive and specify certain offences. The police do not always know, when they see a person leaving the scene of what might appear to be a minor crime in a vehicle, whether a minor serious crime has been committed or whether he is a dangerous criminal ready to take a life, to destroy life or to create further seri-

crime. They cannot always know, and therefore the directive will not always cover the situation.

Again, I must say, it is a matter for police discretion, but if my views are generally known—and I think police generally agree with the views I have expressed—once in a while someone has an unfortunate situation of this kind.

**Mr. Speaker:** Has the member for York South completed his questions?

**Mr. MacDonald:** Yes, as far as the ministers now available are concerned, Mr. Speaker.

**Mr. Speaker:** The member for Essex-Kent (Mr. Ruston), did he have a question? The member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I have a question of the Attorney General. Are the contests conducted by Peter Jackson and other cigarette companies legal, in the view of the Attorney General?

**Hon. Mr. Wishart:** I have not taken this matter under consideration; at least I have not reached an opinion on it yet. I will check the matter and see if I can furnish the hon. member with an opinion. But I think surely many of these things, such as the Peter Jackson people have carried on, have been carried on for some time and they have not been, as far as I am aware, prosecuted in any jurisdiction.

My general conclusion would be, without making a specific study of some feature, that they cannot be of such a nature as to contravene the law or they would have been prosecuted long ago. But I will check it.

**Mr. Gaunt:** In respect to the contests, that is one part of it. May I have the views of the Attorney General in respect to the advertising, particularly in light of Mr. Justice Haines' comments? In the view of the Attorney General, are these cigarette companies liable civilly for the way in which they conduct their advertising?

**Hon. Mr. Wishart:** I read Mr. Justice Haines' remarks and I read about that case as far as it has been reported. It was not the advertising, I think, but the method in which they made their judgement regarding the purchaser of a cigarette package who held the certificate of prize; it was the method with which they dealt with his answer in which they disqualified him.

**Mr. Gaunt:** That was one part.

**Hon. Mr. Wishart:** That was the important part. However, I will check the advertising situation as well, and try to find an answer for the hon. member.

**Mr. Sopha:** May I ask a supplementary question? Has the Attorney General pursued any investigation into the matter which, according to one newspaper report, said that the company, in defence of the act, pleaded that the Criminal Code prevented it from making payment of the prize to the plaintiff?

**Hon. Mr. Wishart:** No, I have not, Mr. Speaker. Nor did I see that in any of the reports I read. I am trying to get and I get more than what the newspapers have reported about that case, because I am very interested in the judgement and in the comments of the judge. But I did not see that and I would doubt very much if that was pleaded. I will find out.

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

**Mr. J. Renwick (Riverdale):** Mr. Speaker, I have a question of the Minister of Finance and Commercial Affairs. As it would appear that both the public and industry are going to lose the benefit of insurance coverage liability which may be imposed upon them for pollution and that the public will lose protection of such policies, will the minister consider making mandatory by statute the provision of public liability insurance against pollution damage for industries in this province?

**Hon. A. B. R. Lawrence:** Mr. Speaker, I have just read the press reports of this announcement and I have not been able to assess the question. Certainly it does raise a matter that will have to be dealt with in policy, and to that extent I shall certainly give the problem consideration. I may say, Mr. Speaker, I am advised that their reason, peculiarly enough, is not because of monumental damage claims against them, but I am searching into the question of what are the other reasons.

**Mr. J. Renwick:** Mr. Speaker, simply as a way of a supplementary question, following on the minister's comment. Would the minister agree that if it is made mandatory by statute, the risk will be so spread that the fear of any one insurer carrying a very heavy loss would be minimized, because of the general increase in revenues which the companies would derive from a mandatory form of such insurance coverage?

Hon. A. B. R. Lawrence: As a statement of the philosophy of insurance, as such, I cannot quarrel with that, Mr. Speaker.

Mr. Speaker: The member for Essex South.

Mr. D. A. Paterson (Essex South): A question of the Minister of Agriculture and Food. Is it the minister's intent to form the Ontario marsh vegetable commission as recommended in the report, prior to the harvest season of the vegetables now going into the ground?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, the report that was prepared by Mr. Marritt on the onion industry in Ontario indicates that in his opinion, a marsh vegetable marketing commission should be established for the benefit of the growers.

But I believe—and my interpretation of the report which I have read—is that it should be the prerogative of the growers themselves to determine whether or not that would be in their best interest. I think it would be quite fair to say, Mr. Speaker, that if the growers themselves determine that, in their opinion, this is their best course of action, we will be more than pleased to support them.

Mr. Paterson: As a supplementary, Mr. Speaker. Will the minister's department take any initiative to poll the growers in these various marsh areas, or will it be left to the local people to show the initiative and come to Toronto?

Hon. Mr. Stewart: The report has been circulated rather widely, or is being circulated rather widely now. I am sure there will be some reaction from those respective areas as to their opinions on the report, and we will be guided by what they wish to do.

Mr. Speaker: The member for High Park.

Mr. M. Shulman (High Park): A question of the Attorney General. Why has The Personal Property Security Act, which was passed in the Legislature three years ago, not been put into force?

Hon. Mr. Wishart: Mr. Speaker, if the hon. member would read my comments in *Hansard*—the remarks I made on the introduction of the bill—it was clearly outlined there that it was our plan to introduce it and take a good deal of time before it came into force for two or three good and sufficient reasons.

One, we wanted to make industry and people who carry on our commercial life in the province familiar with the terms of the

bill, and its requirements, to get their comments, their criticisms and their suggestions. The other was that the bill was designed to pick up all the legislation having to do with personal property security—such as The Personal Property Security Act, The Conditional Sales Act and various other pieces of legislation—to bring them all together and create a central registry where personal property securities and mortgages of that kind could be recorded, and where a search of any part of the province could, by the use of computerization, furnish the answer, the information sought, almost instantaneously in the far corners of the province.

To do this, to bring about the computerization, the information must be given to a computer. We have to create the forms which must be required on the filing of the registration in Kenora, Sudbury, Windsor, Ottawa and to have it come into the central bank. This is a big task on which we have been working steadily. We have been working, I might say, with The Department of Highways—The Department of Transport, rather—which has a computer installation which we are trying to adapt to make sufficient for our purpose. Then there is the question of revising the various other pieces of legislation. Some of them have been in the House in this session and have just come back, I think, from committee consideration a day or so ago.

All of this is part of a very big task which will take, I may say, even longer. When I say longer, I do not mean a month; I mean perhaps a year or two, maybe three years. We will perfect the system which has not been brought into existence anywhere on this continent.

Mr. Shulman: As a supplementary, sir, the *Globe and Mail* correct in its write-up of April 8 last on the Act, that one of the major reasons the Act has not been proclaimed is that financial institutions and legal advisers have failed to evidence sufficient interest in it?

Hon. Mr. Wishart: Have not taken sufficient interest?

Mr. Shulman: Yes.

Hon. Mr. Wishart: No, I do not think it is correct. There may be some financial institutions which may not have taken interest in it, but they will, nonetheless, be subject to it. I do not suppose that one expects that every piece of legislation that is brought forth gets the attention of all to whom it will affect, at once. But once it is proclaimed, it will certainly apply to every

and if they have not taken note of it, I think it will be to their regret that they have not done so. Because, as I say, one of the purposes of the delay was to give financial institutions, commercial houses, individuals and business the opportunity to study and appreciate the effect which this legislation will have.

**Mr. Speaker:** The member has a supplementary? The member for Essex-Kent has the floor.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I have a question of the Minister of Labour. Does the Minister of Labour have anything to report on the strike of the Essex county school board?

**Hon. D. Bales (Minister of Labour):** Mr. Speaker, the matter was reviewed last week by my conciliation officers. The parties at that point seemed to be quite far apart in their respective positions. It is being reviewed again this week and I will keep in close touch with the matter.

**Mr. Speaker:** A supplementary? The member for Yorkview?

**Mr. F. Young (Yorkview):** I have a question of the hon. Minister of Energy and Resources Management, Mr. Speaker. Have the arrival and departure areas in the Malton airport been monitored for carbon monoxide? If so, when and with what results?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Mr. Speaker, I am not aware of the specific monitoring by anybody in my department of that particular area of the airport. As the hon. member knows, there has been monitoring by the private citizens, particularly on the parking ramp at Malton. Those figures have been analysed and the method has been checked with the people in the air management branch. However, there has not been any specific monitoring recently that I know of in that area.

**Mr. Young:** Mr. Speaker, a supplementary question. Did the minister not indicate at that time that his department or the federal department would follow this private monitoring with their own systems to determine whether or not the private group was accurate in its monitoring?

**Hon. Mr. Kerr:** Mr. Speaker, it is quite possible that some indication was given to the hon. member. However, there is no dispute or no question of the figures and the findings of the particular individuals who did the

monitoring. We know that there is a problem there. There is no question that when you have automobiles concentrated in an area such as the parking ramp at Malton there is a high degree of toxicity and of carbon-monoxide poisoning. We are not questioning the fact that is a problem area. The problem is how to correct it.

**Mr. Young:** A further supplementary, Mr. Speaker. Is the minister aware of any steps that the federal department is taking to alleviate the situation, now that it is established?

**Hon. Mr. Kerr:** No, Mr. Speaker, I am not.

**Mr. Speaker:** The member for Wellington South.

**Mr. H. Worton (Wellington South):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Is the minister in a position to give an opinion regard to the ultimatum that a Guelph property owner has made to the Grand River conservation commission, concerning the purchase of property in the Guelph area, and is he in a position to state whether he intends to proceed with financing the various projects in the Grand River commission area?

**Hon. Mr. Kerr:** I assume that the hon. member is referring to the numerous lake reservoir projects that have been planned by the Grand river conservation authorities. The hon. member knows, this also involves the federal government and its participation under current legislation.

At the present time, the federal government has no definite plans to carry on with its contribution under The Canada Water Assistance Act. There are a large number of Guelph property owners who have had their land frozen, I believe, as a result of plans of the authorities. However, we still have hope that most of that land will be acquired by a conservation authority, either with federal participation or with increased participation by the province.

**Mr. Worton:** Mr. Speaker, a supplementary. The minister did indicate that he was waiting on the provincial budget. One man has made an ultimatum, and I am wondering whether the minister is going to recommend action that this man's property either be purchased or that he be allowed to sell it?

**Hon. Mr. Kerr:** Well, Mr. Speaker, if the hon. member will let me know the name of the particular person to whom he is referring, I will get information to see just when the property can be acquired.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Health regarding the ingredients of detergents. Has the minister's department made any tests of laundry detergents or pre-soaks to determine whether they contain excessive quantities of arsenic, as has been found in the United States?

**Hon. T. L. Wells (Minister of Health):** I am not aware whether we have or not, Mr. Speaker. I will find out for the hon. member.

**Mr. Speaker:** The member for Ottawa Centre.

**Mr. H. MacKenzie (Ottawa Centre):** A question of the Minister of Lands and Forests. Is the minister aware that a short while ago it was reported in one of the Ottawa newspapers that one of the federal scientists had found a mercury content of one part per million in fish caught below the city of Ottawa in the Ottawa River? And does the minister plan to release the results of his findings in the river before the fishing season really gets under way this spring?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, the sampling is continuing and analyses are being made of fish taken in the Ottawa River. I would hope that by the time the fishing season opens we will certainly be in a position to come to decisions as to what should be done. But we have not sufficient information at this time to come to any conclusions.

**Mr. MacKenzie:** A supplementary, if I may, Mr. Speaker. The basic question, Mr. Speaker, was, does the minister think he will have the findings before the fishing season opens—and I refer especially to the area of the Ottawa River below the city of Ottawa.

**Hon. Mr. Brunelle:** I thought, Mr. Speaker, that I had indicated that we definitely will have that information before the fishing season opens.

**Mr. Speaker:** The member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** A question of the Minister of Health. Why has the Northeastern Psychiatric Hospital refused to give summer employment to any of the students of the social services course from the Porcupine campus of the Northern College of Applied Arts and Technology? Does the min-

ister not agree, at least, that some of the students should be employed at the hospital? What action does the minister intend to take to provide employment for some of the students at the hospital?

**Hon. Mr. Wells:** Mr. Speaker, I do not know the exact circumstances surrounding the Northeastern Psychiatric Hospital in regard to employment of summer students. We are employing many summer students in our institutions. In fact, I think it is something like 1,400, distributed all across the province. I will be happy to take a look at this specific instance that he indicated, but I do want to make it clear to the member that many summer students from both universities and technical schools are being employed in our system.

**Mr. Speaker:** A supplementary?

**Mr. S. Lewis (Scarborough West):** Does the minister not think it should be a matter of policy of his department to have graduates or students in the social service worker course of the community colleges specifically assigned to summer employment opportunities at various psychiatric hospitals?

**Hon. Mr. Wells:** Mr. Speaker, as a matter of general course, I would think that would be a good idea.

**Mr. E. W. Martel (Sudbury East):** The nothing being done.

**Hon. Mr. Wells:** Now there may be other approaches.

**Mr. Lewis:** It is being violated, sir.

**Hon. Mr. Wells:** Well, it is being violated. There may be other things that might be done against this. I do not know the exact circumstances that the member refers to, but I am sure that exactly what the member for Scarborough West has said is probably being done in places in this province.

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

**Mr. Sopha:** Mr. Speaker, might I ask the Prime Minister whether the House could take the advantage of a report concerning *tête-à-tête*—if that is not too elegant a phrase—with the Prime Minister of Canada yesterday insofar as it may have affected the province of Ontario?

**Mr. W. G. Pitman (Peterborough):** He is on a big wheel.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, as was reported in the press I

the Prime Minister of Canada last evening. We discussed a whole wide variety of matters in a purely private and confidential fashion.

I do not think that there was anything in our discussion that needs to be repeated to this House and I do not think it really would be in the interests of such meetings if it were necessary that we publicize everything we might say to one another on such occasions. I enjoy meeting with the Prime Minister of Canada and I simply say it was a very pleasant meeting from my point of view.

**Mr. Sopha:** Without seeking to be impertinent, I ask in a supplementary way whether the meeting was prompted by the desire of the two heads of government to discuss some specific aspect of affairs as related to Ontario and the federal government?

**Mr. J. E. Stokes (Thunder Bay):** Like unemployment.

**Hon. Mr. Robarts:** No, Mr. Speaker. It has been my practice in the years I have had the honour of heading this government to meet at various times and in various places with a wide variety of people and the heads of other governments. These meetings are not necessarily publicized. There is no reason why the public should not know that they take place. On the other hand, I do not think there is any real reason why the public should be informed of all the matters that we might discuss. Now we have—

**Mr. Martel:** Tell us a few.

**Hon. Mr. Robarts:**—all kinds of meetings that are formal, that take place in public—these are arranged to be publicized. That type of meeting takes place, but it is necessary occasionally to sit and talk about things generally. We did not meet with any one specific topic in mind. We were not dealing with any one specific situation. It was an overview of what is going on in our country, covering a wide variety of subjects.

**Mr. Speaker:** Unfortunately the question period has now expired.

**Mr. Shulman:** Point of order!

**Mr. Speaker:** Point of order?

**Mr. Shulman:** Sir, last week you will recall I rose at this time on a point of order to complain that the Attorney General had seriously misled the House with a statement which he issued about the Duke case.

Since then certain further evidence has become available which I wish to draw to

your attention in relation to another aspect, another comment which he made during the statement, sir. I quote from page 4 of the statement again:

As a result of the family dispute, which had generated Duke's conduct and as a result of Mrs. Citron's concern for her own reputation and for her own family relationship, all of which is evidenced both the transcript of the evidence at the hearing, Mrs. Citron's statement and Mrs. Citron's subsequent correspondence with me, it does seem clear that in laying the particular charge, and in having the matter heard in family court, both the Crown attorney and the judge were attempting to meet the wishes of the complainant and at the same time prevent the publicity which might prejudice the possible resolution of any matrimonial dispute that had generated the conduct complained of by Mrs. Citron.

End of quotation, sir.

At that time, unfortunately, no information was available as to what had actually occurred in the case because the press had been barred. However, I ordered a copy of the transcript, which I just received this morning, sir.

It is a very brief transcript, sir. There are only four and one half pages. There is only one word in here, sir, to back up the remarks made by the Attorney General.

**Hon. Mr. Wishart:** Mr. Speaker, I was about to rise on a question of privilege arising from the remarks of the hon. member for High Park which he made, apparently on April 10. At least his report is in the *Globe and Mail* of that date, under the heading, "Shulman Charges Wishart Misled Legislature."

**Hon. A. Grossman (Minister of Correctional Services):** That is unusual.

**Hon. Mr. Wishart:** Yes, it is unusual.

**Mr. MacDonald:** Not laughable.

**Hon. Mr. Grossman:** That should not even make news anymore.

**Hon. Mr. Wishart:** The article, Mr. Speaker, as far as I can judge is based on the hon. member's feelings that I misstated the law, that the court—the proceedings in the family division—was open to the public.

In my statement, and I read from *Hansard* of April 7 when I made the statement on page 1201, my remarks about the court being

open to the public are as follows, and I read:

The proceedings in the family division of the provincial court are open to the public, although publishing the proceedings may be prohibited by the judge. There was no attempt to have the matter—

That is the Duke matter—

—heard in secret as has been alleged by various people, nor was there any private hearing.

Now, Mr. Speaker, I cannot change the law of this province. The law is set forth, first of all in the Criminal Code relating to court proceedings. The section which I read is as follows and is found at page 384 of my edition of "Martin's Criminal Code of 1969", section 428 of the code. This is the way it reads:

The trial of an accused that is a corporation or who is or appears to be 16 years of age or more shall be held in open court, but where the court, judge, justice or magistrate, as the case may be, is of opinion that it is in the interest of public morals, the maintenance of order or the proper administration of justice to exclude all or any members of the public from the court room, he may so order.

That is the section. That is all of it. It provides, therefore, as I stated, that all trials are generally open to the public, but that the judge has a discretion to prevent persons, any members of the public, from coming in if he so orders. There was no such order in this case. There was no prohibition—

Mr. Shulman: That is not true. That is just not true.

Hon. Mr. Kerr: Who is to prevent anyone from going into the court?

Hon. Mr. Wishart: There was no prohibition of anyone to enter. The other section which might be thought to relate to this matter, although it was not a juvenile case, but since we speak of our court as a juvenile and family court, the only other section that would relate to it, Mr. Speaker, is also contained in a federal statute, The Juvenile Delinquents Act, which is chapter 160 of the Statutes of Canada, and I am reading from the 1952 volume of the Statutes of Canada, section 12 of The Juvenile Delinquents Act. This is what it says, and I read:

The trials of children shall take place without publicity and separately and apart from the trials of other accused persons and at suitable times to be designated and appointed for that purpose.

The section goes on to say that:

Such trials may be held in the private office of a judge, or a private room of

the courthouse and no report of a delinquency committed or said to have been committed by a child or other disposition of a charge against the child or a charge against an adult brought into the juvenile court under section 33, as relating to a case shall be published.

And then the final subsection of section 12

Subsection 3 applies to all newspapers and other publications published anywhere in Canada.

First of all, all I say that section does is prevent publicity. It provides for separate trials of juveniles and prevents publication. This was not a juvenile trial—juveniles were not involved.

The general rule applies—section 428 of the Criminal Code—that the trial is open to the public. But, in every case, in every case under that section the judge has a discretion. If he thinks it for the better administration of justice or public morals and so on, as section says, to declare the trial such that the public, or some part of the public, may be excluded.

That was all I said in my statement and if the hon. member was misled, I hope he would not think that the rest of the House was misled.

In the point he has raised today, Mr. Speaker—and I was following it—he was relying from my statement, which also appears in the *Hansard* of April 7. What I said was that:

As a result of the family dispute, which generated Duke's conduct and as a result of Mrs. Citron's concern for her own reputation, and for her own family relationship, all of which is evidenced by both the transcript of the evidence at the hearing, Mrs. Citron's statement, Mrs. Citron's subsequent correspondence with me, it does seem clear that in laying this particular charge and in having the matter heard in family court, both the crown attorney and the judge were attempting to meet the wishes of the complainant and at the same time prevent publicity which might prejudice the possible resolution of any matrimonial dispute that has generated the conduct complained of by Mrs. Citron.

The hon. member gets up and says he can find nothing in the transcript. But I refer to the transcript, the statement given by Mrs. Citron to the police, the letter she wrote to me and further material which came from the crown attorney who handled the case. That I was not relying on the transcript alone to say—

Mr. Shulman: You mentioned the transcript and—



**Hon. Mr. Wishart:** The hon. member had only one piece of one of the four items of evidence, I said.

**Mr. Shulman:** I have three or four.

**Hon. Mr. Wishart:** So, Mr. Speaker, the hon. member seems to me to have a penchant for taking part of the story, either deliberately or mistakenly, and basing his conclusions on part of the facts. He never seems to get them all.

**Mr. Shulman:** We state the facts again and again.

**Mr. J. Jessiman (Fort William):** Half-truth Shulman!

Interjections by hon. members.

**Mr. Speaker:** Order! This might perhaps be a most appropriate time to draw to the attention of the members of the House something which I mentioned on two or three occasions on another day. That has to do with these matters which apparently are considered as matters of order, points of order. I have had the matter checked into carefully and I have some guidance which I would like to give to the members of the House for future reference. I shall follow the procedure set out if I may.

Some members of the House seem to be under the impression that it is permissible to raise a point of order for the purpose of correcting a misstatement of another member, even though it is not suggested that that mistake or misstatement has been made for the purpose of deliberately misleading the House. This is, of course, not so. Before there can be a point of order, there must be a breach of order; something must have been done which is contrary to the standing orders of the House or recognized by such standing orders so that precedence of the House has been out of order.

A private member who wishes to correct what he considers to be an incorrect statement must do so when he has the floor under one of the recognized procedures of the House. For example, he could use the throne or budget debate or, more easily, the estimates of the department concerned. Or he could even present his version of the facts in the matter in the form of a question to the minister in the oral question period.

The minister of the Crown, of course, has a vehicle for correction over the private members in the procedure statements by the minister. It is very important that a minister

should have this special method as he is charged with the responsibility of administration and it is not only his right, but his duty to his department and to the citizens of Ontario, to see that errors relating to his department are corrected at the earliest possible moment.

To sum up, therefore, just as there can be a matter of privilege from the point of view of privilege unless one of the privileges of the House or the members thereof, recognized by statute or precedent, has been offended, there cannot be a point of order unless there has been a breach of order. That is a precedent and ruling based on the precedents of the House, which I am supposed to follow in the future. Such exchanges as we have had to date will take place in the proper place rather than at any time during the—

**Mr. Sopha:** Mr. Speaker, may I rise at this point of order?

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

**Mr. Sopha:** May I ask you, sir, in the future, before making rulings of this nature reaching importance, that you listen to a statement addressed to you in respect of a point of order matter? I will also say to you, sir, most respectfully, that the rights of a member to rise at his place as quickly as possible when he has been misquoted, or something has been said to mislead the House, has been recognized for many many decades in parliamentary history. It is interesting to note that it is also recognized in the courts of law that a person against whom an assault has been made from the witness box is allowed to go in the witness box as soon as convenient thereafter to deny what has been said. I say, with the greatest respect to the authority of that ruling, that in substance and in fact he is wrong.

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

**Mr. Shulman:** I would like to join with the member for Sudbury in his sentiments, Mr. Speaker. Surely, misinformation to the House, whether deliberately or by accident, is a breach of order. In relation to this particular point, my point of order in this case was that the minister had deliberately misled the House.

**Mr. Speaker:** I would point out that in the normal course in all these events, what happens is that the members of the House are given the opportunity, when either a ruling has been made against their asking a question or not getting the Speaker's eye on

points of order, to thereafter explain. That opportunity has been given to the members. I am glad to hear from them and I will be glad to take the matter under further advisement, but until I find other precedents or other reasons, I think that should be the course of action. But the matter will remain with me for the time being.

**Hon. Mr. Wishart:** Mr. Speaker, I listened very carefully to the ruling which you read and toward the end I thought I heard you say something amounting to a statement, that a minister or a member had misled the House was not necessarily a matter of privilege.

**Mr. Speaker:** No, it was not a matter of order.

**Hon. Mr. Wishart:** I wanted to be clear on that, Mr. Speaker, because I would certainly think that a charge that a minister or a member has misled the House by a statement to the House would clearly be a matter of privilege.

**Mr. Speaker:** I was not talking of privilege at all, except to point out that when there is a point of privilege, there must be a breach of privilege. I was talking about points of order. Most of these matters have been raised in the past by way of points of order, not privilege, and I have made no rulings so far as privilege is concerned, the matter the Attorney General has raised.

**Mr. MacDonald:** Mr. Speaker, before we leave the clarification which you have just indicated to the House, could you recite for us the authority for that particular clarification?

**Mr. Speaker:** I will be glad to advise the House as to that in due course.

Petitions.

Presenting reports.

**Hon. R. Welch (Provincial Secretary):** Mr. Speaker, I beg leave to present to the House the following reports:

1. The annual report for 1968/69 of the Ryerson Polytechnical Institute.
2. The annual report of The Department of Lands and Forests for the fiscal year ending March 31, 1969.
3. The annual report of the Ontario Highway Transport Board for the year ending December 31, 1969.
4. The annual report of The Department of Tourism and Information and The Department

of Public Records and Archives for 1969.

5. The annual report for 1969 of the Lawrence Parks Commission.

6. The annual report of the inspector legal offices for the year ending December 31, 1969.

**Mr. Speaker:** Motions.

Introduction of bills.

## PROTECTION OF PERSONAL PRIVACY

Mr. Kennedy moves first reading of Bill intituled, An Act to provide for the protection of personal privacy.

Motion agreed to; first reading of the bill.

**Mr. R. D. Kennedy (Peel South):** Mr. Speaker, this bill, with some significant changes, is similar to one introduced in October. It prohibits the violation of privacy including electronic eavesdropping and the collection and use of economic, commercial or social data and provides the machinery of supervision and control.

**Mr. Speaker:** Before the orders of the day I would like to report to the House that there was a meeting of Mr. Speaker's House committee at noon today and very many interesting matters were discussed. There was one about which I think the members of the House committee and Mr. Speaker would like to have the views of individual members of the House; this has to do with the so-called "instant" *Hansard*. It is being produced at the moment at very considerable expense. Many members have indicated to Mr. Speaker that they find it not useful at all, and Mr. Speaker's committee has suggested that enough copies were made available for one in each party caucus office, one or two perhaps for each lobby of the House and, there is a standing committee, a couple of the chairmen of the standing committees—estimates, that is, that should be sufficient and look after the needs of the members.

I would be glad not to take up the time of the House, because I do not think it is necessary. But I would be glad if the members would let me have their views and, if there are any of them who feel they should have a copy of "instant" *Hansard*, I would be glad to see what we can do. However, if I can cut down from 117 plus the necessary numbers for the press, who have always received one copy of "instant" *Hansard*, it would

save a great deal of money, it will cut down a bit on the staff we have to hire and it will save the members having a large pile of probably unused paper in their offices. So, I wonder if the members would think about it and either let their caucus member of the House committee or Mr. Speaker know their views.

Orders of the day.

**Clerk of the House:** The sixth order, House in committee of supply; Mr. R. D. Rowe in the chair.

## ESTIMATES, DEPARTMENT OF TRANSPORT

(continued)

On vote 2302:

**Mr. Chairman:** Vote 2302. Registration of vehicles and vehicle safety. The member for Windsor-Walkerville.

**Mr. F. Young (Yorkview):** There was a matter we were discussing just as the estimates ended the other evening—

**Mr. B. Newman (Windsor-Walkerville):** I made mention to the Chairman that I wanted to get up immediately. Thank you.

The other day, in the discussion of the estimates, I brought up the problem of junk vehicles, and the minister asked me to delay the asking of the question until this time during the vote. I would like at this time, then, to ask the minister what research has gone into the problem and what type of plans the department has for alleviating the problem of the vehicle that has already passed the point of no return.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, the government has recognized the problem of the abandoned motor vehicle, and our department undertook to make a pretty careful study of the problems that were involved and to ascertain what means were available to us to alleviate the problem. It has been asserted by some that this situation has been aggravated by our mechanical fitness certificate requirement in the case of used vehicle transfers. This has been sufficiently stiff that there seems no question that cars have been junked that have reached the point of no return, that could not be brought up to an acceptable standard at a cost considerably less than the car, even improved, could hope to gain on the used car market. So, in the course of our studies, we involved

representatives from The Departments Mines and Municipal Affairs, Trade and Development, Energy and Resources Management, Highways and Justice, as well as Transport. We tried to identify the various problems that were involved, and I might give you an indication of what we found.

We found, for example, that the existing laws and regulations may not recognize adequately that certain motor vehicles should be treated as trash rather than as chattel of value. There were difficulties in imposing penalties on owners who abandon or neglect the disposal of the junk vehicles; difficulties for public officials who seek to remove them from private property; the cost of disposing of abandoned vehicles under existing legislation; the cost of disposing of abandoned vehicles and the widespread dispersion of the junk cars in all parts of the province; and the cost of transporting these junk cars and the scrap hulks to processors—not a great difficulty in the populous areas, but quite a problem in the more remote areas where the transportation cost would far exceed the value of the junk when it reached the yard of a processor. There were the changes in the scrap-making process, the instability of scrap prices, the prohibitions against burying junk vehicles, and the high cost of dismantling and processing.

As we got into these various things, we found the areas where action should be taken. We feel that authority should be provided to permit authorities to take possession of abandoned vehicles from public or private property; to enable police officials or municipal authorities to appraise the value of an abandoned vehicle, so that if it is of little or no value, it could be disposed of as waste and thus eliminate altogether the impoundment period as well as the costs involved: to enable garage or pound keepers to dispose of abandoned motor vehicles in their care without incurring irrecoverable storage costs. The enabling legislation is being considered and regard to notification to registered owners, auction procedures that will permit authorities to dispose of abandoned vehicles and to protect the interests of owners or lien holders if the vehicles have any residual value, and a means of redress for owners or lien holders in the event of a wrongful act by another in the process or the disposal.

That gives you a bird's-eye view of what we have been trying to do to identify the problem and to find ways of alleviating it. The situation, I might point out to hon. members, has changed dramatically in the last three months.

or so. As I read some of the problems, I identified one as the instability of scrap prices. Well, scrap was a drug on the market three months ago. Scrap has risen fantastically, and today we find there are scrap collectors who are not only willing to haul in scrap but who are willing to pay for it. I think we are seeing a very rapid change in what was such an acute situation. But the basic things I have pointed out with regard to the problems and the ways of meeting them, I think, are still basic and fundamental and these are what we are pursuing.

**Mr. B. Newman:** May I ask the minister if he has considered some sort of a tax structure where the individual may be required to pay \$1 or \$2 a year to a fund so that this fund could take care of the vehicle when it reaches the junk stage?

**Hon. Mr. Haskett:** Mr. Chairman, this suggestion has been made, but we might put a disposal tax on a vehicle when it is first licensed. Just as you might have, in a municipality, a sewage cost related to the water service cost because sewage and water are perhaps in a state of balance. If we ran into a case where the cost of removal or handling of the junk was inordinate, the suggestion that we put a disposal tax on a vehicle at the beginning or some place in its life is a matter we are looking at.

**Mr. B. Newman:** Someone else may be on the same topic, but I would like to ask the minister if consideration is being given at this time to the various new types of vehicles. We did not act quickly enough when it came to the snowmobile and, as a result, we ran into all types of problems and all types of unfavourable criticism.

We are going into an age where we are going to have all types of new vehicles; for example, the individual or two-passenger hovercraft, the air-cushion vehicle, is going to be extremely popular. It may take the place of the snowmobile for both winter and summer use. We also have dune buggies—all of these various types of exotic vehicles now—and I think now is the time, Mr. Minister, to come down with some type of legislation so that we would not be confronted with the type of criticism that was levied at your department for the slowness with which it reacted toward the snowmobile.

We never know when a new type of vehicle is going to explode into the market and have most unusual effects. May I ask the minister what the policy of the department is going to be, or is now, or what he plans on doing,

concerning the new types of vehicles that will be on the market—and some actually on the market today?

**Hon. Mr. Haskett:** Mr. Chairman, might I inquire if the member for Dovercourt wants to follow up the other matter before we get into—

**Mr. D. M. De Monte (Dovercourt):** Yes, he did. Is the hon. minister perhaps contemplating penalizing the last registered owner of a motor vehicle that has been abandoned, or is that law today? I do not think it is, is it?

**Hon. Mr. Haskett:** This is part of the matter I mentioned was under consideration—when we would want to be sure, in carting away an abandoned vehicle that was adjudged to be junk, that we would still make provision for redress by the owner or lien holder of the vehicle so handled if there was a residual value in it. I think that would be a logical approach to it.

**Mr. De Monte:** I wonder, for instance, if the owner takes a motor vehicle and parks it in the street one day and then walks away from it—that is the concept I am trying to create. Why is that man not penalized for abandoning a piece of junk in the street? Should the last registered owner be the man who is penalized? It is a form of pollution, Mr. Chairman.

**Hon. Mr. Haskett:** This is quite so, and this is part of the problem you are outlining. The member is quite right in that the owner is responsible for disposal and should be subject to charges if it involves cost.

**Mr. Chairman:** Is there anyone else who wishes to speak—

**Mr. M. Gaunt (Huron-Bruce):** I wanted to make a few comments.

**Mr. Chairman:**—on special vehicles, subject which has been introduced?

**Hon. Mr. Haskett:** Was there anything further on the abandoned vehicles? That is all that I was wanting to dispose of, sir.

**Mr. Chairman:** On the abandoned vehicles? Apparently not. How about the special vehicles?

**Hon. Mr. Haskett:** That is the matter that has been raised now by the member for Windsor-Walkerville. We call those all-terrain vehicles, or go-anywhere vehicles. There is a whole host of things proliferating and what do you do with them? They come out and they are with us before we know it. T

hovercraft is the next one that is appearing on the horizon.

You can enumerate them; there is a whole list of them. They are going to create a great problem for administration and for enforcement and for trespass, and many of the problems that have arisen as a result of the ability of snowmobiles to travel on unprepared terrain. We took the snowmobile out of The Highway Traffic Act and it had merit in being removed from The Highway Traffic Act. It was a decision we made; it has its pros and cons.

Will we examine all these new vehicles and make some catch-basket for them in The Highway Traffic Act and try to deal with them there, because highway traffic was basically our responsibility? Or will we set them aside and deal with them in a group of all-terrain, go-anywhere vehicles separately? This matter is under intensive study as we try to assess the present vehicles and visualize where they may take us tomorrow in new developments. The problems are manifold.

As far as regulating traffic on the highway and enforcing traffic on the highway is concerned, it is a simple matter. Once you get vehicles that can go anywhere, then the enforcement problem becomes very difficult. They are beyond the reach of enforcement agencies, unless the enforcement agencies gear up and provide themselves with a whole fleet of policemen, similarly equipped. These can range not only on the recognized highways, but they can just scatter anywhere over the whole area of this province.

Now, these are things we are studying. I am not able to give much in the way of answers at the moment, but in view of the development of the snowmobile and the resulting problems, we are looking at it very carefully.

We are making a study as to the desirability of dealing with them under The Highway Traffic Act, for that is really our first responsibility, or under an all-terrain or go-anywhere vehicle Act, and try to deal with them in a way that will prevent some of the problems developing that came on so quickly with the snowmobile.

**Mr. B. Newman:** May I ask the minister if he is not considering the introduction of some type of go-anywhere vehicle legislation now to prevent the pollution of our countryside with these various types of exotic vehicles?

**Hon. Mr. Haskett:** Yes, Mr. Chairman, I say we are looking at it very carefully right

now as to whether we should make amendments to the traffic Act, or have another Act dealing with these separately, because do not want them to get out of hand the way the snowmobile did.

Take the hovercraft as the first example. The hon. members will recognize you could go anywhere with a hovercraft. Would you want them running over your head on highways or along the side of the travel portion of the highway or along the center using the solid base of it? It would be motoring dangerous, if not impossible.

**Mr. B. Newman:** May we expect legislation from the minister in regard to this type of vehicle during this session of the Legislature?

**Hon. Mr. Haskett:** Mr. Chairman, I do not be tied down to that. I want to get it as soon as we can, because I recognize that the problem is going to develop very quickly.

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

**Mr. Chairman:** On the same subject, member for Yorkview.

**Mr. Young:** One of the great problems with these all-terrain vehicles is the noise factor. I am wondering whether the minister is doing some work in that field, because the noise is becoming unbearable with these all-terrain vehicles. The engines are not geared to silence, not yet, and my guess is they are not going to be until the minister, or the federal department, or both take action.

**Hon. Mr. Haskett:** Mr. Chairman, the matter of noise is more than a nuisance, it is a health danger today and recognized as such. The snowmobile emission, when it is accelerating or under full drive, exceeds the noise level of the DC-8 or a 707 and health people tell us that it is an acute health hazard to the operators.

Bill C-137 before the Commons at this time is dealing with this matter—giving the minister the power to deal with this matter in the federal law.

There have already been discussions between our people and snowmobile manufacturers and between the federal people and the snowmobile manufacturers with regard to muffling or sound-damping that will be done on the machines that will be available this year. What they will do with regard to required mufflers on existing machines, I am not prepared to say at this time.

But we recognize the very serious health problem, as well as the nuisance value, of those noise machines.

**Mr. Chairman:** The member for Huron-Bruce was to speak on this topic?

**Mr. Gaunt:** No, I was not going on this topic.

**Mr. Chairman:** Is there anything else on this particular topic then?

The member for Timiskaming.

**Mr. D. Jackson (Timiskaming):** Mr. Chairman, the department requires that snow machines have to be registered before they can be used; a licence plate has to be displayed on the front of the machine. However, they tell us we do not have to have insurance on these machines unless they are driven on the highways.

Surely the machine is just as dangerous whether it is on the highway or not, and the basic thought behind insurance is to protect the general public, not the operator. I can see no reason that the insurance regulations should not apply to a machine, no matter where it is operated.

I saw an accident happen just recently when a young fellow fell off a machine and hit his head. Surely the insurance that applies on the roads should have been in effect in this situation; and it was not. I would think the minister should take into very serious consideration making insurance mandatory.

If a machine is going to be operated, make sure it is insured, not to protect the operator of the machine because the insurance is not meant for that; it is to protect the public. I think something should be done along that line.

We have also taken the position in Ontario that a motorcycle, because of danger to the operator, creates a situation in which the operator should wear a helmet. Yet take a snow machine, which is just as dangerous—and I think if we look at the records, we will find that almost all of the serious injuries on snow machines to snow machine operators have been head injuries—surely we should extend the mandatory helmet regulations to cover the operators and the riders on snow machines.

I would not consider seat belts because it is impossible to operate a machine if you are tied down. As I have already mentioned, Mr. Chairman, to the minister, I think we should have much stricter enforcement of the

rules and regulations that apply to snow machines.

Surely, before we even allow anyone to operate that machine, whether it is on the road or whether it is off the road, some course of instruction be given on the safe operation of it. Even if it is at the dealer level, before the machine is turned over to the operator or to the new owner, some system of instruction should be set out so that the operator will at least know the fundamental principles of the safe operation of the machine.

There are many other things wrong with these machines. One of the major items is the fact that lighting on the machines is inadequate for them to be operated on the road. If you meet one of them, you have one side light or headlight. And the machines, because of their versatility and their ability to go over rough terrain, are not always on the right side of the road. In fact, it is not uncommon to see them coming down the wrong side of the road, on the shoulder.

The driver of a car, or another motor vehicle, approaching these vehicles does not know where to go. He does not know whether that machine is in the middle of the road, on the side of the road or coming right at him. I would suggest that we go to a system of recognition lights as we have on trucks. Instead of putting dual headlights on the machine, which does not really increase the visibility because of the small size of the machine, put on a set of recognition lights, so we would know what type of machine is approaching us. Along with that, I insist that when they travel on the highway they travel in the same direction as the traffic on the highway. In other words, if they are travelling south, they stay to the right hand side of the road, heading south, rather than travelling toward the traffic in the other direction.

I agree with my colleague that we must definitely do something about muffling systems on these machines. My own experience is that I receive two or three letters each week during the winter concerning noise. In a lot of them, the people complaining about these machines run around their houses. If we take away the noise problem, we can eliminate most of the complaints.

I also agree with the minister that making the operator wear a helmet is the biggest point is the danger to the operator himself, in lost hearing after operating one of these machines for a long period of time. Although I believe this may be up to the federal government to pass legislation

control the muffling systems, I think that Ontario can take a large part in this, in insisting that any machine operated in Ontario has to come up to certain standards before it is operated.

Basically, Mr. Chairman, I believe that the minister must take a long, serious look at what is happening with these machines. We have brought something on the market that has taken hold in a very short time. It is a very versatile machine; it can be operated by a three-year-old—I have seen three-year-olds operating them. Surely the minister must take a hard look as to whether we should allow three-year-olds to run them; or whether we should allow children under 10 to operate some of these machines. And take a long, hard look at some system of training, so that we know when a person gets onto one of these machines, it is being operated in a reasonably safe manner. And couple this with insurance to protect the general public from the damage that is being done and can be done by these machines.

**Mr. Chairman:** Any further comments on this? The member for Peterborough, do you have comments on this?

**Mr. W. G. Pitman (Peterborough):** Specialized vehicles, yes. I want to just make a general comment here, Mr. Chairman. It seems to me that we are moving into an area of technology in the whole problem of going-anywhere vehicles. It is becoming acute. We must really have, I think, a very special kind of response. I say this because I feel that the dune machine, as well as the snowmobile, will make it possible for people to forsake what could be called the public highway, the public thoroughfare, and will virtually make any part of the countryside a thoroughfare. This demands a very different kind of response, I think, than one which relates itself beyond what is going on the paved highways and roads of the province.

The first thing we have to take a look at are certain general principles with regard to any vehicle and its use. Surely—and I think I am referring to what the member for Windsor-Walkerville pointed out a few moments ago—we have to respond to a technology that can create a machine in a few years and which will completely revolutionize our travel habits and our life style. We have to demand that any vehicle must have certain basic attributes, and that we need a special section of The Department of Transport to take an immediate look at any kind of vehicle that is going to be placed on the

market; it would have to come before a section of the minister's department to receive an inspection and an approval.

It seems to me there are certain things that a vehicle must be able to do: Can it stop quickly and safely? Can it be seen? What kind of headlights or effective material will make it a safe vehicle? And, of course, there is the whole problem of the noise level, and I am pleased to hear the minister regard this seriously as being a health hazard. There is a whole list of factors the minister should be able to run through before any vehicle is placed upon the market.

The second area I would like to suggest to the minister is that I am concerned about the degree of accessibility which places these vehicles in the entire countryside of Ontario. I think, naturalists, to say nothing of hunters, are very concerned about the fact that wildlife is being destroyed. The wildlife habits, particularly of animals, are being disrupted; in many cases, plants are being ruined because these vehicles can move in any direction they wish. And I was wondering if the minister—

**Mr. Gaunt:** Would the member permit me to ask a question? Is the disruption of wildlife really a problem? I ask that as a southerner.

**Mr. E. W. Martel (Sudbury East):** Yes, that is what I am going to speak on.

**Mr. Pitman:** Yes, indeed it is. I can assure you that it is a very real problem. Why, in fact, the minister might ask his colleague, the Minister of Lands and Forests (Mr. Brunell), I think about half of his department's problems this last winter, certainly in southern and eastern Ontario, concerned wildlife; not just the obvious chasing of animals, but the way they had disrupted the life of the small animals that are indigenous to particular areas. Their whole lives are destroyed by municipal noise pollution and so forth.

**Mr. D. A. Paterson (Essex South):** No noise pollution?

**Mr. Pitman:** Noise pollution and so forth. Well, the point I am trying to get at is this.

**Mr. E. W. Sopha (Sudbury):** The whole ecology.

**Mr. Pitman:** It seems to me—yes, it is a problem of our environment. Mr. Chairman, you see that a great many people want to take part in this debate.

I wonder if I could suggest to the minister that in a way he has the responsibility

for determining where cars shall go in the province of Ontario; their natural habitat is the highway. Is it not time we began restricting where these go-anywhere machines can go?

I totally reject the concept that people have the right to go anywhere with any vehicle. I could see a situation where people will no longer be able to go out and be near nature at all. If there is not some control, a snowmobile or some other equally disruptive machine will be driving around one as one seeks to go out and commune with nature; and heaven only knows we need to do that today in the kind of society in which we live.

I just suggest to the minister that I was a little worried, in fact what threw me into this aspect today was when he said a go-anywhere machine.

I do not want go-anywhere machines in the province of Ontario! It is about time we decide where those machines are going to go and where they should be restricted in use. I would suggest to the minister that he and his colleague from The Department of Lands and Forests and his colleague from The Department of Highways (Mr. Gomme) had better sit down very soon and decide where these go-anywhere machines are going to be able to go.

It is not just a matter, I think, of setting restrictions on these machines before they go into general use, but as well making a decision on the basis of what is best for the public of Ontario as to just exactly where these machines should be allowed to be.

Mr. Chairman: Does the member for Huron-Bruce want to speak on this topic? He has been up several times.

Mr. Gaunt: No, Mr. Chairman, I was going to deal with the vehicle inspection which is undertaken by the department, I am not talking about operating the vehicles.

Mr. Chairman: The member for Dovercourt.

Mr. De Monte: I think I heard correctly, I think the minister did say that the snowmobiles have been removed from the authority of The Highway Traffic Act. Does that mean, Mr. Chairman, that they do not have to follow the rules of the road if they are on a highway?

May I ask the minister why this situation has been allowed to develop? I understand that the death rate on snowmobiles is much in excess of the death rate with ordinary motor vehicles.

Mr. Chairman: The member for Sudbury.

Mr. De Monte: Well, is the minister going to answer?

Mr. Chairman: I think the minister will be replying *en masse* in a few moments. The member for Sudbury East.

Mr. Martel: Mr. Chairman, on the snowmobiles, I would like to delve for a few moments on three problems slightly touched by my colleague from Peterborough, one being the use of these machines in order to harm wildlife.

It is a well known secret that deer are being pursued until they fall. I believe the member for Sudbury raised some time ago a case of these gallant men killing a wolf on the highway by running it down with a snow machine. It drew attention some time ago to individuals who are chasing horses while young people are riding the horses in winter; they are using snowmobiles to frighten these animals. Not only this not only jeopardizes the animal, it jeopardizes the young people riding these horses. It seems to me that we are going to have to get involved in bringing some order out of the chaos which centres around the use of snowmobiles. I for one do not want to see that many regulations which would spoil the sport for so many people, a sport that has made winter a lot more pleasant over the last number of years. But nonetheless it is time that some of the childishness that surrounds this sport was brought under control.

My colleague also mentioned the overall problem of the ecology. I think we should not allow these machines to run anywhere they want. We have cases, and I have brought cases brought to my attention, where people are using these machines across private property. They are breaking valuable shrubs, they are breaking fences; a lot of damage is being caused because people think they are at liberty to go wherever they want with these machines. I think that some indication as to where they can be utilized and utilized properly has to come out of this chaos which exists at the present time.

Another point I would like to just bring to the minister's attention: I think the big problem of the motors, if I can use that terminology, is something that has to be looked at. There is not that much protection for the individual utilizing these machines, and yet each year we see the motors getting bigger. The obvious necessity for a real big motor is if you are going to race. Now if you are going to go through the woods in winter you cannot use the high powered machines, and possi-



some consideration should be given to the size of the type of motor that would be put on the average machine, except those that are going to be used for racing. Because if we look at the statistics of the deaths and the injuries, and then look at the make of these machines, some of them will go 70 miles an hour and there is nothing there to protect anyone. I think we have got to protect the public against themselves.

**Mr. B. Newman:** And they build them for 135 miles an hour!

**Mr. Martel:** Well it is just foolish, just foolish! I think this is another area for attention when the minister considers his legislation; we should take a look at a sensible-sized motor, either that or improve the bodies on these to give some protection to the people in them.

One final point, and it covers not only these machines but I think motorcycles as well, is that I think that annually they should have to get a safety sticker from a licensed mechanic. What is happening with these and with motorcycles and so on is that amateur repairmen are making repairs and they are not adequate.

I know of instances where people are using nails instead of cotter pins for vital parts of the machine. Ultimately this is going to lead to another rash of injuries for the very obvious reason that they are not sound mechanically. Possibly the minister might give some consideration to having these vehicles inspected as he would a car after a certain length of time.

**Mr. Chairman:** The member for Sudbury, were you on this matter?

**Mr. Sopha:** Mr. Chairman, I had a case where the individual stood charged before one of the Queen's justices for operating a motor vehicle while his licence was under suspension and at the particular time he was in charge of a motorized snow vehicle. As the circumstances developed it was shown that he crossed one of the King's highways from one farmer's field to another and it was during that altogether brief interval of time that he infringed The Criminal Code of Canada. It became apparent that under The Highway Traffic Act a motorized snow vehicle is not defined, is not included, as a motor vehicle, but it is under the Criminal Code.

Now the rub of the case was, mark you, that though the Minister of Transport of Ontario excluded the motorized snow vehicle from the operation of The Highway Traffic

Act—and if that statute alone had been the purview of the court the individual we not have been guilty—but the paradox of thing was that the Minister of Transport, was saying that so far as he was concerned the man was not operating a motor vehicle the same Minister of Transport, under another provision of The Highway Traffic Act, taking away the individual's licence for an extended period.

Now you note the paradox there. In view of the conviction under the Criminal Code this Minister of Transport out of one of his mouth said, "You have not committed an offence," yet he enforces another section from the same Act for which he is responsible and takes away the man's licence, even though, in his view, he had not committed an offence.

Now is that the way we enforce criminal law in this country? To what extent did the advisers of the Minister of Transport consider the creation of that inconsistency? What was the reason?

One must presume they are mindful of the Criminal Code, of the definition in the Criminal Code, which defines a motor vehicle and I paraphrase accurately though not exact words, as any vehicle driven by other than muscular power. They must have been aware of that provision and must have deliberately excluded a motorized snow vehicle in the light of that provision from The Highway Traffic Act.

Well it boggles the mind; it boggles the mind to ascertain what they are doing in the Macdonald Block there that they do not consider such obvious implications of what they are doing.

Well that is one thing. The poor individual lost his licence. There is no recourse. He went to appeal and he had the advantage of a judge writing a six-page judgement; and an expression of his sympathy for him, drawing attention to the inconsistencies of the statute. That is small comfort when he is really concerned about the economic implications for himself and his family resulting from losing the licence.

Well all right; there are, I am told by officials of the Minister of Lands and Forests, 8,000 motorized snow vehicles in the district of Sudbury alone. We have had a great deal of mayhem resulting from their use, aside the trivial invasions of the right to privacy, such as them propelling themselves down city streets at 2 o'clock in the morning.

**Mr. B. Newman:** Wide open!

Mr. Sopha: —keeping the neighbourhood awake. Put that aside as just a minor infringement in a society that likes noise. The other implications of the operation of the 8,000 of them are profound.

The officials of The Department of Lands and Forests will tell you that observation from the air reveals that there is no outback left; there is no frontier. There is no part of Ontario that is now immune to the invasion of this new technology. There is no question but it has disrupted the genealogical, biological characteristics of outdoor life.

I remember years ago, over at that stately institution in Psychology 1-A, a general course, being taught that one of the instinctive fears of the young of all species is being subjected to noise. That is an instinctive fear. There is no instinctive fear of falling, for example—pardon me, there is. There is an instinctive fear of falling and an instinctive fear of loud noise. But there are very few other fears in the species that are instinctive. Now, if that is so, then the young of the weasel, the muskrat, the mink, the otter and all the other lovely species that we have must certainly be subjected to grave invasions of their natural state, with profound effects.

The snowmobile must be seen in the light of the comments made by Herbert Marcuse, the mentor of the young. You cannot understand the snowmobile, or some of the objections made by young people, unless you see it in the light of his observations. He says there is no such thing as pure recreation any longer—a profound statement—that recreation has become an adjunct of the technology of the economic system. That is to say, the same technology that is used in earning a livelihood is now taken into the field of so-called recreation. And people, as they think they are enjoying recreation, are merely operating in the way of subjective—the word escapes me—subjective compliance with the needs of technology. That is to say, they take their technology with them. The motorized snow vehicle is just another example of that highly developed, sophisticated technology.

In my view, as I look around the horizon, that almost all areas of so-called recreation involve the same thing. To my amazement recently I noted that they do not make badminton rackets out of cutgut any more; they are made out of metal. See how we are the beneficiaries of technology? My goodness! I often wonder what kind of an existence it would be if we did not have striped toothpaste. Can you imagine the deprivation that

we would suffer from it? Well, that is modern world.

And then the economic system has devised instruments, machines like these snowmobiles to cater to the whims and desires of people who like to be surrounded with technology. The member for Peterborough is perfectly right when he says that some day we have to have the courage to say here, and to mean it, that our words mean it, that people are not to be allowed to employ technology in a manner that is going to upset for all time the balance of nature in the environment that we love so much.

Look at some of the things, when we plead for some restriction. I think I told the story here about the poor fellow who had been cutting ice on Lake Ramsay in Sudbury since the year one, cutting ice and—did I tell the story before?—cutting ice and selling it to the CPR. He had gone about his business cutting the ice for decades and had never been bothered, but this year he is having trouble before the Queen's justices because he has not put a fence around the open cut, the hole in the lake. And who complained? The operators of snowmobiles.

I secretly wish—I hope it will not lose too many votes in Sudbury—I secretly wish with no great *sequelae*, that some of the things had fallen in it. I have questioned the mayor of Sudbury. In private contact with him he said: "Where do you get the licence to permit snowmobile races on Lake Ramsay which is a source of our water supply? Where do you get that right to contribute to further pollution of our lakes?"

But, boy, you have to see it in the way Marcuse puts it. Technology is dominant. It is tyrannous; you have to be subservient to it. You have to bow down in front of it. You have to be with it, otherwise you are a freak or a square.

Look at the motor vehicle, the tyranny that it exhibits. The motorboat, there is another one. I am a great observer of television though I watch television in a unique way. I do not watch the programmes, I watch the commercials, because the commercials are far more interesting than the programmes. I think—what is his name—what is that fellow's name that married that 19-year-old and incited the envy of all of us?

An hon. member: Dr. Barnard.

Mr. Sopha: No, no, he married one of them. The guy that is on on Friday nights at the Dean Martin! I think he is for the birds, but the commercials, they are another thing.

I am willing to state as my view that some of the commercials of the Ford Motor Company are obscene. There are some in society who think obscenity is reserved to four-letter words and the sex act. That is not so. Obscenity is to be seen and defined from the point of view of that which is so outrageously the culture of the society and from that point of view some of Ford Motor Company's commercials are obscene.

I refer, just to be specific, to the one which shows 20 different models in a competition against racehorses, because the intent is to combine steel and flesh and to purvey to the viewer that steel is superior to flesh. I try to point out to my children just what the meaning is in all this business.

They have one which says—get this, and the Minister of Transport might speak to them about it—they have one that says, "You have to view the motor car as being part of a family." How outrageous.

We know there are lots of people—on every street you see people washing their cars—who have far more adoration for their motor vehicle than they do for their wives, far more. They treat them much more lovingly. But that we should tolerate the Ford Motor Company to tell us that kind of garbage, that the car is part of the family. Boy, oh, boy! How far do they go? We have come to the point in our society where we are absolutely victimized by it.

I remember some years ago, this Minister of Transport—it must be four or five years ago—told us that by 1975 we are going to have, I think he said, four million motor vehicles in Ontario. We are going to be in a hell of a state if we do, until we come to our senses and realize that the motor vehicle has to become subservient to the needs of people.

We have to rescue the planet for the needs of human beings and return the planet, the surface of the earth, to the human being for his use and for his social intercourse with his fellow humans, instead of carrying on this insanity of building monuments to the motor vehicle.

What I say is not going to do much for my friend, the member for Windsor-Walkerville, down in the part of the country he comes from. I am sure the president of Ford will call him up and say, "What kind of a nut is that colleague of yours to say such things?" But I want to be in the vanguard of those who call attention to the implication to this society from continued subservience to the tyranny exerted by that machine.

Let me just go back, to conclude my remarks, to the motorized snow vehicle. I may say, Mr. Chairman, I cannot understand really, why this minister and his officials long time ago, at the beginning of this winter did not leap into the breach and at once make a statutory requirement that the damage done by motorized snow vehicles be reported.

I think I am safe in saying that had we not tinkered around with The Highway Traffic Act and excluded the snowmobile from the definition of motor vehicle, it would have meant there was an obligation to report in at least as far as accidents that occur on highways are concerned. Their activity in that department has had quite profound effects.

I have a case now, just to illustrate. I am not talking in generalities, in which collision between two snowmobiles occurred on White Water Lake in the township of Rayside to the north and west of Sudbury. A passenger on one of them sustained a broken leg as a result of the collision, to show that it was not a minor accident.

This poor fellow with the broken leg was in the position that, because of the lack of a statutory obligation to report, he cannot get out the name of one of the operators of the vehicles. He knows the name of the one who was with. But, lying there on the lake, obviously injured, he was unable to take advantage of getting up and saying to the other fellow, "What is your name and address?" The operator of the one upon which he was a passenger says that all he knows is that the other guy was short and dark, may have had a moustache, but he did not know his name.

It is rather incredible that you can have a collision with a snowmobile of sufficient force to break a passenger's leg, then you do not ask the guy his name. That is a rather bewildering set of circumstances, but there is not even any obligation to call the police, as you see, because of the void in this statute.

**Mr. J. R. Breithaupt (Kitchener):** It could have been the minister.

**Mr. Sopha:** Yes, it could have been the minister, the operator of the other one, as far as we know.

In this particular case, and I do not want to try the case here in the high court in Parliament, the police only arrived a couple of hours after it happened and they had no way of finding out who was involved. I would think it would be a primary consideration, as a minimum consideration, that the Minister of Transport should require—when there is

accident that does property damage and, more especially, does personal injury—an obligation to report and give the police the opportunity to see whether any laws have been broken.

It boggles the mind to understand what the thinking is in this department that the statute should be denuded of this. As my colleagues on this side have pointed out, the implications of this new technology are just profound. We have the comfort, the mental serenity, of knowing that, with the disappearance of the snow, they have put away the motorized snow vehicle for the summer; the respite is only a very momentary one because out will come the Seadoo. Those instruments of insanity that inhabit the lakes will be the next. There is no solace, there is no escape from them. We just have to accept that, as Job had to accept the things that plagued him. Until ultimately, if you are optimistic and sanguine about the human condition, some day there is going to be such a rebellion against it that once again the surface of the planet will be restored to peace and serenity, let us pray.

**Mr. Chairman:** Does the hon. minister wish to reply?

**Mr. Young:** Mr. Chairman, further to the snow machine, if I could say a word or two. The hon. member for Sudbury has just said that when the snow machines are put away, out comes the Seadoo and so on. But the other thing that worries me right now is that not only do the Seadoos come out, the snowmobiles come out again as soon as they have the summer kits, the wheels, put under them.

We heard the hon. member for Peterborough worry a bit about the snow machines going all over the country and disturbing the ecology. What worries me right now, in addition to that, is that our roads are going to be inundated with snowmobiles with the three wheels under them and with the instability, it looks to me with my unpractised eye, that exists there.

I hope the minister is satisfied that these kits, so called, are going to give stability to these machines. I am terrified, really, at the thought of these wheeled machines surging up and down our roads. The sellers of these kits tell us they will go 70 miles an hour comfortably. It is bad enough with sports cars sneaking up beside your car; you do not know they are there because you cannot see them under present circumstances with the mirror systems we have. That has to be improved and we hope the federal government

is going to do that since the minister does not have to any more.

The terrifying part is that we are going to have 10,000, 15,000 or 20,000 of these machines on the road within the next year or with all the implications of three wheels, or wheel at the back. A motorcycle is very stable with the one wheel at the front and one at the back, or even with two in the back, provided it does not go too fast. But with the one wheel in the back, I am afraid, the instability becomes greater.

I do not know whether the minister is satisfied himself that these machines are going to be as stable as he would wish. I know he answered a question of mine some time ago in this House that they would come under the same legislation as motorcycles because they would be that kind of machine. But they are not the same as motorcycles. They are lower; the seating arrangement is lower than on the motorcycle. They are certainly not going to be seen as easily on the highway as a motorcycle.

I think that here is a place where the minister ought to do some pretty thorough testing to satisfy himself that these machines are not going to add to the menace upon our highways. That is, we are not only going to have them in the wintertime disturbing the whole ecology of our province, but we are going to have them in the summertime on the highways, throwing terror into the hearts of motorists who are there and who are driving conventional cars.

Perhaps it is a stage by which we are moving to smaller transportation vehicles, Mr. Chairman, on our highways. It might be desirable that we get rid of the large cars that we are driving in North America and come somewhat nearer the European pattern. But I do not think that the converted snow machine is the direction we ought to be moving. I would like some very great reassurance from the minister that this kit, so-called, to make these vehicles viable in the summertime will be safe and that they will not be a menace on our highways.

**Mr. Chairman:** The hon. member for Algoma.

**Mr. B. Gilbertson (Algoma):** Mr. Chairman, speaking on behalf of my constituents in the riding of Algoma, and not just my constituents but everybody up there, of course. I have been very interested in the comments that have been made here by the various members. The feeling in the people of Algoma, with whom I have been in contact

from time to time, is that they are very concerned that the snowmobile restrictions will not be so that they will be curtailed to the extent that they will be of little use or enjoyment. It is one of the greatest things that ever happened when they invented the snowmobile for the recreation of the people in the north. And not just for recreation alone—they are a necessity in many cases.

From past experience, I know. In my own case, I have had to walk many times three miles to work and sometimes there would be maybe a foot of snow. You actually put in a half a day's work just walking to work and home again. People find that these snowmobiles are a wonderful assistance in getting them back and forth to work, especially to those who are working in the woods.

I hope that the minister would take a good look at this before he makes any drastic changes in the rules and the restrictions on these snowmobiles. I could not help thinking of the remark that some of the members made that they should not be as powerful; that you should restrict the horsepower. I do not think, Mr. Minister, that you can restrict the horsepower in these snowmobiles any more than you can in automobiles.

**Mr. Young:** You should do that, too.

**Mr. Gilbertson:** If you restricted horsepower in automobiles so you could not go over 60 miles an hour, I do not think you would sell too many of them. I think if you restrict the snowmobiles so they can go only, maybe, 25 miles an hour, that is going to have the same effect.

I would certainly hope that, whatever is done, it will be done sensibly. I am sure that our Minister of Transport, who is a very level-headed and sensible man, will look at this, and I am sure he will exercise his wise judgement in this particular matter.

**Mr. S. Lewis (Scarborough West):** What is your judgement?

**Mr. Gilbertson:** Mr. Chairman, there has been so much said here, previous to my getting up, and many very good remarks about snowmobiles that I do not think I need to say much more. But I certainly would hope, Mr. Chairman, that if the minister does make some new laws regulating snowmobiles that he will not make a blanket coverage, with similar laws over the whole of Ontario because it varies an awful lot between the conditions in southern Ontario and northern Ontario. I hope the minister will take all this into consideration. Perhaps it would be a

good idea to have some consultation with various members from the north and get their feelings in the matter.

**Mr. Young:** Let them go anywhere in Joseph's Island.

**Mr. Lewis:** That is a veiled threat.

**Mr. Martel:** Send them all to St. Joe's.

**An hon. member:** They do not have any Downsview though.

**Mr. Martel:** Let us have some apples for St. Joseph's Island.

**Mr. Gilbertson:** I think the minister realizes that some of these ridings in the north cover a vast expanse. For instance, in my particular riding, I could start in the east part on Highway 17 and drive 300 miles westward before I am out of my riding. You can go for many miles and miles. You talk about scaring animals. I have travelled from Wawa to White River and I have not even seen a squirrel track on the highway.

**An hon. member:** They do not go on the highway, those squirrels.

Interjections by hon. members.

**Mr. Gilbertson:** I am sure, Mr. Chairman, that here in southern Ontario you may run into problems that you do not run into in the north. I thought I would mention, Mr. Chairman, that there is not that much danger of scaring too many animals up in the vast expanse of Algoma.

**Mr. Chairman:** The hon. member from Windsor-Walkerville.

**Mr. B. Newman:** Thank you, Mr. Chairman. Practically every member who has spoken on this topic has made a substantial contribution to the discussion of snowmobiles. However, I would like to ask the minister to approach the manufacturers and ask them if you do not have legislation to control this type of advertising, to play down this reckless type of driving that they advertise when they attempt to sell recreation by way of the snowmobile.

I do not think it is in the good interests of the promotion of safety that your department attempts to emphasize. I would say, Mr. Chairman, that the minister will have to contact the manufacturers and, you cannot insist, but ask them to be more co-operative with you in that respect.

The snowmobiles that are manufactured today can go up to 135 miles an hour. I would think that it will not be too long before we will have them travelling at the same rate of speed that we saw the auto drivers travelling last Saturday or Sunday—at 195 miles an hour in one of the races in the southern states. Youth today worships speed and I think we must reach a stage where we play down the idea of speed and play up and upgrade the idea of safety.

One of the other aspects concerning the snowmobile that the state of Michigan has found to be of quite serious concern is that the snowmobile has no registration whatsoever. There are no identifying marks on it. At least you will find a boat, propelled by a motor, has certain identifying marks; it has a serial number, in fairly large-sized numbers—in large-sized numerals, I should say. I think, likewise, the snowmobile will have to have some type of identifying mark so that the stealing of a snowmobile becomes that much more difficult.

In the last three-month period in the state of Michigan, there were over 200 snowmobiles stolen. It is a type of problem that will come up more and more in the province of Ontario as the snowmobile becomes more popular. Though I understand we have approximately 100,000 in the province today, and next year the number will double and maybe triple. As a result, the number of thefts will increase substantially.

I would suggest that there is the need of some type of registration number on the vehicle to make it a little more difficult for one to have the vehicle stolen. I would likewise also suggest there will have to be standards concerning brakes, lights, mufflers and other safety equipment on not only the snowmobile but the vehicles that we described as go-anywhere vehicles.

I know the minister will take the suggestions that I have made into consideration. I hope that when we meet once again in the estimates of his department, we will have most of the snowmobile problems taken care of.

**Mr. Chairman:** The hon. member for Timiskaming.

**Mr. Jackson:** Thank you, Mr. Chairman. I would just like to add to what my colleague said a few minutes ago about snowmobiles being equipped with wheels so they can run on the highway. I see two things wrong with them.

First of all, many of the snowmobiles, cause of their high horsepower, would be extremely dangerous if they were put on wheels, because of their lack of manoeuvrability. The motors which are on some of the snowmobiles are much larger than they are on motorcycles of equal size, and therefore they would create a problem in that sense.

Secondly, if you have ever ridden a motorcycle, you realize that you do not steer much with the steering wheel, or the handlebars, as you do with your body weight. When you are going around a turn you lean the bike, or bank the bike, to correspond to the turn in the road. But with a three-wheeled vehicle this is impossible. As soon as you start around the turn, the vehicle has a tendency to ride upon one side. In other words, you go around the corner on two wheels.

Since the vehicle is not designed for riding on two wheels, it is designed for three wheels, it becomes very unstable. I would suggest to the minister—as a motorcycle fan and as a snowmobile fan and an owner of a snowmobile—I would hate to see them banned without knowing the problems. But I do hope that the minister will spend the next few months taking a real good look at them to make sure that they are safe before when sale use is allowed on the highways and before it becomes impossible to ban them.

**Mr. Chairman:** Anyone else on snowmobiles? Without being restrictive—I mean I am not closing it off—but if there is nothing further, the hon. minister may reply now. Does the hon. member for Welland South wish to talk about snowmobiles?

**Mr. R. Haggerty (Welland South):** No, I do not wish to talk about snowmobiles.

**Mr. Chairman:** The hon. minister would like to answer.

**Hon. Mr. Haskett:** This has been a very interesting and illuminating discussion about snowmobiles because it has represented such a variety of views and produced so many different suggestions. It would be almost impossible to deal with all of them individually in the time we have, without going beyond this day.

The various suggestions made by the members have all been noted and we will be studying each of them in detail. Many of them have been under consideration already.

The matter of helmets was suggested. We find in our statistics that there are more

injuries involving torsos than heads in snowmobiles. That may suggest less need for helmets than in motorcycling, but we have seen such a remarkable benefit from the mandating of the use of helmets in motorcycling that they are not beyond being considered in connection with snowmobiles.

The shutting out of the noise from the operator of a snowmobile would be a benefit perhaps in snowmobiling because, as I pointed out earlier, there is very real concern being shown by the authorities now on the medical effect of the excessive noise.

The enforcement problem is one that causes us very particular concern. As I mentioned earlier, you have difficulty in pursuing a snowmobiler, unless you have an enforcement body that is similarly equipped and can go anywhere. You cannot legislate common sense and some snowmobilers have shown a great lack of that.

The problem arose, of course, of trespassing. While there have been obvious deficiencies in any trespass Act to deal with snowmobilers—and the Act had been reasonably effective up until then—we run into the problem of how you catch the snowmobiler when he does trespass.

We have now a registration plate on the vehicle. It is on the front; some think it should be on the back. Perhaps it should be both the front and back. We are checking on the extent to which the vehicles are registered and I suppose we could feel that maybe 90 to 95 per cent only are registered. There is still a substantial number of snowmobiles in operation in this province that we are satisfied have not been registered.

We have the matter of enforcement; that is a problem even under existing situations. We could bring in more laws and just find ourselves with more laws that are not enforceable.

Many of the collisions that have occurred on highways between snowmobiles and motor vehicles, or between snowmobiles and fixed objects, or between snowmobiles and snowmobiles, occurred when the driver was breaking the existing law. If you eliminate the number of cases where an injured or killed motorized snow vehicle operator was breaking the existing law, you would pretty well eradicate the number of serious collisions and fatal collisions on our highways. So I say that simply to enact another law is not going to accomplish the end result.

I was particularly interested in the situation with respect to the deficiency in the law raised by the member for Sudbury. He

pointed out very clearly the difference exists between the federal code and our. There is a discrepancy there.

Our law took the snow vehicle out of The Highway Traffic Act and it is in the Highway Traffic Act that the suspension of the driver's licence on an infraction when always considered it was a highway provision so far as the suspension on a conviction impaired driving or related offences was concerned. But under the federal code the motorized snow vehicle is regarded as a motor vehicle and here we have separated animals. I think we may be right in separating them, but the hon. member, in his knowledge and wisdom, points out to us that the deficiency in our Motorized Snow Vehicles Act.

The approach of the member for Peterborough is an interesting one, because we have looked at the overall snowmobile problem and we have considered the matter of trespass and noise and safety. We have probably looked at it, generally speaking, from the standpoint of our approach to highway traffic—in allowing or disallowing the things that can be done in certain areas and prohibiting what can be done beyond that.

The member for Peterborough suggests that, in looking at the control that is going to have to come in with respect to these anywhere vehicles, perhaps we should not say they cannot go here or they cannot go there but we should take the positive approach. We should say, "You can go so-and-so far, only so-and-so," and I think there is merit in taking a look at the whole problem from that approach.

The matter of horsepower is one that I think quite clearly—or will fall—within the purview of the federal people since we do not have the authority to deal with it under the C-137. It looms large, but we have had discussions already with the manufacturers with respect to horsepower and with respect to noise and other aspects.

I say to the hon. member for Windsor-Walkerville, whose concern for safety is paramount, that I was widely quoted in criticism of that very kind of advertising which he has objected and I raised it with the manufacturers. I think it was his responsibility—irresponsible—and it applies, not only to motorized snowmobiles, but to automobiles as well. I talked with my friends in the automobile manufacturing field up until the time when most of the responsibility for safety was taken over by the federal jurisdiction.

I think they have a responsibility that they are not measuring up to fairly today.

With respect to the one point on equipment that the member for Timiskaming raised; he mentioned lighting. That was another matter I raised with the manufacturers. The lighting on snowmobiles or motorized snow vehicles today is far from being satisfactory. It is not adequate for 15 miles an hour travel at night, let alone the 60 mph at which some of the drivers travel across the fields and along uncharted, or unprepared routes. The go-anywhere machines just take people into the most dangerous situations and the rashness, the recklessness, the irresponsibility of some of them is to me incomprehensible.

I want to just point out to the hon. members that we have been looking at so many of these aspects of the snowmobile problem and find so many unanswered questions.

At this time I might say to the House that, in the review we have made of the statistics that we have gathered from the first year's operations—and they are coming in now from the second year's operations—a number of things emerge. First of all, we find that we have a quite inadequate base on which to make firm determinations now. The picture, furthermore, is changing with some speed. For all that we had a great increase in the number of vehicles in use this year, we find that in the serious injuries and fatalities that have been reported—and I recognize the failure so far to require reporting under The Motorized Snow Vehicles Act as another deficiency—these records are inadequate for our use on which to predicate major decisions, but we have found, too, that they point up some changes that are occurring.

Last year, the winter season of a year ago, from November 1968 to March 1969—the first year the snowmobile or Motorized Snow Vehicle Act was in effect—there were 26 fatal collisions. This year, running about a week longer, into April 3, there were 20, as against 26. The number of fatalities last year in that period was 27, this year 24—and that in the face of a substantially increased number of machines on the road which were probably travelling a great deal farther.

Those figures give us no cause for satisfaction. They do point up some of the things that are happening. They say to me that we have inadequate statistics yet on which to do what I would feel was a thorough job of assessing the problem in all its aspects. But we have been taking the steps that I report

today. With respect to trespass, at my suggestion the Attorney General (Mr. Wishart) is reviewing The Petty Trespass Act.

We have had discussions with the manufacturers. We have had discussions with the federal people that they will take action under the Bill C-137 with respect to snowmobiles.

We have been trying to assess the overall problem and come to some reasonable solution that will do two things. One is to allow use of snowmobiles in their proper field of activity for recreation in the southern part of the province, and as a part of the way of life, and of making a living, in the northern part, and yet offer reasonable protection to the public and to the wildlife.

In the latter area can I say to you that I took occasion the last day of February to visit a very fine deer area with which I am quite familiar. It is an area in which, on a comparable day in years past, I have counted 53, 56, and 74 deer in the course of the afternoon. This year I ranged that same part of the area about two and a half hours on my skis and I saw a couple of well-beaten, old deer tracks. I did not see a fresh deer track and I saw a lot of snowmobile tracks.

**Mr. Pitman:** Hear! Hear! That is the point.

**Hon. Mr. Haskett:** I have so reported to my colleague and to the people interested in wildlife areas of Algonquin park.

**Mr. Pitman:** And when they really find those deer areas you will be in trouble.

**Hon. Mr. Haskett:** I have been trying to find the deer this year, unsuccessfully, I am sorry to say.

**Mr. Young:** Mr. Chairman, I wonder if the minister would comment on kits for wheel-mounted snowmobiles?

**Hon. Mr. Haskett:** Mr. Speaker, we have not yet examined the proposed conversion kits for snowmobiles, but there are also conversion kits that will transform snowmobiles into water-borne vehicles. I am not in a position to say, but we will certainly look at the wheel-mounted addition to the snowmobile and ascertain if it is one that is properly registerable or should not be registered.

If a vehicle is registered as a wheel-mounted vehicle for highway use, it must comply with the equipment requirements of The Highway Traffic Act and be otherwise subject to the rules of the road and such. But, as I say, we have not as yet examined that projected—o-



may be marketed now—addition of a conversion kit with the three wheels. I have seen drawings, but that is all.

**Mr. Jackson:** Mr. Chairman, I would just like to point out to the minister that these wheels are on the market now.

**Hon. Mr. Haskett:** I understand this.

**Mr. Jackson:** Even though they do comply with the highway standards it does not make them safe. We should take a very good look at whether they are safe or not, rather than if they comply with the standards.

**Mr. Chairman:** The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** I wonder if the minister would comment on the reason there was an insufficient supply of these little registration plates that were to be affixed on snowmobiles? I have had several complaints from constituents of mine that they had tried for two and sometimes three months to get a plate to affix to their vehicles. I have even discussed it with some of the people who are responsible for selling them and they said that they tried, to no avail, to get an adequate supply of them.

Some of them were as many as 30 and 40 sets of plates behind. All they were doing was handing out receipts for the registration fee and people were running around without them. This tends to let the public think that they really do not need them at all. What was the reason for the scarcity of plates that were required to be affixed to the sold snowmobiles or sold to owners who were making applications for them?

**Hon. Mr. Haskett:** Mr. Chairman, I think I can say quite frankly to the House that there was not a shortage of supply of the plates. The demand for them far exceeded what the agents had anticipated and the delay was simply in getting them from us to them when they notified us they were short.

**Mr. Stokes:** For three months?

**Hon. Mr. Haskett:** Not that we are aware of. We were never short of them at headquarters and we supplied the agents with their estimated quantities.

**Mr. Stokes.** Your system broke down then, because I can give you instances.

**Mr. Chairman:** Any other comments on—

**Hon. Mr. Haskett:** I am sorry to hear that.

**Mr. Chairman:**—these programmes and registration of vehicles and vehicle safe

**Mr. Pitman:** Are we off snowmobiles? Mr. Chairman?

**Mr. Chairman:** No further comments these—what do you call them—snowmo and related vehicles.

**Mr. Pitman:** I would like to talk a bit about the question of school buses. I am going to try not to repeat myself on anything that I have said before on this matter. However, I think the minister's publication, "Highway Traffic Collisions, 1969", indicates the seriousness of the problem in itself.

In the school year, 1963-1964, there were some 247,606 students transported daily on the school buses of Ontario. In 1968-1969, this number had leaped to 482,057 pupils transported daily. The number of collisions has doubled; the number of collisions has more than tripled, I think, from 192 to 5

It is quite true that with these collisions there is always an unexpected leap. For example, as you pointed out in the statistics of pupil passengers injured, you indicate that in one case there were 35 injured in a bus, and another place there were eight fatalities. This was one serious accident which escalated the figures during one year.

But I think the minister would agree with me that it is a continuing problem and an increasingly serious problem. I would suggest to the minister that one of the major problems involved in dealing with it is the responsibility for school buses and school busing seems to be across several departments.

For example, to find out most of the information about school busing, one has to go to The Department of Education, naturally so. As well as that, The Department of Highway is involved when it comes to the weight question, I think, which has already been discussed in these estimates, involving a change in the highway regulations.

As well, the Attorney General's office comes involved when they try to interpret the rules and regulations regarding school buses. One cannot escape the feeling that no department is really very seriously concerned about this as a specific problem.

I say this is a specific problem because I see it, there are a great number of parents who regard the fact that their children are riding by bus, day by day, as a serious threat to the safety of the future of those young people. As these school jurisdictions become

larger the problem, of course, is exacerbated and more children are riding more buses. They ride buses longer during the day and there will be more collisions. Unless we can make some kind of change, I think, in the whole concept of school busing, I would say that it endangers the whole school programme in some areas.

I know that there are some boards who have virtually stated that school buses will not travel on the QEW. There has been re-routing of school buses. There have been a great many responses on the part of school boards to this problem, but I think that we have to take a very serious look at what I think the minister must recognize is a fragmentation of responsibility for the problem.

I received a letter just a few weeks ago and if I might read just a small part of that letter:

The writer has spent almost 20 years in school bus operation, having held the post of business administration and management of board-owned school buses in one of the larger districts until the augmenting of the county boards, at which time I was replaced by someone else.

In this district there are operating some 20 board-owned school buses and as many more under contract. Some of these buses failed to pass Department of Transport inspection in September but continued to operate daily.

Mechanical fitness reports due to The Department of Transport at the end of August were not filed yet in September. Neither drivers nor operators have been seen or been inspected by the board of transportation officers since the start of school in September, nor have the vehicles had any inspection by the officers. For many years I have maintained that The Department of Transport inspections, to say the least, are totally inadequate.

For safe, efficient operation there must be proper day-to-day, week-by-week supervision of vehicle condition and driver conduct. Now, as the minister indicated to this House some days ago, he was good enough to pass on to me a very interesting report—

**Hon. Mr. Haskett:** May I interrupt the hon. member?

**Mr. Pitman:** Yes, indeed.

**Hon. Mr. Haskett:** Mr. Chairman, I wanted the speaker to indicate the area where that letter came from. I am not asking him to identify people, just to let me know the area that letter came from.

**Mr. Pitman:** I would be very glad to let it over to the minister; I would prefer to do it privately, and I think the minister will realize why.

The minister was kind enough, some months ago, to give me a copy of a publication out by the interprovincial committee, in which there were comparisons of the severity of inspections of vehicles; it was rather interesting, in going across the whole country, that there was no definite pattern.

In some cases Ontario was much more stringent in its regulations than other provinces, but in other areas, other provinces were much more stringent than Ontario. I am going into it, to give details and specifics at this point in time. I think the minister will agree with me that that is the case. There is not a specific pattern which indicates that anyone is taking a very serious look at the problem, from coast to coast.

Last fall in the city of Peterborough there was a coroner's inquest, involving the death of a driver, in a car which was rammed by a school bus. This coroner's jury took it upon itself, I think very wisely, to concern itself not only with that particular accident but with the events that led up to it, but with the whole question of school busing. As the minister is aware, there have been a number of serious school bus accidents in the past year and a half, in spite of what I regard as extremely efficient efforts on the part of the board, and its major official, the individual who is in charge of school busing in that area, Mr. Walton. In spite of all these efforts, there are quite concerned about the problem of school busing.

Some of the things this coroner's jury came up with, I think, would be of interest to the minister. For example, it has recommended that, in the interest of safety in connection with school buses, each student should be allocated at least 18 inches of seating accommodation in the PCV licensing of the school bus vehicle; the practice of permitting students in school buses should be discontinued. Now the cost of this is considerable, and I think the minister has to come to grips with this problem. But the thought of a school bus racing along, with a group of students standing in the aisle and holding books and having to stop quickly, is a pretty terrifying thought for all of us. The jury also recommended that the back of all seats should be padded, luggage racks be provided for books and supplies. There seems to be no standardization of school buses to the degree that is necessary.

in spite of the efforts other than have been made.

It goes on to make some suggestions about the inspection of buses. Now I realize there are inspection procedures in The Department of Transport, but the members of this jury—with some very intelligent comment—indicated there should be an inspection of buses on two separate checks. One would be a weekly visual check on the percentage of wear on tires, glass condition, windshield wipers, all the lights—both interior and exterior—horn, speedometer, mirrors, doors, entrances and emergency exits, bumpers and so on. But then there would be a second check. It suggests that there should be a complete mechanical and visual inspection by a licensed class A mechanic each 10,000 miles or 12 months, whichever occurs first, in which the mechanic would go into some of the more important areas—the exhaust system, the steering mechanism, the front-end suspension, brake fluid leakage, brake pedal reserve, parking brake mechanism and so on. I will not go into all of this, but I am sure the minister will realize the importance of this.

The jury also was concerned about driver qualifications. I think I have mentioned on another occasion that I found that an individual who was driving a school bus for some five or six months had been declared totally unfit by the workmen's compensation board. Those of us on this side of the House who have seen the stringency with which the workmen's compensation board tries to keep people off its lists might be a little concerned about that particular fact. And it is indicated that a doctor or doctors be designated by each area board of education for the purpose of conducting physical examinations once a year for every holder of a valid school bus driver's license within that area. Driver re-examinations should be conducted by The Department of Transport or other designated authorities of all school bus drivers at not more than **three-year intervals**.

It goes on to to the whole area of school bus safety. I am not going to read any more of that, because the minister is quite aware of some of the problems that are involved here. But the thing that really bothers me, perhaps more than anything else, is the fact that it involves so many authorities. For example, we come to the column on financing. If we look at the cost of school busing, it is pretty staggering. I will simply give you the totals for the year 1967-1968, and I can show you how quickly it is rising by saying that it is increasing by some \$2 million to \$4 mil-

lion each year. But in 1968 the cost of per transportation was \$34,468,386. That was actual cost. But the maximum approved was \$41,074,364.

One of the things I would like to know to what extent is there pressure from Department of Education to keep the cost of bus transportation down? Or is there an effort by The Department of Education to raise the maximum approved cost to get the board of education to pay more for the cost of transportation? Because bus drivers tell me what they are being paid for a week to do for pupils, and it is outrageous how little they are being paid.

**Mr. Haggerty:** It is not a day's work.

**Mr. Pitman:** Well, the hon. member indicates that it is not a day's work. I take into account in terms of the cost of paying of school bus operators. At the same time the bus companies tell me about the degree to which the screw is turned whenever the time comes to try and get contracts, to show how little the board can get away with paying for school bus transportation.

All these are factors, I suggest to the minister, in the kind of school bus transportation we are getting in the province of Ontario. I think the whole area needs a centralized authority, and this is why I have been impelled to put a piece of legislation on the order paper of this House suggesting that perhaps we need a completely centralized authority, an education transportation authority, which will centralize this whole problem and provide advice to the boards of education, particularly in the areas of administration of school bus routes and the safety of these routes, providing assistance to the training of school bus drivers, including psychological training. I say to the hon. minister that, as a teacher, the thought of having kids behind me rather than in front of me is something that certainly bothers me greatly. And certainly it would be a matter of some concern if I were driving along a highway. I think it takes a good deal of acumen, intelligence and a high degree of sensitivity and understanding to drive a school bus. One wonders if that is being taken into account in the degree of trouble this causes in the school system: not just the fact that busing arrangements seem to disrupt the school programme so often, but the amount of time vice-principals spend on school problems is monumental across the province. We simply have to do something about t

I suggest that possibly we do need a more stringent testing programme for bus drivers. I think we need to develop computerized programmes for scheduling of buses throughout the entire area; very often you have school buses from different jurisdictions going down the same road. The cost must be close to \$50 million for transporting children by buses in this province. I find, for example, that parents are telling me that they do not want their children to go on school bus trips. In an age of outdoor education, the Hall-Dennis report tells us the importance of getting young people out of schools, into the community, into the Ontario Science Centre, into this place here, if necessary, to teach them about government, into all the other opportunities which exist across this province to provide a wider and richer educational experience. To what extent are we going to be in a situation very soon where the procedure of busing students actually is going to cut these students off from these kinds of activities?

This is why I would be interested to hear the minister's response in this area. I know he has alluded to this previously in these debates, because I have read what he said very carefully. But I wonder to what extent the fragmentation—the fact that the finances come partly from The Department of Education and partly from the school board, as well as the fact that the jurisdiction is divided throughout the government system—is making the response to the whole problem of school busing much more minimal than it should be.

**Hon. Mr. Haskett:** Mr. Chairman, the matter of school bus operation is one of very real concern to us, as it is to all those involved, especially the schools and the parents of children. The hon. member recognizes the division that exists between areas of responsibility, as between the school boards that own or operate the buses and control the drivers and those in charge of the children, of the police and the Attorney General's department with respect to enforcement, and our department, which has responsibility—and we accept it—as regards the equipment and the rules of the road and recognition of them.

I cannot understand the situation he has related with respect to school buses that were not properly inspected. Under our regulations school buses have to be inspected twice a year and, in consequence of which, we must be provided with the mechanic's certificate of mechanical fitness as of September 1 and December 31. These certificates must be

completed and signed, and if we do not have these certificates, I understand that they go up in our system and an inquiry goes out to why the certificate has not come in. There is a missing link here somewhere that I would like to have checked out.

Now, regarding the hon. member's statements about what the jury reported. I look at those sometimes with a bit of question because this jury report called for an inspection at least once a year by a certified mechanic. We presently require certificates twice a year by—

**Mr. Pitman:** Twice. 10,000 miles or 10,000 a year.

**Hon. Mr. Haskett:** Well, the 10,000-mile requirement is quite different when it is inserted, but we had a mechanical certificate signed by a certified mechanic twice a year.

**Mr. Pitman:** Yes, I think so.

**Hon. Mr. Haskett:**—and after that examination has been made, the certificate is sent to us. Our inspector is required to check the bus himself with respect to certain items. The service increase in the amount of passengers carried by school buses is shown in the statistics the hon. member quoted, indicating the rise from 247,000 to 482,000 between 1963-1964 and 1968-1969 and, having regard also to the terrific increase in traffic on our roads, the records are not out of line. It is acceptable, I will grant you, but not out of line, and that would be an indication to me that something is sadly lacking in our regulations or requirements if they were getting out of line; they seem to be not out of line. I noticed that the number of fatalities—any one is too much—was running in 1969 below the average of the last six or seven years.

**Mr. Pitman:** Well, of course that is a variable figure for a period of six years.

**Hon. Mr. Haskett:** That is a broad figure. It goes up and down. A single multi-fatality accident would upset them, as it did, I think.

**Mr. Pitman:** That is the point.

**Hon. Mr. Haskett:**—in connection with that accident in the Windsor area. But that is not the criteria we have to follow, and that is not the flags that come up to alert us to something wrong or deficient in the operation. The hon. member must realize the essential division of responsibility. We cannot do much to bridge that; we try to fill the gap. We work in conjunction with

the school boards, and I have expressed this feeling in this chamber, that I hope the enlargement of school boards will be reflected in better equipment and better operation of school bus operations in consequence of the stronger and larger boards. I think that those were the points the member mentioned, but he has had the benefit of seeing the study that has been made—

**Mr. Pitman:** Just what was in that study?

**Hon. Mr. Haskett:** I intimated—

**Mr. Pitman:** Yes, I know, but very vaguely.

**Hon. Mr. Haskett:** Yes, I think I intimated this. But, as soon as this report—it should be back this month, I understand—

**Mr. Pitman:** This month?

**Hon. Mr. Haskett:** This month—vetted by the CSA and the technical commitment of our own people, including one of our senior officials from The Ontario Department of Transport—it will be back to us and will enable us to take action to bring those regulations into effect. And that is my whole purpose in dealing with that matter in that way.

**Mr. Chairman:** The hon. member for Huron-Bruce.

**Hon. Mr. Haskett:** He has had a question for some time.

**Mr. Gaunt:** Well, Mr. Chairman, I wanted to pursue with the minister for a moment, if I may, the vehicle inspection programme which the department has undertaken. First of all, I would like to ask the minister what percentage—

**Mr. Young:** Are we going to have a debate?

**Mr. Gaunt:** Well, I had understood that we were already on it.

**Mr. Chairman:** Well, I think we are taking the registration of vehicles and the vehicle safety inspection together. Anything to do with vehicles, registration or safety.

**Mr. Gaunt:** Oh, I see. So I am in order, then, sir.

**Mr. Chairman:** After inspection, we will go back to registration.

**Mr. Gaunt:** Mr. Chairman, I would like to ask the minister what percentage of the registered vehicles in the province were

inspected last year? Would he have figured?

**Hon. Mr. Haskett:** Would the hon. member have reference to the total number of vehicles in the province that were examined for required mechanical fitness certificate, in case of transfer, and the inspections that were made at Downsview and by our mobile units altogether?

**Mr. Gaunt:** Well, I am interested in the total figure, but I would also like the mobile inspection figures if you have them separately as well as those for the certificate of mechanical fitness.

**Hon. Mr. Haskett:** Yes. Pretty nearly a third of the total number of vehicles in the province were inspected. We have just over 3 million of three million vehicles, and about 750,000 of those went through inspection in depth at the time of transfer last year; 750,000 vehicles were inspected in depth last year.

**Mr. Gaunt:** By the mobiles?

**Hon. Mr. Haskett:** No, no. By a certified garage mechanic.

**Mr. Gaunt:** Oh yes, on a transfer paper?

**Hon. Mr. Haskett:** On a transfer paper, that is the figure I have here. The number of vehicles inspected in the other areas will bring the total up to one third of 2.8 million vehicles, or about 900,000. We would have inspected about 900,000 of the 2.7 million vehicles last year. The inspection in depth at the time of the transfer requires a complete \$12 to \$15 job, whichever it is, all four wheels pulled and the brake lines measured and brake drums examined.

**Mr. Haggerty:** The purchaser was charged with this?

**Hon. Mr. Haskett:** Right. When a used car dealer signs a certificate, the vehicles are usually inspected by a licensed mechanic. In those cases and in a great many cases, in most cases, the certificates are signed by a licensed mechanic. We have the two forms of certificate at the time of the transfer—for the used car dealer who is a licensed dealer and one for the certified mechanic and I can speak on that area—

**Mr. Haggerty:** That is the loophole in

**Hon. Mr. Haskett:** Well, I will talk about that. Of the total 2.8 million vehicles in the province, one third of them went through that in-depth inspection last year.

**Mr. Gaunt:** Well, Mr. Chairman, I want to direct my comments specifically to the mobile inspection units. Every year the mobile units come around to a number of towns in our area of the province. It seems to me that this form of inspection has a great deal of merit in some cases, and yet I have to say to you, sir, that in other respects it leaves a great deal to be desired. To put it more succinctly, I am all in favour of vehicle inspection. I think we should try and do everything we possibly can to ensure that the vehicles that are travelling on the roads of this province are as safe as possible. Having said that, I want to say that the form which the mobile vehicle inspection is taking is not, in my view, adequate. We had a case—and I brought this matter to the attention of the department at the time—where a family from Owen Sound happened to be travelling through Wingham on their way to, I believe it was, Windsor, and hence they had planned to go from Windsor down into the States. The man and his family had a two-week vacation before them. They had just started out on their first day. They arrived in Wingham and the mobile vehicle inspection unit was there in full bloom. They were ushered through the system, and to make a long story short the vehicle did not measure up.

The man, his wife, and I believe three children, had to stay in Wingham overnight. The inspector said: "Sorry, this vehicle just has to go to the garage. You will have to make some fairly substantial repairs on it, because this vehicle just is not roadworthy."

The garage happened to be busy, there are a number of them of course in Wingham, but the garage that happened to be fixing this particular car was busy on that day and the family had to stay in Wingham overnight. The next afternoon they got out of Wingham.

Now it seems to me sir, that there must be a better way of handling this vehicle inspection. My feeling is that the vehicle inspection to that extent is certainly an invasion of the individual's rights and privileges, where the vehicle is taken off the road and where the driver, and in this case his family, are subjected to considerable cost and inconvenience. Surely there must be a system where the vehicle inspection can be done at a leisurely pace, as they do I believe in New Brunswick. As I understand it, in that province—

**Mr. Stokes:** Nova Scotia!

**Mr. Gaunt:** Is it Nova Scotia? At any rate they actually designate certain garages within the province to handle these cars for inspec-

tion and when they present themselves their licence renewal they have to submit certificate of mechanical fitness before they are issued their licence. Now it seems to me that that is a superior way of doing it. You only do you minimize the inconvenience of the expense, but you also make it a blanket coverage, you catch all of them. All of the vehicles have to be inspected under that type of system.

My friend up here says "patronage". Well, really it is not a very compelling argument, Mr. Chairman.

**Mr. Sopha:** He knows all about it, he is an expert at it.

**Mr. P. J. Yakabuski (Renfrew South):** There are a lot of people over there are past masters when it comes to patronage.

**Mr. Gaunt:** I would think, Mr. Chairman, that this matter deserves serious consideration because I am suggesting to you, Mr. Chairman, and through you to the minister, that the present mobile inspection units, while the thought is good I think that their actual operation leaves something to be desired.

I always breathe a sigh of relief when I see the thing moving on to another town, because my phone inevitably rings; not continuously but I do get a number of calls from people who are complaining. They had planned to go somewhere and their car ends up in the garage and they have to stay overnight because they are subjected to some other type of inconvenience.

Even local people! A number of times it has happened when their cars have been taken off the road and the inspector says "Sorry, you cannot drive the car." And the driver says: "How am I going to get home?" The inspector says: "That is your problem, not mine". Well, really, I think there has to be a better way of doing it than that system. I would like the minister's comments.

**Hon. Mr. Haskett:** Mr. Chairman, the minister's comments are pointed to a weakness in the way he represents it, in our vehicle inspection programme. He is dealing with a specific case where someone was starting out on a holiday and unfortunately, in his view, ran into a vehicle inspection operation in the course of which his vehicle was found to be in an unsafe condition and—it was the police who ordered it taken off the road?

**Mr. Gaunt:** Yes that is right.

**Hon. Mr. Haskett:** That is right. It may be that it saved—

**Mr. Gaunt:** At the suggestion of your people!

**Hon. Mr. Haskett:** Well on the basis of a report by our inspector.

It may be that that saved the lives of the people in the car or other users of the road, because that basically is the point of vehicle inspection.

**Mr. Gaunt:** You are missing my point.

**Hon. Mr. Haskett:** Now he raises the question of the alternatives between the system he says they have, for instance in New Brunswick, which is perhaps the most common available across the continent of what they call periodic motor vehicle inspection, usually of a fairly superficial, walk-around type. The oldest operation is in the District of Columbia and the city of Washington, in the United States.

I had lunch today with a chap from Vancouver where they had periodic motor vehicle inspection; it has been operating for some time. He drives a new car, it is changed every second year. He says he never goes into it, but they pick him up for something and say do this and do that and the other thing so there he has to go and do it and report back.

Another instance of this is in the province of Alberta, where they introduced with fanfare the new periodic motor vehicle inspection and then have announced with egg on their face a back-off on it. Now why I do not understand. They have a very able and experienced Minister of Highways and Transport in Alberta, and why they got into a programme that would not stick I do not know. In our programme we have set standards for the inspection in depth of a vehicle at the time of transfer, because we think that is a time when a vehicle has gotten down to a condition where it should be examined in depth before a new operator takes over. This is an inspection in depth that exceeds the standards of any jurisdiction in North America by far.

I point out to the hon. member that last year about 750,000, more than a quarter of the vehicles in the province, went through that inspection in depth. He has witnessed, as we all have, the disappearance of a great many of the jalopies from our roads. It has done a good job. It was severe and I think it was worth it.

I have taken the blame for it to the extent that I can be blamed. Perhaps I will be given credit too for saving lives on our highways. You do not expect that part of it. But the addition of these mobiles is basically a means

we have then of checking up on the residue on the older cars that are not transferred, so do not get this inspection in depth. It is a reinforcement operation behind the inspection in depth that we have going on at the time of transfer. That is the way it works.

Now there are people who have their vehicles judged unsafe who are in some cases inconvenienced, which is regrettable. But that is what happens in some cases.

Those people have exactly the same opportunity that the other people, for instance in New Brunswick or other places where they have the PMVI operation, have of taking their car in and having it checked before setting off on a long trip. That is a wise procedure and I think more and more people are doing that because of the need to be ready for a checkup along the road by one of these mobiles. It means that people have to take responsibility for maintaining their own vehicles in a roadsafe condition, and I think that is good and the hon. member will appreciate that.

There is the question, and I understand that people are rendered unhappy when they run into a road block and are put to inconvenience. If we can find an answer to that if the hon. member has one to suggest, I would like to hear it.

**Mr. Gaunt:** Mr. Chairman, I do not want to be misunderstood. I am all in favour of the vehicle inspection and I recognize the value of the minister's programme. I am just saying that I think there must be a better way to do it so that we may alleviate this inconvenience and distress in certain circumstances.

The other thing that I have observed about this mobile unit—and it happens every time without fail—the vehicles in the area should be subjected to such a test going into the mobile unit for the two or three days when the mobile unit is in town. You just simply do not see them; they are gone, they vanish as soon as the unit moves down the highway. They are out blustering around the highway again.

So that, really, I stand by my comment. I think there has to be a more effective way to do it and in my view the more effective way to do it would be to designate certain garage areas in the province and say before you get your licence each year you have to submit a certificate of mechanical fitness. In that way the coverage is blanket, you are catching everyone and at the same time you are providing for a person to go into that garage at his convenience in order to get that certificate.

**Mr. Chairman:** The hon. member for Thunder Bay.

**Mr. Stokes:** Thank you, Mr. Chairman. I would like to raise with the minister a problem that I raised with both him and the Attorney General on numerous occasions in the past. He may recall during the Attorney General's estimates last fall that the Attorney General promised me he would bring it to the attention of the minister and the minister promised he would take some action.

It was with regard to a charge which was laid against the operator of a school bus because she did not have a school bus endorsement. I think there was a charge laid, the person was convicted and apparently there was sufficient grounds to have the conviction expunged from the record. But unfortunately the attorney who was looking after the case did not do it within the time limitation, and of course the person lost out.

I am wondering if the minister has done anything about that. I am sure my constituent is not aware of any action he has taken, but in view of the number of assurances that I have had from the minister and the Attorney General that this would be looked into, I wonder if he would care to comment on it.

**Hon. Mr. Haskett:** Mr. Chairman, I would direct the hon. member to my colleague, the Attorney General. I know the case.

**Mr. Stokes:** He directs me to you.

**Hon. Mr. Haskett:** Now just a moment, let me tell the member why.

There is an assertion here that the conviction was not right. We operate the penalty in response to a conviction being filed with us, and there is no provision for doing otherwise under our Act.

In this case I consulted with the Attorney General. I put the whole memo before him and said to him that if this case should be corrected and he would correct the certificate in the conviction we would act accordingly.

Now that is the position. That is the only freedom I have in the case. I cannot go against the Act. The conviction is there, and I made representation to the Attorney General along the lines the hon. member asked.

**Mr. Stokes:** Mr. Chairman, if I might just follow it up: I think it was a member of the minister's staff on the scene felt that the PCV legislation was not applied properly and it was a wrong conviction, that that section of the Act did not apply. Apparently the legislation covers the operation of a school bus

and the endorsement of same, but the person was charged under The Highway Traffic Act which was a wrong conviction as I understand it.

All that remains is to say, well, the person was wrongly charged, was wrongly convicted and just have the thing expunged. I am a lawyer but this is the case as I see it. A person is wrongly convicted under an Act when in fact the minister's legislation covers such instances, why would it not be within the minister's power to do something about it?

**Hon. Mr. Haskett:** As I pointed out to the hon. member, the charge was laid by the OPP and the conviction was registered with the court. I made representations, as I said, to the Attorney General that the matter be reviewed. If the conviction can be lifted, we will make restitution accordingly.

**Mr. Chairman:** The hon. member for Vancouver Island South.

**Mr. Haggerty:** Mr. Chairman, to go back to the question of mechanical fitness: when the automobile passes all the mechanical tests that are applied by a mechanic, I think the minister said that the certificate approved covers it very well. Well I believe there is a loophole in this mechanical fitness test that the used car dealer may sign it but it is not necessarily a licensed mechanic.

I do not know if the minister is nodding his head that he agrees with this or not!

This is where the loophole is. Many consumers go out and buy a used car, but it has never been inspected by a licensed mechanic. In many instances that vehicle is not allowed to be taken out onto the highway. I suggest to the minister this perhaps should be checked into and this loophole should be plugged.

The other matter is the question of licensing of the utility tractors. I believe this is a question of whether it applies under the present Act or not.

**Hon. Mr. Haskett:** Mr. Chairman, I might just answer in respect to the certificate. What the member represents is correct, a certificate for mechanical fitness can be signed by the used car dealer or a certified mechanic.

**Mr. Haggerty:** That is right.

**Hon. Mr. Haskett:** In the case of a used car dealer signing it, we assume the same car has been inspected as required to meet various requirements, and the used car dealer



signs it in respect of all the requirements of that certificate. Now if they are not met, the used car dealer is responsible and the used car dealer can be dealt with very effectively under The Used Car Dealers Act and the used car dealers registration, because his registration can be lifted.

There is a less satisfactory way of dealing with the mechanic. If a mechanic certifies to a certificate that is not correct you can take action against him, but you cannot lift his mechanic's certificate which is a certificate of competence.

And so we choose between the two now. It may be that we should have the used car dealer certificate signed also by a mechanic and that is being looked at. The shortcoming in dealing with the certificate signed by the mechanic is that if he signs a false statement you can go after him for a false statement, but you cannot lift his certificate because that is a certificate of competence and he is adjudged to still have the competence even if he performed such an act. But the used car dealer's registration can be lifted and that is a very good restraint, we feel.

**Mr. Haggerty:** Yes, but what you are doing, Mr. Chairman, is you are telling the purchaser of that automobile that—in one sense he looks and he says: "Here, this is from the province of Ontario. I am buying a car that is in top A-1 shape." And yet that vehicle is not. In many cases a used car dealer, as long as he signs it he feels this is satisfactory and meets the requirements of the legislation, which it does not.

**Hon. Mr. Haskett:** The used car dealer certifies that every one of those points has met the specification requirements and how the used car dealer can do that without the benefit of a mechanic I do not know.

**Mr. Haggerty:** This is the point, he cannot do it; yet he is doing it. He is not a licensed mechanic.

The other matter, Mr. Chairman, is utility tractors, and this comes under the classification of a motor vehicle under the Act.

Particularly in my area there are a number of persons who use the utility tractor. This is one that has a bucket or backhoe doing construction work along the road. I know in some cases some of the operators have paid as high as \$78 to operate that vehicle on the road. Now I would like to ask the minister, is this classed as a motor vehicle under The Highway Traffic Act?

**Hon. Mr. Haskett:** Mr. Chairman, I am familiar with the item but I would think it fell in the class of a vehicle which should be registered under the Act.

**Mr. Haggerty:** I believe some of the regulations in the Act were changed last year when they removed the word "traction". What that meant tractor I do not know.

**Hon. Mr. Haskett:** No, the item removed last year was the old fashioned steam tractor.

**Mr. Haggerty:** But it did not say "steam" it said "traction". Tractor is a traction vehicle in one sense. Well, Mr. Chairman, I would like to continue but the hour is 5 o'clock—5 o'clock! Oh, I am sorry.

**Hon. Mr. Haskett:** The member was asked to continue early this morning.

**Mr. Haggerty:** I have been waiting three hours here. Mr. Chairman, perhaps the minister can give me the information he is looking for by letter.

**Hon. Mr. Haskett:** If the member can identify the vehicle, I will answer a specific question. But as I see it, as he described to me, it is clearly a motor vehicle under section 1, subsection 15 in the definitions part of the Act.

**Mr. Haggerty:** You mean, in other words that The Department of Highways, with their mowing machines and that, will have to issue licences on to mow grass along the highways?

**Hon. Mr. Haskett:** If I have the inquiry will check it and give the member an adequate answer; but I would think so.

**Mr. Haggerty:** Thank you. Mr. Speaker, I will continue the matter. The registration of utility vehicles in Ontario is giving every person a licence to pollute in our province.

The statement was made by the president of the Ford Motor Company of Canada that there are an estimated 500,000 cars that will be removed from our highways this year and I am sure all members will agree. They are the eyesores of cars that are parked and cluttered throughout the province of Ontario. In some cases, they are used as snow fences blocking off intersections so that other motorists cannot see what is coming. They clutter up the countryside. They devalue property within a given area; they become a place to harbour pests and rats. In fact, they can be used as killers in the province.

In many cases, you see them stacked where youngsters are out playing around. In many cases, they are on the side; they could fall over on to them. I am concerned about this, Mr. Minister. What is the province of Ontario going to do with all these used cars that become obsolete in the province of Ontario?

**Hon. Mr. Haskett:** Mr. Chairman, I interrupt the hon. member to ask him to read in tomorrow's copy of *Hansard* the extensive discussion we had on this very issue and the outline I gave to the House earlier today of the very extensive study we are making of the matter of handling abandoned cars.

**Mr. Haggerty:** Mr. Speaker, I mean this has been going on for a number of years in the province of Ontario. Just how long is it going on? Perhaps if we were in Japan, we would not have these tin cans sitting around the yards; we would make some use of them.

What I am suggesting to the minister is that perhaps we should be putting an additional tax on those cars and the registrations, say \$25. This would look after the cost of removing these obsolete or wrecked cars off our properties and off the streets in the province of Ontario.

Perhaps the minister should be in the process of obtaining a machine—some type of a baler or hydraulic press—that these old cars could be pressed into a compact bale. They could be disposed of to the scrap yards or to the steel companies here in Canada. Perhaps there is revenue. I am sure there is revenue here for the province of Ontario if they get into this plan.

The old cars certainly are cluttering up the countryside. It is a complete eyesore. It is disgusting that many of the people of this province should be putting up with this disgusting eyesore.

I am sure I speak for many residents of the province of Ontario that they want some action, and action now, on it.

**Mr. Chairman:** The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, may I ask the minister if used car dealers are permitted to sell cars "as is"?

**Hon. Mr. Haskett:** Used car dealers can sell cars "as is" as between dealers or to the wreckers or—

**Mr. B. Newman:** To private individuals?

**Hon. Mr. Haskett:**—and to a private individual by removing the licence and reporting

it to the department. The licence can be stored when the vehicle has been put in condition to meet the mechanical fitness

**Mr. B. Newman:** An individual could purchase one of those cars and then use it on the highway legally? They could by switching licence plates and so forth, but not legally. May I ask the minister if he has intention of providing funds so that the municipalities could set up permanent vehicle inspection centres?

**Hon. Mr. Haskett:** At the moment, Mr. Chairman, we have not done that. We have been making inspection lanes available in some of the major municipalities in winter in cases where the facilities were available—Windsor, London, Hamilton, Ottawa; places like this. We would be happy to have the operations running through the winter if facilities are available. But we have not, at this time, taken any steps to establish units like Downsview in other municipalities, or to make contributing grants to municipalities for that purpose.

**Mr. B. Newman:** May I suggest to the minister that he seriously consider making such funds available to municipalities? Otherwise, we are defeating the purpose of the Vehicle Inspection Act.

It is all right to have these mobile inspection units set up in a municipality. But if you have a mobile unit in the family, and if on one car there is any doubt that it would pass vehicle inspection, you do not use it until the mobile unit leaves the community. This is the point that the member from Huron-Bruce is attempting to make. If you have a vehicle that is not safe, you are going to take it home while the inspection is going on in the community.

Or if you know the inspection is in a certain area, you drive miles around to go where you wish to go, so that you avoid it. Last year and the year before, I think, I made mention of that one way to get around this would be to require that vehicles of a certain vintage be inspected before their licences can be renewed, and to present to your department, a certificate of mechanical fitness.

I think you have got to do this, because it is the cars which the individuals buy that are not mechanically fit which are the ones that are kept off the roads during the times when temporary vehicle inspection units are set up throughout the province. I certainly would like to see the minister come up with a type of scheme in which all vehicles of a certain vintage must present a certificate

mechanical fitness. And update that, so that within a limited period of time, all vehicles in the province have these certificates of mechanical fitness. Would the minister comment on such type of suggestion as I have made?

**Hon. Mr. Haskett:** Of the number of vehicles going through the mechanical fitness examination, approximately more than a quarter of the vehicles—

**Mr. B. Newman:** Yes, but not the ones we should be inspecting.

**Hon. Mr. Haskett:** We are limiting the number that is not being inspected. In another while, when we get the mechanical file complete on our vehicles, we will be able to flag all of the vehicles—that are more than two years old say—that have not had this inspection in the last year or two. Then we will be able to apply—we could apply piecemeal—the very programme the hon. member suggests. That might be an approach to it, because I think we are weeding out the unsafe vehicles at a more rapid rate than I had expected we could.

**Mr. B. Newman:** I am glad to see the minister is considering some action.

**Mr. Chairman:** The hon. member for Middlesex South.

**Mr. K. C. Bolton (Middlesex South):** Mr. Chairman, I would like to offer some comments that bridge the registration of vehicles and vehicle safety inspection. I understand that some of the insurance companies have recently increased their premiums on high performance cars because of the extra hazards involved.

I understand a high performance car to be one that has a high horsepower in relation to the weight of the car. I am wondering if any thought has been given to some sort of restriction on cars of this nature? I would like to present, not at too great length, I hope, but I think it is important to the question, the story of one such car to which I made some reference the other day. This was a car driven in the Komoka district; a car that was described as being mostly four wheels and an engine, a car capable of speeds of 140 miles an hour. From January, 1969, until April, the police tried to stop this car and get it off the road.

What used to happen was they would get close to the car; the car would slow down then put on a burst of speed and get away from the police. The problem, apparently, was

that the law requires that you identify the driver and they could never determine at a particular moment who the driver was.

Many officers of the Ontario Provincial Police, London detachment, from January 1969, on, had investigated complaints about the car—40 in number—while the hot “all-engine and four wheels” was driving at extremely high speeds in and around Komoka. As the number of complaints grew, police had the feeling that if this car was not stopped and the driver charged, someone would be killed. But the police point out that before any driver can be arrested, identity must be proved. It was an impossible situation because the police were unable to get proof as to who was driving the car when it was speeding. Complaints were not enough.

The point I want to make is this. The car did not stop this car. Yet the car was in existence; it could be found when unused and was licenced. My question is this: should not the registration of this car either not have been made in the first place because it was a dangerous car—is there some sort of regulation that could prevent its registration in the first place? Or, secondly, could not registration have been withdrawn from that car before what happened on April 4 happened. That is, before, as a result of a police chase or subsequent to a police chase, the three people in the car were killed. The minister will remember that I asked the question in the House on Monday about a letter said to have been written on March 22, and un-answered by April 4. The minister was kind enough to say he would look into this and present a report to us some time later. I leave the question with that.

There must be many other such cars that should be taken off the road—their registration removed. Meanwhile, I ask the question, too, if a car has too high a ratio of horsepower to weight, should not there either be some higher registration charge, or some way of removing registration? In other words, the insurance companies seem to be giving some sort of an example, some sort of a lead in the direction—should we not follow something of their lead?

**Hon. Mr. Haskett:** Mr. Chairman, the hon. member for Middlesex South raised this question the other day, and I said I would look into it. We were unable to find any trace of such a letter written to us. We have been in touch with the Ontario Provincial Police. I have a copy of the article from the *London Free Press*.

I have some concerns about the procedure suggested. I can hardly think it was, I was going to say, responsible police action to write us along that line, because I would ask on what basis could we arbitrarily suspend the registration of a vehicle against the owner of which there had been no charge laid, let alone any conviction. It puts us in a difficult position. On the other hand—

**Mr. Gisborn (Hamilton East):** Is it not correct that a private citizen can write to the department?

**Hon. Mr. Haskett:** We have no evidence of such coming to us, nor have we any report from the police and I have asked for a report on this particular case.

**Mr. Bolton:** May I ask the question though, apart from this case, is there no way in which the registration can be taken from a car that is too high-powered for safety?

**Hon. Mr. Haskett:** Mr. Chairman, we have authority under The Highway Traffic Act to suspend a driver for any reason, for instance an accumulation of bad driving evidence. We have no indication that the vehicle, as such, should be withdrawn from use by cancelling a registration when there is no evidence that the vehicle is faulty or fails to meet the requirements of the Act. I do not know what the member is suggesting we should do in a case like this.

**Mr. Bolton:** I wonder whether, for example, it might be determined if a car that is capable of 140 miles an hour should be forbidden the use of the highway and should be termed a racing car, rather than a car for ordinary passenger purposes.

**Hon. Mr. Haskett:** We have no such provision in the Act to deny a car registration because of its capabilities. The driver is responsible for keeping it within the law. I share the feeling of some of the House, as I mentioned in connection with snowmobiles. I think it is the over-powering, and the over-advertising of these vehicles that make them dangerous in the hands of irresponsible people.

**Mr. Chairman:** I believe the hon. member for Hamilton Centre was trying to get the floor earlier.

**Mr. Gisborn:** Is it on the same subject? If it is on the same subject I will concede.

**Mr. Chairman:** The hon. member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Chairman, if I lend my car to a young fellow and he gets into some difficulty, I am liable. I understand, for the speeding or whatever harm he does. Why is it that the police are not able to charge the owner of this vehicle regardless of who was driving it? Would the minister explain that to me?

**Hon. Mr. Haskett:** There was apparently no charge laid. The police story in the paper was that they could not apprehend the owner, or the driver, or anybody. I have got a report on it from the police. I am getting one and I hope that will give us some insight into this situation.

The story reports a driver who has been tearing all over the country, breaking speed limits and the police cannot catch him. I would like to get the story on it before I comment further.

**Mr. Gisborn:** Mr. Chairman, I am not at all satisfied with the minister's attitude in answers we are getting regarding the legislation that was introduced in November, 1961, regarding the necessity for mechanical fitness certificates.

The report of the minister this year is very vague. It tells us that he has put inspectors in the field and they are making crosschecks in garages as to whether mechanics are carrying out their jobs. I think that anyone who has had their ears and eyes open around this province since that regulation was introduced finds that there are so many loopholes it is worse than the companies and corporations tax laws. It is just not effective at all and I think the minister is aware of that.

We are told now—and I was not under any understanding—that the dealer can sign a certificate as long as he then takes the responsibility. I do not know where it provides that—that he is then responsible for the verifying of the fitness of that car. But who does the verifying of the fitness of that car come in, any place within one month after that certificate is issued? The certificate is supposed to be good for one year after it is issued—for one month, rather—for 30 days after it is issued. That is, in terms of responsibility they can use the same certificate.

In any pub or service place where people are gathered you can hear them tell stories that these certificates are obtained in different parts of the city for \$2 and you have only seen one of them and they are plain forms that set out that this car is supposed to be certified as mechanically fit.

I have had personal experience and tried to chase down a case where a car was sold—a certificate was issued for a 1965 Ford Comet with 28,000 miles on it. Within the month the car was taken to a regular garage to be lubricated and the mechanic said: "I will not lubricate this car because the ball joints and the connecting rods are completely worn out and they are hazardous."

The chap took it back to the place of purchase and they said: "Well, you have had the car for 20-some days; that could happen." But the booklet that goes with the car says that these joints do not have to be lubricated until after 30,000 miles—that is the type where they break seals and put nipples in and start then the periodic lubrication of those joints. It was only under pressure that the vendor agreed to repair the car, but the purchaser had to pay 50 per cent of the cost.

There was no recourse that I could find any place. He even went to a legal friend of his, who said, "Well, you have got no come-back on the company. They gave you the certificate. They say that these things wore out in that period of time."

Certainly we have to tighten up on this regulation if it is going to have any effect in regard to automobiles being sold and being sold in a safe condition to drive. It is just not working.

Will the minister tell me how they apply and get the forms, are the forms shipped out to dealers and mechanics? It seems that anyone can obtain the forms and sign them and sell them. Certainly we can come up with a more controllable situation. Why not have the forms certified by serial numbers so that we have some track of them, so that they have a process of going from one's hands to another—back to your department? Do they all finally get back into your department?

**Hon. Mr. Haskett:** A certificate must be filed with an application to transfer title.

**Mr. Gisborn:** What happens to the certificate after it is filed? Why did not we have a report on the number received?

**Hon. Mr. Haskett:** I gave the House the story. In round figures I said approximately 750,000 transfers were made last year when a certificate of mechanical fitness accompanied the application of transfer.

**Mr. Gisborn:** What is the minister's answer to the obvious looseness and uncontrollable failure of this kind of programme?

**Hon. Mr. Haskett:** Well I am not admitting it is a looseness, because I think it is being very effective.

There are breaches and we check them. If we had learned of the case the hon. member mentioned we would check up and if there was basis for the complaint. We have here the list of complaints and the charges laid, and the convictions and hearings pending and the dismissals for the last year under section 49.

We find that the convictions for dealing were on account of false statements, failing to notify the department, failure to give certificate, improper garage registry—say on a purchase of motor vehicle—failure to give class A garage licence certificate and false statements, for improper garage registry for failing to have a class A garage licence. About 155 convictions last year!

A total of 1,692 complaints were received and investigated. Charges were laid in 155 cases; convictions were obtained in 155; are still pending and there were 13 dismissals.

Out of the total of 265 charges laid, there were only 13 dismissals. I think you will have to acknowledge that was a pretty effective piece of follow up.

**Mr. Gisborn:** Well I do not think it is an effective piece of follow up at all. This might be fine in respect to what has been done, but it certainly does not reflect control of a number of cars that are transferred over a period of a year in the province of Ontario.

**Hon. Mr. Haskett:** Well if there is no complaint registered, how would we know of it?

**Mr. Gisborn:** Does the minister not agree that there should be a tighter control of the certificates on mechanical fitness? Can they not be serialized so that they have a complete flow of control; and would it not be more effective if the department designated certain garages in a community so that we can refer to the public, in Hamilton for example, that they have been given the right to be inspected by tradesmen that are going to do the inspection and that there is complete liaison between your department and that garage?

I think it is completely too loose, because I have seen people sign those in a pub and say: "I will get you one of these, give me ten bucks." And they sign it.

Now what control have we on that? I agree that the car might be driven for a year without needing any repairs, but it only pro-

that there is a very serious loophole in the regulation of trying to exercise control and have these certificates mean something.

**Hon. Mr. Haskett:** Mr. Speaker, I am satisfied that the system we are following is quite as sure as the one the hon. member suggests. I think we have exactly the same basis for following up a breach of the law under this system as we would under the system he suggests.

**Mr. Gisborn:** I take it, Mr. Chairman, through you to the minister, that the minister received some correspondence from Mr. O'Sullivan, Dennis O'Sullivan of Hamilton, who is a class A mechanic. He makes a statement that verifies my position, and it was not from his statement that I gave my experience. It was given to me by the member for Downsview (Mr. Singer), and he says that he has personal knowledge of used car dealers who sign the certificates without having the cars examined by a mechanic.

Now that just proves what I said. That happens, but I guess they cannot be caught. Why do we not start off in the first place and remove the right of the used car dealer to sign the certificate? I think that would be a good first move. Make sure that the mechanic's signature is on it, not the used car dealer's.

**Hon. Mr. Haskett:** Mr. Chairman, I just said to the member for Welland South that we think there is an advantage to having the mechanic sign it, but there is a very real advantage in having the used car dealer sign it because he puts his registration and his business in jeopardy if he signs a false certificate and is convicted.

**Mr. Chairman:** The hon. member for Etobicoke.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Chairman, I wonder if the minister could tell us, does this certificate have on the back, or anywhere else, some indication of where a complaint could be made if the certificate turns out to be false?

**Hon. Mr. Haskett:** Mr. Chairman, I do not believe there is any such place on the certificate, but it is a suggestion of merit. Unless we learn of the complaint or unless the police are informed, we cannot do much about it can we? This method of directing complaints to us or the police might be one way of checking up on them.

With respect to the story of this reported complaint by this man, O'Sullivan from Ham-

ilton, I believe this man has been a critic of the programme from the time it started. I do not know that we have had any special complaint from him that we have followed up successfully with a conviction.

**Mr. Braithwaite:** If I could follow up that question to the minister, Mr. Chairman.

The reason I asked that question is the minister has indicated a certain number of prosecutions and a high percentage of convictions. I just want to point out to the minister that there is a good possibility that a high rate of conviction may be dependent on the fact that his department has been made aware of the very very blatant cases. It also has been made aware of the cases that concern people who know where to go. Now the reason I bring this up is, I have had, on more than one occasion, immigrants who had a difficulty with the English language come to me as their member of Parliament. I remember in particular one case of a dealer in City Plaza, North York. He advertises on the radio and tells people to come and see him and he will personally guarantee the car and all that. But many of these people, Mr. Chairman, who go to buy a car at this place—I just cannot remember the dealer's name—but in any event, when they go there, they do not have the slightest idea of the value of the certificate of fitness, and so on, and he gives them this piece of paper.

They drive the car, and sometimes the radiator goes and sometimes it might be the transmission, but quite often it is a serious fault. The cars are lemons—and quite often.

Now the thing is that these people buy the car and the dealer gives them a song and dance about that he will pay half the cost of the repairs. They never do understand that they could get their money back if they insist or if they know where to go to complain. I have had to write to this dealer on more than one occasion. This is the reason I bring this up, Mr. Chairman, through you to the minister, would he not consider placing on the back of the certificate, perhaps in red, or on the bottom of the certificate—somewhere—some direction to the person who is buying the car. Perhaps it might be in Italian and German and I do not know what other language; something that might protect the newcomers to this country who do not know and are not as familiar as the minister and other members of this House might be with the English language and with where they can go when this certificate is false.

**Hon. Mr. Haskett:** The form of the certificate is under review. I will take the hon. member's suggestion into consideration when we are looking at it.

**Mr. Chairman:** The hon. member for Yorkview.

**Mr. Young:** Mr. Chairman, I have another phase of this particular problem that I want to bring to the minister's attention. I have in my hand a letter which came to the hand of one of the members of this assembly, and I will read part of it.

I would like to see what can be done with a rule of the motor vehicles branch which I feel borders on asininity.

My husband passed away on January 12, 1970, leaving a will and appointing me his executrix. Everything we owned, other than a 1966 Pontiac Laurentian, was held jointly. I have obtained the releases necessary to transfer the ownership of the car to my name and presented all necessary documents to the licensing agent to obtain 1970 plates. I do not intend to sell the car even though I will be driving it very little. As a matter of fact the mileage of the car is very low because my husband had been in ill health for some time. I am told that I must present a certificate of mechanical fitness to obtain the plates.

In other words, I must go to the expense of obtaining a certificate of mechanical fitness on our car so I can have it in my name instead of my husband's. Moreover, I will have to obtain another certificate when and if I want to sell the car. Surely somebody is pretty mixed up. Can you find out who and why?

Yours very truly.

Now, Mr. Chairman, I bring this to the minister's attention because I suspect this is a problem he has faced before and a problem which some people are facing. It has come to my attention before now. Surely in a case like this, of a simple transfer from husband to wife or from wife to husband, as the case may be, in the event of death, is there not some way that this can be eased so that the mechanical fitness certificate might not have to be obtained at a time like this?

**Hon. Mr. Haskett:** Yes, Mr. Chairman, there is, but I do not know if I would recommend it. Where there is a transfer by way of name only, there is not a change of ownership. If the car moved from the name of the deceased husband into the estate of the deceased husband, there is no requirement for

the mechanical fitness certificate. However, if it went from the deceased to his wife, that is a change of ownership and it should be registered.

Now I will put this question to the Hon. Mr. Haskett. We look at the question of whether we should insist on this requirement of a mechanical fitness certificate in the case of a transfer from one member of the family to another member of the same household. There might be some argument in favour of that, because if it went from a father to son within the same household, you could say perhaps the son would have been driving the car anyway. If it went from a father to a son or to an immediate relative who was not living in the household, he would not necessarily have any intimate knowledge of the condition of the vehicle. When a new driver takes over a vehicle, the situation develops. In this case, you mentioned, the car had not been in use for some time. Maybe the tires had deteriorated to the point where they should not have been used, where they were used. Are you going to be more concerned with the safety of a vehicle passing from one person, say a deceased, to a stranger, than you are for the safety and condition of the car passing from a deceased to a member of the immediate family?

Now these are the problems. I recognize exactly what the hon. member brings up. I have looked at it, and I say we have considered some way of perhaps exempting from the requirement for certificate a vehicle passing between members of the same household. But I pose the question: Are you going to be less concerned about the safety of the car being driven by an immediate relative member of the household than the safety of the car passing to someone outside the family? That is what we are concerned about. I would like to pay \$12 or \$15 for a mechanical fitness certificate for a car that is being taken over by a new driver, a car that may have been laid up for some considerable period of time. I ask you what is the value of the inspection which is the kind of inspection of a car that perhaps we should be undertaking ourselves as responsible citizens once or twice a year, whether it is being transferred or not. I am sure most members think that is an honest saving in the long run, rather than letting a car run down.

**Mr. Young:** Well, Mr. Chairman, I thank the minister for his explanation, and I am sure that this explanation is passed back to the person who wrote the letter. I am not go-

to argue with the minister about this at the moment.

I would like to ask him a couple of questions, though, in respect to the condition of cars when they are transferred and sold. Odometers are still not under regulation by the minister. Is it still possible for anyone to turn them back and thereby fool the purchaser as far as the actual mileage is concerned?

**Hon. Mr. Haskett:** Mr. Chairman, as far as I know, the abuse or misuse or misrepresentation by way of the odometer may still be open. We have put into our Act the requirement that a car shall be equipped with an odometer in good working order. Now the abuse of the odometer for the purpose the hon. member has in mind, that is of representing the car as new or not having been used as much as it has, lies with my colleague the Minister of Financial and Commercial Affairs (Mr. A. B. R. Lawrence) under consumer protection.

**Mr. Young:** One other question then, Mr. Chairman, for the minister. Would retreading of tires or standards for tire retreads come under this vote?

**Mr. Chairman:** Yes it should. I think so.

**Mr. Young:** Then what protection have we in Ontario? I admit I am a little hazy on this; we have regulations in respect to new tires, but when it comes to retreads, what protection have we in this province in respect to standards of retreaded tires?

**Hon. Mr. Haskett:** Mr. Speaker, just while I am getting specific answers on the marking of retreads, as I recall it the requirement is that a retread must be marked "retread". I am not sure that there is any standard measurement of the safety of a retread tire. It is already marked a retread. It is sort of *caveat emptor*, but I will get a story for the member. Let me deal with another matter in the meantime.

The hon. member for Yorkview asked me the other day about Goodrich tires that were checked and found unsafe in the United States. I am informed that we had a report on those from the Rubber Institute in Canada. None of the mentioned tires had been manufactured to those specifications in Canada, and so far no trace had shown up of any of them being in Canada. But they would inform me immediately if they were, and they would issue an immediate recall.

Now let us see what I have on—

**Mr. Chairman:** The hon. member for Walkerville.

**Hon. Mr. Haskett:** I confirm my answer that there are no standards for retread other than that they be marked "retreads".

**Mr. Young:** Well, Mr. Chairman—

**Mr. Gisborn:** What a programme!

**Mr. Young:**—in connection with this seems to me to be a serious business. That is true in the United States as well as in Canada at the present time, of course. But the authorities in the United States are planning by mid-1971—it is still quite a distance away—to establish standards, and I hope that the minister will perhaps work with people to see that our standards perhaps are as good as theirs or even better. Because, while a warning is there on the side of the tire that it is a retread, we have no way of knowing the quality that retread job may be and so it is a dangerous business. A lot of people buy retreads because they are cheap; a lot of retreads just do not stand up and they become pretty dangerous. I have no way of knowing if the minister has no way of knowing, nor do we have, at the present time, just how good a retread tire may be and it seems to me that this is one place where we ought to be looking very carefully to see whether standards of what kind of standards can be set. Certainly the Canadian Standards Association would have some advice for us, and I think the minister ought to be establishing those standards in Ontario so that our people are protected as obviously or evidently the people in the United States are going to be protected next year.

**Mr. Chairman:** The member for Walkerville.

**Mr. B. Newman:** Mr. Speaker, on the same point, on retreads, I wanted to make a few points with the minister, and the first one I would like to suggest—

**Mr. Burr:** Mr. Chairman, on a point in order.

**Mr. Chairman:** Yes?

**Mr. Burr:** Is the hon. member on retreads?

**Mr. B. Newman:** Yes. I am going to talk about retreads. The retreads was one of the topics that I was going to bring up, but first I would like to go in the same order as the member for Yorkview, and that was concerning odometers and the sale of a car.



I wanted to suggest to the minister that possibly, in the sale of the car, the ownership card should always follow with the sale so that a person buying a car after it has gone through three or four hands would have the three or four ownership cards and he could check back with the original owner and find out the mileage of that vehicle when it was sold originally. Possibly in the bill of sale there should be some record indicating the mileage at the time of sale. Now you can say, "Well, the owner can turn the odometer back." That is true, he may be able to turn the odometer back, but not too many people would do a thing like that. I think that—

**An hon. member:** Oh yes they would!

**Mr. B. Newman:** I do not think you would do it, would you? No; there you are!

**Hon. J. E. White (Minister of Revenue):** No; but I would not buy a used tire from the hon. member for Scarborough West.

**Mr. B. Newman:** You would not do it either would you, Mr. Minister? Well neither would I. Let us assume then there are those who would not do it. There are enough of us who are honest enough that would not do a thing like that.

The suggestion I make to the minister, Mr. Chairman, is that possibly in the sale of vehicles, as they pass from one hand to the other, the ownership papers should follow and on them should be recorded in some fashion, the mileage that that vehicle had accumulated at the time of sale.

The next point that I would like to suggest to the minister is that he outlaw, or in some way take off the road, those vehicles that have been built up by the car buffs so that the bumper is at an unusual height. I have seen them where the rear bumper would be one foot over the average height of the bumper on an average car.

I think this is a real menace on the road. Simply seeing such a car on the road sort of does scare you, and I think that type of a vehicle should not be permitted the use of our highways. Its suspension should be lowered so that it conforms to some standard set up by the department.

Personally, I would like to see a standard height for all bumpers. Not only would I like to see a standard height, I would like to see the bumper built in around the four sides of the car after some fashion. And away from the body, not up against the body, so that a vehicle running into a solid object at 2.5 miles

an hour can sustain as much as \$400 worth damage to it.

This was very well illustrated by a motor picture that I happen to have seen on television not too long ago back in the city of Windsor. They demonstrated the fact that bumpers built right into the car were a financial handicap to the individual owner of the car. At a slow rate of speed the amount of damage that could be caused to the vehicle itself was astronomically high and this had a tendency to make our vehicle insurance premiums that much higher, because of an unusual amount of damage.

The last point I would like to make to the minister is that I hope that he would publicly endorse the idea of earth day for next Wednesday. We could bring to the attention of people the pollution caused by motor vehicles, and a lot of this could be as a result of faulty vehicle inspection, the muffler and so on.

**Mr. Minister,** are you in favour of the idea of earth day to bring to the attention of the public the pollution hazard caused by motor vehicles?

**Mr. Sopha:** We want to know right now. And if you are not, resign!

**Hon. Mr. Haskett:** Mr. Chairman, the member brings up three points, with respect to bumpers, odometers being turned back and the proposal for endorsement of "earth day."

With respect to "earth day," that is a matter that falls largely to the responsibility of my colleague, the Minister of Energy and Resources Management. If he is minded to look at that, and endorse it, I would be happy to join him.

**Mr. Haggerty:** Can you not do anything for your own?

**Hon. Mr. Haskett:** Not when it affects some other body's business.

The bumper matter is tied in, I think right now, with the development that is being done on the automatic inflatable body cushion. I saw that the chairman of the National Highway Safety Administration, it is called now—it has moved up one step from a bureau—announced that they would be having them in cars and trucks within two years. My predecessor, Dr. Haddon, has gone to the insurance industry, trying to cut down on the cost of damages to cars, and injuries. They are developing bumpers and I think we can look for very real development in the kind of bumper that will cushion an impact and

greatly reduce damage to people and property.

**Mr. Chairman:** The hon. member for Hamilton East.

**Mr. Gisborn:** Mr. Chairman, through you to the minister. First, what part of the estimates are for rent for vehicle licence issuance branches? Is that covered in the maintenance figures of \$773,000, or is it covered in the registration plates and supplies?

**Hon. Mr. Haskett:** The hon. member is asking about rents for our agents' offices and such. As far as our agents' offices are concerned, they are the responsibility of the agent. If it is a departmental office, the property arrangements are handled by The Department of Public Works.

**Mr. Gisborn:** I want to try and clear my own inquisitiveness about the shuffling of the branches in Hamilton. I raised the question with the minister last fall, just after the new 1970 licences went on sale.

We found out that they had transferred from the shopping centre to a site at the corner of Britannia and Parkdale. I raised the question because there was a lot of concern about the convenience of the old location. The one at the shopping centre, of course, had all kinds of parking space. The one that they moved to at Parkdale and Britannia had parking space for about seven cars and was at a very busy corner.

But surprisingly, I found when I went to visit the branch at Parkdale and Britannia, they had closed up—or I do not know whether they had even opened yet, and I want the minister to tell me. Then when I found them, they were down further north on Parkdale Avenue in the Consumer Lumber building.

What I would like to know—what I would like the minister to tell me, is why did you leave the shopping centre location? You answered me, on a question to yourself, before the orders of the day, that it was because the lease was up. Was the lease not renewable at the shopping centre? I understand it was. There might have been an increase in rent, I do not know but I am under the impression that you could have leased the quarters at the shopping centre. That is one question.

The other question is, why the short stay at the Parkdale-Britannia branch, and what terms of lease was signed there and who was the lease signed with? And also, what kind of a lease have you now with Consumers

Lumber, and what is the term of the lease at that particular location?

**Hon. Mr. Haskett:** I understand, Mr. Chairman, that the lease that we had at shopping centre was not renewable, they do not want us there. The move to Parkdale was temporary—that was the Britannia Parkdale corner—was temporary only, and moved from there to the Consumer Lumber Company. I have not the particulars of that lease, but I will get them for the member.

**Mr. Chairman:** The hon. member for Southwold-Riverside.

**Mr. Burr:** Mr. Chairman, I should like to reinforce what my colleague from York Centre has said about the need for standard retreads.

I would illustrate this by recording my own experience a relative of mine had on Highway 401, in overtaking a truck—a transport truck. I assume that the truck was going at 60 mph and my relative was going at 70, but, as the car came even with the back of the truck, a great disturbance occurred on the windshield. It was a piece of a tire which had flown into the windshield of my relative's car. This could have been enough, of course, to cause a fatal accident.

My question is, what percentage of tires retread end their life history—if you would like to call it that—by becoming fragments on the highway? You can see them any time you drive. You can hardly go 10 miles along Highway 401 without seeing these remnants. Do they all end up this way, or is there any way in which they become obsolete and there any way of preventing their doing so by improving the standards?

**Hon. Mr. Haskett:** The deterioration of tires that have run their normal tread and have a new tread applied to them is a natural and inevitable. I would not have details on the number of tires that were retreaded and which flew off in pieces.

The tire situation today is wonderfully improved from what it used to be. It is remarkable, when you drive on the highways today, how few people you see having tire trouble as against former days when you saw so many people repairing tires. I will take a look at this retread business because we are interested in it at the time the federal government undertook to become responsible for vehicle safety at the point of manufacturing and import. It may be that we have had to wait our interest until we saw how far they

going. I would like to redirect the attention of the department, as of this time, to the retreaded tire because I think it may be worth looking at.

**Mr. Chairman:** Anything further on the vehicle programme? The hon. member for—

**Mr. Stokes:** Are we talking about safety?

**Mr. Chairman:** We are dealing with registration of vehicles and safety, not highway safety.

**Mr. Stokes:** Vehicle safety?

**Mr. Chairman:** Vehicle safety. Vehicle safety inspection.

**Mr. Stokes:** I do not know whether I am right on the point, Mr. Chairman, but I want to know—

**Hon. Mr. Haskett:** Are we not dealing with—

**Mr. Chairman:** We were dealing with vehicle registration and vehicle safety together.

**Hon. Mr. Haskett:** Vehicle registration and vehicle safety? Yes.

**Mr. Stokes:** I want to draw the minister's attention to a fatal accident that resulted in an inquest held recently in the town of Nipigon. Through a series of unfortunate circumstances, a lady lost her life. The jury recommended that when a vehicle is stopped on a highway at night the headlights are to be switched off to avoid confusing approaching traffic, and to make the emergency flashing lights more visible. And that the back of all transport trucks have prominent fluorescent reflective markings to make them more visible to traffic approaching from the rear; especially canvas-top trucks, which are not equipped with top rear clearance lights.

It is hoped that, by pointing out to the driving public the dangerous situation that occurs when vehicles parked at the side of the highway leave their headlights on, future tragedies of a similar nature will be avoided.

In this particular case a transport had pulled off to the side of the road because of motor trouble. Someone coming in the opposite direction stopped opposite him on the other shoulder, and left the lights on. Somebody coming along, travelling in the same direction as the truck was, failed to see the truck parked at the side of the road. Of course, you must realize that in northern Ontario the snowbanks were high so I guess

it was not possible for him to get off travelled portion of the road completely. The truck piled into the truck. What action do you take—

**Mr. Chairman:** Surely this is highway safety promotion? This is not vehicle safety inspection.

**Mr. Stokes:** That is why I asked. That is why I asked you and somebody suggested to me I was right on the point.

**Mr. J. E. Bullbrook (Sarnia):** Take it as read.

**Mr. Chairman:** No. I am sorry if I misunderstood but this comes in the next vote.

**Hon. Mr. Haskett:** The next section.

**Mr. Stokes:** Do you want me to read it again tomorrow?

**Mr. Chairman:** When we get to the highway safety co-ordination and promotion. We are dealing with registration and safety inspection of vehicles. Anything further on vehicles?

**Mr. E. R. Good (Waterloo North):** Two points, Mr. Chairman. One on registration of vehicles and one on vehicle safety.

First of all, I would like to ask the minister what progress, if any, has been made, what consideration is being given by his department, to the method of registering motor vehicles which I talked about last year? That has to do with the registration of liens against motor vehicles which were incorporated with the registration of the vehicle.

The second thing I would like to ask about is whether or not they have made any tests on the water bumpers which have been used on cars. There are many conflicting reports as to their usefulness and their value, and I wonder if any tests have been done in the province of Ontario with the new water bumpers?

**Hon. Mr. Haskett:** I did not get the first part of the member's question; I am sorry. The first part of question was dealing with

**Mr. Good:** It had to do with the matter which I raised last year. I am wondering what consideration has been given by your motor vehicle registration department to that method, which I described last year, of the registration of liens against vehicles which were incorporated with the registration certificate. At that time, you led me to believe

that you were going to give it due and urgent consideration.

**Hon. Mr. Haskett:** The matter with respect to liens, which the hon. member raised last year and discussed with us very courteously, is part of the discussions we are having with the Attorney General with respect to central registry. Once we get our mechanical file completed, it will be possible to put that part of the work from The Department of the Attorney General on the file.

With respect to the bumpers, I mentioned a few minutes ago that since Dr. Haddon went to the insurance industry in the United States, they have been working with these bumpers. I suspect that we will have a report from them very shortly. We have not done anything specifically in Ontario that I know of, but we are getting their reports on the development of bumpers that would greatly reduce the amount of damage and injury.

They are being used in testing here, as the hon. member knows in some respects, by taxis and by the TTC.

**Mr. Good:** Mr. Chairman, is the minister aware of the report of a consumers' guide which mentions that the cost of the bumpers at about \$185 is not worth the lessening of damage which they provide? I was surprised to read that and I was wondering if you agree with that.

**Mr. Chairman:** Does the minister have any comment on that?

**Hon. Mr. Haskett:** I have not read that consumer issue. No.

**Mr. Chairman:** Is there anything further on the vehicle registration and inspection?

**Mr. Young:** Mr. Chairman, there is one—

**Mr. Chairman:** I think the turn is down here really. The hon. member for Wellington South.

**Mr. H. Worton (Wellington South):** Mr. Chairman, this is dealing briefly with bumpers. Over the past few years I have had the occasional letter about the excessive length of trailer hookups and the damage that they often do when they are parking. I am wondering, due to the fact that there has been an increased number of mobile homes, or at least trailers and boats, and so on—and they are certainly needed—is any research being done by the minister's department into having a hidden type of trailer hookup? I

mean something that is protected rather protruding from the bumper?

**Hon. Mr. Haskett:** I am not aware of I can appreciate the damage they can will enquire and see if there is work done on that.

**Mr. Chairman:** The hon. member for view.

**Mr. Young:** Mr. Chairman, I want to inquire about the penalties in respect of emission controls—whether they come up at this vote? I suppose they would, there is to be no other place.

**Mr. Chairman:** It has nothing to do with safety or registration.

**Mr. Young:** Beg your pardon?

**Mr. Chairman:** It has nothing to do with the safety of a vehicle or the registration of same.

**Mr. Young:** Well I do not know where it might be covered then, because The Department of Transport is working with the Department of Energy and Resources Management on this, and I presume the place it could come would be under a particular vote.

**Hon. Mr. Haskett:** It is Energy and Resources Management.

**Mr. Young:** Well perhaps research, but I do not know.

But I want to ask the minister about the gross here, because the owners of vehicles with removable emission devices are subject to a fine of \$100 if they remove the devices. Vehicles are being road-checked to insure that such removals are not taking place, however no penalty is imposed if the device is installed and operating but emission levels are above those required by the regulations. And more than that—

**Hon. Mr. Haskett:** Mr. Chairman, that is not under our Act at all, this emission control; as my colleague now—

**Mr. Young:** So that as far as this department working with the other departments, we have to go to them to ask about this, is that right, when their estimates come up we will raise it at that point.

**Mr. Chairman:** Is there anything further about the registration of vehicles or vehicle safety inspection? Do those two programmes call for it?

This would bring us on then to high level safety co-ordination and promotion.

Hon. Mr. Welch moves the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. R. Welch (Provincial Secretary): Mr. Speaker, the House in committee will continue the consideration of the estimates of this department, and they will be followed by those of The Department of Mines.

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

Motion agreed to.

The House adjourned at 6 o'clock, p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Thursday, April 16, 1970  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 16, 1964

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We have many visitors with us today. In the west gallery are students from the King Edward Public School in Toronto. In both galleries today we have students from the Mill Street Senior Public School from Leamington.

At 2.30, in the east gallery, we will have students from the A. N. Meyer Secondary School in Niagara Falls; and in the west gallery visitors from the Alliston Women's Institute at Alliston.

Early this evening we will have more visitors with us who will be announced later on.

Statements by the ministry.

The hon. Minister of Lands and Forests.

**Hon. R. Brunelle** (Minister of Lands and Forests): It is my pleasure, Mr. Speaker, to again present one of my department's new publications, which I trust will further enhance the libraries of the members and provide enjoyable reading for everyone. "Wild-life Land Management for Ontario Landowners" represents a basic approach to the problem of decreasing opportunities for hunting on privately-owned lands in Ontario. It explains how the landowner may increase the variety and numbers of wildlife on his land without injury to agriculture or other land uses.

I would hope that this 22-page booklet, developed by one of our wildlife biologists, will prove of great interest and assistance to Ontario landowners. It is available through my department and also through the new Ontario bookstore on Bay Street.

**Mr. Speaker:** Oral questions.

**Mr. M. Gaunt** (Huron-Bruce): Mr. Speaker, I—

Interjections by hon. members.

**Mr. Gaunt:** I finally made it! My big day!

Interjections by hon. members.

**Mr. Gaunt:** I feel almost as burdened as my colleague did yesterday, Mr. Speaker.

Many of my targets are not here, however.

**An hon. member:** Where have I heard before?

Interjections by hon. members.

**Mr. Speaker:** What is the question?

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs. This flows directly from his press conference. Is the minister or his department intending to investigate the policy governing the distribution of funds raised in the annual miles for millions walk?

**Hon. A. B. R. Lawrence** (Minister of Financial and Commercial Affairs): I cannot at the moment see any reason why this should be within my purview. Perhaps the hon. member could suggest where it might be relevant to my responsibilities.

**Mr. Gaunt:** Well in a sense, Mr. Speaker, if I may, it comes under the purview, to understand it, of the new legislation with which the department is intending to administer relative to the changes in the Criminal Code.

**Mr. D. C. MacDonald** (York South): That helps the minister, does it not?

**Hon. A. B. R. Lawrence:** Is this the matter for millions—

**Mr. E. Sargent** (Grey-Bruce): He is not even a lawyer!

**Mr. Gaunt:** And I am not even a lawyer!

**An hon. member:** That is obvious!

**Mr. S. Lewis** (Scarborough West): As a matter of fact, it was not so obvious.

**Hon. A. B. R. Lawrence:** I am not aware that there is any lottery aspect or raffle aspect or prize. Is there any game of chance, except the chance of getting blisters, involved here?

**Mr. Gaunt:** Well I am talking particularly with respect to the distribution of the funds.

not the actual raising of the funds. The funds are raised through the walk. I am talking about the distribution of the funds today.

Well anyway, if the minister cannot answer that question, I will go on to the next one.

With reference, Mr. Speaker, to—

**Mr. M. Shulman (High Park):** Sir, as a supplementary before you go on, perhaps I could help. There has been an allegation. In light of the allegation made by—

**Mr. Speaker:** Order! There was no answer given to a question; the question was not understood and consequently I do not think there was any answer given.

**Mr. Shulman:** Then may I ask a supplementary?

**Mr. Speaker:** I do not believe there was an answer.

**Mr. Shulman:** Was there no answer?

**Mr. MacDonald:** He asked for some suggestions as to how it came under his responsibility.

**Mr. Speaker:** Then the hon. member replied and there was no answer. The member might introduce it later as a further question directly.

The hon. member for Huron-Bruce.

**Mr. Gaunt:** Mr. Speaker, I have another question of the Minister of Financial and Commercial Affairs with reference to the ban on bingo games played through television. What will happen to the networking of such programmes which may have been approved by the CRTC?

**Hon. A. B. R. Lawrence:** I do not think the jurisdiction of the CRTC would override the jurisdiction of the federal government itself insofar as the Criminal Code is concerned, and its enforcement. I would think the Criminal Code would take primary importance over any administrative question involving the responsibilities of the CRTC.

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of Energy and Resources Management. This is in respect to the fishing problem.

How was the determination made as to who qualifies for the proposed assistance to the St. Clair fishermen?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Mr. Speaker, that

question would be more properly directed to my colleague the Minister of Lands and Forests who looks after fishing in the province.

The meeting that was held yesterday by the federal Minister of Fisheries was attended by the hon. Minister of Lands and Forests and I understand that he was making a full statement on that meeting.

**Mr. Gaunt:** May I direct my question to the Minister of Lands and Forests, Mr. Speaker?

**Hon. Mr. Brunelle:** Mr. Speaker, in answer to the hon. member's question a meeting was held yesterday morning with the federal provincial committee dealing with the question of mercury contamination in Lake St. Clair and adjacent rivers.

In the afternoon the commercial fishermen and allied industries held a meeting with the provincial committee. Later on in the day the hon. Mr. Davis, Minister of Fisheries and Forestry and his officials came from Ottawa and had a joint meeting with those who had attended the meeting in the afternoon.

Today the same committee sat all afternoon. They are meeting again this afternoon trying to come to a formula and to give as much information as is required. I intend to make a statement in the House tomorrow as a result of this on-going committee work. It is meeting again this afternoon.

**Mr. T. P. Reid (Rainy River):** A supplementary, Mr. Speaker: the minister mentioned allied industries, would that include the tourist industry, bait services, and so on?

**Hon. Mr. Brunelle:** Mr. Speaker, those who attended the meeting yesterday afternoon represented close to 60 commercial fishermen and also the industry of bait dealers—is an association of 36 bait dealers. In addition there were six guides who operate at fishing resorts. Those allied industries were at this meeting yesterday afternoon. They submitted claims and their submissions are being considered by this joint federal-provincial committee.

**Mr. R. F. Ruston (Essex-Kent):** A supplementary, Mr. Speaker: I wonder if the minister would consider recommending to the committee that those people directly connected—in other words directly connected to the waterways, the ones that have applications in at the present time—be processed immediately and any new ones come in at a later time. In other words would save holding up the whole operation as they keep coming in?

**Hon. Mr. Brunelle:** That is a very good question, Mr. Speaker. This committee's recommendations are coming out and they will establish guidelines for those who should be directly assisted. I should make it clear that these are advances, these are loans. As far as the actual amount of compensation is concerned this will have to be decided by those who are directly affected.

**Mr. D. A. Paterson (Essex South):** A supplementary, Mr. Speaker, to the minister: is the discussion being broadened at all to discuss the problems of the Lake Erie fishermen who have been adversely affected by the lowering of prices and the stopping of the sale of their produce? Has the discussion evolved around species of fish other than perch in the case of Lake Erie, or pickerel in the case of Lake St. Clair?

**Hon. Mr. Brunelle:** The committee, Mr. Speaker, is dealing primarily with Lake St. Clair and the adjoining Detroit and St. Clair Rivers.

However, this does not preclude that there may be other fishermen who may be adversely affected at some later date and who may wish to make claims.

But as I mentioned earlier this week, Mr. Speaker, we are very pleased with the additional results that we are receiving from fish that have been analysed from Lake Erie. The results are very favourable, so we are hoping that it will not be necessary.

**Mr. Paterson:** Supplementary to that: I take it from that that the door is not closed should there be representation made from Lake Erie fishermen. Is that correct?

**Hon. Mr. Brunelle:** Mr. Speaker, I would say that our doors are never closed.

**Mr. Lewis:** By way of supplementary.

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

**Mr. Lewis:** By way of supplementary: has the minister arrived at a conclusion yet as to precisely how the money that is being paid for compensation will be recovered from Dow Chemical?

**Hon. Mr. Brunelle:** I would just say at this stage, Mr. Speaker, that we have not arrived at a conclusion. It was mentioned in the House yesterday that the Attorney General's department is looking into this legal aspect.

**Mr. Lewis:** By way of further supplementary, Mr. Speaker, may I ask why it is not

possible for the government simply to a specific bill in this Legislature directed to pay full compensation as determined by government?

**Hon. Mr. Brunelle:** I would say that matter is being looked at by federal officials under The Fisheries Act and that we are looking into—

**Mr. Lewis:** That kind of thing?

**Hon. Mr. Brunelle:** Yes.

**Mr. Lewis:** By way of one final supplementary: the minister will recall that one piece of his party passed such a piece of legislation involving an individual company — Forest Products Limited—to exempt them from pollution responsibilities in the Spadina River. Might he not in this case mark Dow Chemical as an example to the rest of the industry and order them to pay the cost determined by government?

**Mr. Speaker:** I think the hon. minister answered, really, that it was being investigated on both bases.

**Hon. J. H. White (Minister of Revenue):** That was not a question, that was a speech.

**Mr. Lewis:** You will do one but not another. May I ask, Mr. Speaker, by way of supplementary?

**Mr. Speaker:** Order! The member for River, on a supplementary.

**Mr. E. W. Martel (Sudbury East):** Sa by the Speaker.

**Mr. T. P. Reid:** A supplementary question, sir. This compensation that you are considering now, will the government also be considering the payment of compensation to one commercial fisherman, I believe, and tourist operators in the Kenora area affected by the mercury pollution from the plant there?

**Hon. Mr. Brunelle:** Mr. Speaker, may I emphasize again that this is not compensation. These are advances, loans, and tourist resort operators in the Clay Lake area would be considered under the existing pollution control act.

**Mr. Speaker:** The hon. member for Huron Bruce has further questions.

**Mr. Gaunt:** May I ask a question to clarify one point? Will the provincial assistance these fishermen depend upon the ability of the fishermen to pursue Dow Chemical in the courts? In other words, will the assistance given to the fishermen on the condition that

the fishermen take legal action against Dow Chemical?

**Hon. Mr. Brunelle:** I think it has been said, Mr. Speaker, by both the federal officials and ourselves, that we will lend every assistance to the fishermen to present their case against the polluters.

**Mr. Gaunt:** But they will have to initiate the action?

**Hon. Mr. Brunelle:** Mr. Speaker, as I mentioned earlier, this whole subject is a very complex legal matter. The Attorney General is actively looking into it and we should have an opinion in the near future.

**Mr. Speaker:** The hon. member for Huron-Bruce has further questions?

**Mr. Gaunt:** No, I have run out of ministers, Mr. Speaker.

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

**Mr. MacDonald:** Mr. Speaker, my two questions are of the provincial Treasurer.

With reference to the ad which is run in the papers all across the province of Ontario, inviting people to send in and get a free copy of the budget. May I ask the provincial Treasurer whether these are being sent out by the public moneys or is he paying for it himself?

**Hon. C. S. MacNaughton (Treasurer):** No, Mr. Speaker, it is being looked after by public funds.

**Mr. MacDonald:** It is being looked after by public funds. Would the provincial Treasurer indicate why the government will not include, for example, a copy of the reply to the budget from the Leader of the Opposition (Mr. Nixon) and myself, so that the people get a balanced view?

**Hon. Mr. MacNaughton:** That is a rather hypothetical question, that I do not think really requires an answer.

Interjections by hon. members.

**Mr. MacDonald:** No, it is not hypothetical.

**Hon. Mr. MacNaughton:** I am going to answer it. I suggest that the budget is an official document; it is an official statement of the finances of the province.

**An hon. member:** So is *Hansard* official.

**Mr. MacDonald:** My next question of provincial Treasurer is this: *Hansard* is official record of the Ontario Legislature. The provincial Treasurer include, paid for of public expense, a copy of the reply to the Leader of the Opposition and the leader of the New Democratic Party to the budget when he sends it out to the people across the province?

**Hon. Mr. MacNaughton:** Mr. Speaker answer is no.

Interjections by hon. members.

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

**Mr. MacDonald:** Now we know where stand.

**Mr. Lewis:** Sounds political to us.

**Mr. Speaker:** Order! The hon. member Windsor-Walkerville has a supplementary

**Mr. B. Newman (Windsor-Walkerville):** May I ask the provincial Treasurer if would inform us how many copies printed?

**Hon. Mr. MacNaughton:** Yes, if my member serve me correctly, I think it was 10,000 copies of the budget.

**Mr. B. Newman:** And how many—

**Mr. Speaker:** I believe the question is really supplementary to the original question.

The question was as to the mailing out has not to do with the number printed.

The hon. member for York South.

**Mr. MacDonald:** By way of supplementary to the question I asked, Mr. Speaker. What the cost in the public treasury of the printing of the 10,000 copies of the budget?

**Hon. Mr. MacNaughton:** The total cost of printing the budget in the first place—

**Mr. MacDonald:** The 10,000 copies!

**Hon. Mr. MacNaughton:** I suppose you would have to prorate that against the printing, and I will have to take that into account as notice. I will advise the House of

**Mr. MacDonald:** My second question to provincial Treasurer is in light of the story from Ottawa that federal cabinet ministers are being subsidized out of the federal treasury, to the extent of something like \$100,000, for the establishment of local constituency offices. I ask whether or not

practice is carried on at all in the instance of provincial cabinet ministers?

**Hon. Mr. MacNaughton:** Mr. Speaker, not to my knowledge, in any circumstance.

**Mr. MacDonald:** Can the minister give us assurance, for example, that the executive secretaries, apart from the cabinet ministers, are not in effect acting at least part time on behalf of the minister in terms of local constituency responsibility?

**Hon. Mr. MacNaughton:** Mr. Speaker, I would think that it a possibility—a likely possibility—and I think it is quite in order. Most of the executive assistants are engaged on contract terms by the ministers. There is nothing unusual about it.

**Mr. MacDonald:** Will the minister confirm that these executive secretaries are being paid out of public moneys?

**Hon. Mr. White:** Yes, and so are yours.

**Hon. Mr. MacNaughton:** Yes, they are being paid out of public funds.

**Mr. MacDonald:** Is the government considering a proposition that providing part-time or whole-time moneys to subsidize provincial offices, or those working on behalf of the constituency riding association should be available for all members of the House?

**Mr. Lewis:** Hear, hear!

**Hon. Mr. MacNaughton:** Well, Mr. Speaker, I do not know how long this type of question and dialogue should continue.

**Mr. W. G. Pitman (Peterborough):** Until we find out—

**Hon. Mr. MacNaughton:** The hon. leader of the New Democratic Party is very much aware that arrangements for funds for both opposition caucuses was reached last year. It is extremely generous. It is very fair. Their requests were largely met, as the hon. member of the New Democratic Party knows.

I am confident there is provision in that budget for the very things that he is trying to put his finger on here today.

**Mr. MacDonald:** Mr. Speaker, by way of final supplementary question. Are the moneys paid for executive assistants out of the provincial Treasury, in addition to the appropriation made available to the Conservative Party?

**Hon. Mr. MacNaughton:** The government caucus allocation of funds excludes ministers—it is for members only.

**Hon. Mr. White:** That is right!

**Mr. MacDonald:** Oh, is it?

**Hon. Mr. MacNaughton:** Yes, that is right. It is allocated on a basis of the caucus members exclusive of ministers.

**Mr. MacDonald:** So each minister is getting \$10,000 or \$12,000 as the comparable amount that is made available to other members of the Legislature, including leaders of the opposition parties?

**Hon. Mr. MacNaughton:** Well that is a question that has no relevance in this particular argument. I have already stated to what extent to which the caucus needs of both opposition parties has been met and recognized. I have stated, Mr. Speaker, that the government caucus excludes any members' allocation for ministers—ministers make provision for their own requirements—and I think that answers the question as fully as a substantially as is required.

**Mr. MacDonald:** I have a question for the Minister of Energy and Resources Management. Following through on a point that was raised by my colleague from Peterborough the other day, would the minister provide the public and the Legislature with a list of the municipalities and industries with which OWRC is working to achieve a satisfactory pollution abatement programme and the deadline for that achievement, so that everybody will know and some citizen will not have to exercise the onus that now rests on him to take action to stop pollution abatement?

**Hon. Mr. Kerr:** Mr. Speaker, I am sure that information would be available from OWRC. Not all municipalities would have a deadline because a great deal depends on the obtaining of a design, of issuing tenders and approval, for example, by the Ontario Municipal Board.

In reference to the last request, I would think that in any individual case or a group of cases where a private citizen would want information about a particular industry or particular municipality, he could inquire any time as to the state of negotiations or arrangements between the commission and the municipality. I would not think that a complete picture would be necessary. For example, that somebody living in Peterborough would want to know something about what is going on in Cobourg or vice versa

**Mr. MacDonald:** Since the minister indicates that the OWRC would have this information, would he make it available for us in the House, as we are now considering the overall picture, and is there a deadline fixed for the achievement of the abatement programme?

**Hon. Mr. Kerr:** That could be made available, Mr. Speaker, but I would still feel that if the hon. member at any time wants information about a specific project he can obtain that directly from the commission.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, I have a question for the minister—

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

**Mr. MacDonald:** I have further questions, but the minister is not here.

**Mr. Speaker:** A supplementary to the last question? The hon. member for Peterborough.

**Mr. Pitman:** I would like to ask the minister how he regards the role of Pollution Probe in its efforts to assist the minister in policing the province of Ontario?

**Mr. Speaker:** I think the question is not supplementary to the last question.

**Mr. Pitman:** It is very much related to the question.

**Mr. Speaker:** It is not supplementary to the last question. The hon. member for Scarborough East.

**Mr. T. Reid:** I have a question of the Minister of Financial and Commercial Affairs.

Is the minister aware of the research that has been done over the past five years which shows that all too often the poor pay more for identical goods than more well-to-do families in Toronto and elsewhere in Ontario? That is to say, the poor pay more for food than the rich.

**Mr. Speaker:** Perhaps the hon. member would simply ask the question instead of giving an explanation of his statement.

**Mr. T. Reid:** If so, does the minister intend to stir up his consumer protection bureau to prevent the poor from being thus exploited?

**Hon. A. B. R. Lawrence:** Yes, Mr. Speaker, I am concerned. And I know my consumer protection bureau is continually increasing its efforts to advise and to become known as a

general advisor of the public, particularly those who are ignorant of their rights and poor.

**Mr. T. Reid:** A supplementary question. **Speaker:** if a person in a low-income situation believes that he or she is having to pay more for goods, such as hamburger, should that person do? If he or she is having to pay more than someone living in North Mills, for example?

**Hon. A. B. R. Lawrence:** I would have great difficulty in answering that, Mr. Speaker.

I do not want to evade it. I thought the beginning the question related to the poor generally, as distinct from an individual poor person. In the case of an individual poor person in one part of the city rather than another, that seems to me to be a question of that person's choice of what she will go to.

**Mr. Speaker:** Well I would say that the question itself is not really anything more than a hypothetical question.

**Mr. T. Reid:** Mr. Speaker, this is not a hypothetical question at all. There are people who are in urgent need.

**Mr. Speaker:** Order, order. In my opinion the question—and it was expressed very clearly by the hon. minister—was not about a specific incident or occurrence of urgent public importance. It is of public importance, but it was hypothetical.

**Mr. T. Reid:** You do not feel it is urgent simply because you pay less than the rich?

**Mr. Speaker:** The hon. member for Scarborough Park.

**Mr. Shulman:** I have a question of the Minister of Justice, Mr. Speaker. In the case, in view of the mass of conflicting evidence and in fairness to Mrs. Citron, would the minister agree to appoint a judge or a commissioner to investigate all aspects of this case?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, I would not for a moment agree to do of such a thing.

**Mr. Shulman:** As a supplementary, Mr. Speaker, is the minister satisfied that the case should now be concluded?

**Hon. Mr. Wishart:** Yes, I am thoroughly satisfied that it should have been concluded a long time ago.

**Mr. Speaker:** The hon. member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs.

Does the minister agree with Allan F. Pierce, senior vice-president of William Myer Limited, Canada's largest actuarial consultant, that group automobile insurance or the mass merchandising of automobile insurance will in fact become a fringe benefit of employees within the next few years, even though it is now illegal in the province of Ontario?

**Hon. A. B. R. Lawrence:** Well that is a speculative question, Mr. Speaker. As the member points out, it is illegal now to have a non-actuarial-based policy sold here in this field. To give an answer, it strikes so directly at the whole principle of insurance, which is the spreading of the risk, that I would, again speculatively, doubt that it would be permitted.

**Mr. Good:** As a supplementary, is the minister aware that such fictitious groups do now exist in the province of Ontario and are being included as fictitious fleet policies?

**Hon. A. B. R. Lawrence:** No I am not, Mr. Speaker. But if the member would give me some evidence, I would certainly ensure that the superintendent of insurance investigates it immediately.

**Mr. Good:** I think, Mr. Speaker, the minister need only speak to his superintendent.

**Mr. Speaker:** A supplementary question? Further questions? The hon. member for Peterborough.

**Mr. Pitman:** I would like to direct a question to the Minister of Financial and Commercial Affairs.

In view of the investigation of Whiterock, I wonder if he can state in the Legislature whether the leisure land policy of the Whiterock Associates, which involves the setting up of urban development in rural communities, is now recognized as an acceptable policy in the province of Ontario and whether the companies registered under Whiterock, Whiterock Farms Company, Whiterock Mortgage Company, Whiterock Syndicates, Whiterock Associates Company, Whiterock Lake Estates Company, Whiterock Acres Company, Whiterock Property Management Company, Whiterock Mini-Ranches Company, Whiterock Consultants Company, Whiterock Finance Company, Whiterock Cottage Company—

whether the registration of all these companies is really in the best interests of Ontario?

**Hon. A. B. R. Lawrence:** As to the last part of the question, every citizen, let us say broadly, is entitled if he wants to open up under The Registration of Partnerships Act to go down to the registry office and pay a small fee and register. So I do not think the public interest is involved in the mere multiplication of a bunch of registrations.

As to the first part of the question, particularly in regard to leisure land, I would suggest that is a question for my confrere, the Minister of Municipal Affairs (Mr. McKeough).

**Mr. Pitman:** Might I ask as a supplementary question whether the minister has been in close contact with the Minister of Energy and Resources Management in view of the possibilities of severe complications in regard to pollution in the areas which are being developed by Whiterock?

**Hon. A. B. R. Lawrence:** I have not been in touch with my colleague with respect to this particular point because the article read was the same one that the member was reading from and just related to registration and advertising and proposals. Is the member suggesting that the operation has in fact developed new dangers with regard to pollution?

**Mr. Pitman:** If I might ask a supplementary question in answer to the minister, I would think that any kind of a development of this nature has those possibilities and dangers. I was wondering if he has also been in touch with the Minister of Municipal Affairs in view of the fact that presumably this is totally against the policy of that department in developing urban areas in rural settings.

**Hon. A. B. R. Lawrence:** Mr. Speaker, I can certainly assure the member that I have been in immediate and close touch with the Minister of Municipal Affairs and I have been keeping my confrere advised as to all the details we can put together with regard to the operations of these groups in the province.

**Mr. Pitman:** I wonder if I might ask a final supplementary. In view of the announcement that this company was now going overseas to deal in Mexico and various other countries, is the minister assured that the company and all the associated companies are under Canadian ownership? Or has there been some inclusion of American ownership into this operation?

**Hon. A. B. R. Lawrence:** The question of ownership has not been raised with me, Mr. Speaker, but I would point out that these companies are not limited companies, they are registered partnerships or sole proprietorships. As a matter of law in this province, they cannot subdivide land in Mexico, Florida or anywhere else outside of the province of Ontario without filing a prospectus and having it cleared for sale in Ontario under our Real Estate and Business Brokers Act. This they have not done.

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

**Mr. B. Newman:** Thank you, Mr. Speaker, I have a question of the Minister of Trade and Development. Can the minister report any progress concerning a more realistic rent scale in homes owned by the Ontario Housing Corporation?

**Hon. S. J. Randall (Minister of Trade and Development):** Yes, the Ontario Housing Corporation officials were in Ottawa, I believe it was on Tuesday or yesterday, discussing the rent scale with Mr. Andras' staff at Central Mortgage and Housing. I understand he will be making an announcement on that, perhaps in this next week. There are still some points that we have recommended that we feel should be looked into and I am in touch with Mr. Andras direct to see if they could be included. Until I have had a chance to talk to Mr. Andras, I do not suppose there will be any public announcement, but I would assume early next week they will be making an announcement from Ottawa.

**Mr. B. Newman:** A supplementary, Mr. Speaker: Would the minister elaborate on his proposals made to Central Mortgage and Housing concerning rent scales?

**Hon. Mr. Randall:** I do not have the proposals here with me. I would be glad to get them for the member. I do not have them right here, but we have suggested many things should be taken into consideration with regard to transportation for the head of the family—what it costs him to go from where he lives to where he works.

**Mr. B. Newman:** The size of the family?

**Hon. Mr. Randall:** We made recommendations in the size of the family; and the mother-led family, if she wants to go out to work, what changes can be made in the income structure. We made all the recommendations, I think, that were incorporated in a welfare report here a month or two ago.

Many of the things we recommended, recommended, and I am satisfied that friends in Ottawa accepted most of them. There are a few points we think should be elaborated on and we are doing that with the minister himself.

**Mr. Speaker:** The hon. member for North York West.

**Mr. Lewis:** A question of the Minister of Justice, Mr. Speaker. Would the Minister inquire into the dilemma of the school students in Metropolitan Toronto recently as within the last week applying for summer work to Sealtest Foods—which, I know, is a subsidiary of Kraft Corporation to which Ontario has given a \$500,000 loan—and being presented with an employment application which reads at the bottom:

Interjections by hon. members.

**Mr. Lewis:** I am putting this to the Attorney General seriously:

I certify that I am not nor have I ever been a member of any Communist organization, any political party or social organization, group or combination of persons which advocates the overthrow of our constitutional form of government, and that I have not now nor ever have been a member of any organization designated by the Attorney General of the United States as subversive under executive order No. 104050.

Interjections by hon. members.

**Hon. Mr. Wishart:** The question, Mr. Speaker, as I recall it—

**Mr. Lewis:** Would the Attorney General inquire?

**Hon. Mr. Wishart:**—began with the question, "Would the Attorney General inquire into this matter". Yes, I will look into it.

**Mr. Lewis:** Mr. Speaker, can the Attorney General assure the House that the Progressive Conservative Party is not designated as a subversive organization under the Attorney General—

**Mr. Speaker:** The Attorney General indicated he will look into it.

**Hon. Mr. Wishart:** Mr. Speaker, it is in the mind of the hon. member as stated.

**Mr. Lewis:** It certainly is.

**Hon. Mr. Wishart:**—but that would cause us any great disturbance.



**Mr. Lewis:** As a last supplementary, must even our employment practices be directed and controlled by the United States in the presentation of such application forms?

**Mr. G. Demers (Nickel Belt):** The member knows better than that!

**Hon. Mr. Wishart:** They are not.

**Mr. Lewis:** They are not? Not only the branch plant—

**Mr. Speaker:** Order! The hon. member for Rainy River.

**Mr. T. P. Reid:** Mr. Speaker, I have a question of the Minister of Energy and Resources Management. In view of his comments in the emergency pollution debate, is the minister moving toward splitting the function of OWRC into a policing function and a function of sewer and water system management?

**Hon. Mr. Kerr:** Mr. Speaker, I do not recall saying anything during the emergency debate to indicate that I was moving toward such an arrangement.

**Mr. T. P. Reid:** Mr. Speaker, by way of supplementary, without the preamble, is the minister moving to set up a new department, perhaps called "the environmental control department," with the two functions now currently held by OWRC, of policing and of providing sewer and water systems, being separated? Is the minister going to separate the two functions?

**Hon. Mr. Kerr:** There has been no decision made to that extent, Mr. Speaker. There has been some discussion about changing the name of the department and some reorganization within the department. Of course, all these things would be considered in such discussions or considerations.

**Mr. T. P. Reid:** By way of further supplementary, Mr. Speaker, does the minister not consider that it would be an excellent idea to separate the two functions of OWRC?

**Hon. Mr. Kerr:** It may or may not, Mr. Speaker. It may not be wise to split up the functions of OWRC, but it may be a good idea, certainly worth considering, to consider some change in the status. But these are things that have not been discussed at this stage and may well be discussed in the future, but certainly no decisions have been made.

**Mr. Speaker:** Supplementary.

**Mr. Pitman:** Would the minister consider splitting from those two the testing programme of the laboratories of OWRC; would he consider as well the setting up OWRC on a regional watershed basis rather than centred here in Toronto?

**Hon. Mr. Kerr:** I did not hear the first part of that.

**Mr. Pitman:** I said, would he consider splitting the testing programme of the OWRC from the policing and assistance aspect of OWRC and the possibility of re-organization on a watershed basis rather than centralized in Toronto?

**Hon. Mr. Kerr:** Mr. Speaker, the first part of the question is pretty well the same as a previous question asked of me; that is separating the research or laboratory function of the commission from the enforcement branch function of the commission. As I say, I would like to make it quite plain to the hon. members that there has been no discussion on a scale about this at this stage. Therefore, anything I might say about splitting the functions of OWRC or part of the functions would be strictly academic at this stage.

Now regarding the regional or watershed aspect; as the hon. member knows, this proposal under the Canada water bill. Therefore, if, for example, the Ontario representative on the various federal-provincial watershed or regional councils is the OWRC, it is quite possible it would be unnecessary for us to do anything in this regard.

**Mr. Speaker:** The hon. member for Huron Bruce.

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of Tourism and Information. Has the government committed \$300,000 for the promotion of a folk festival in Toronto in the summer of 1971?

**Hon. J. A. C. Auld (Minister of Tourism and Information):** Yes, Mr. Speaker, subject to the participation of the government of Canada and the municipality of Metropolitan Toronto.

**Mr. Speaker:** The hon. member for Windsor-Walkerville, a supplementary.

**Mr. B. Newman:** Will the minister make similar financial assistance available to other municipalities that would endeavour to have similar programmes?

**Hon. Mr. Auld:** Mr. Speaker, I can only say that if the application is made, it will be considered.

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

**Mr. Martel:** I have a question of the Minister of Energy and Resources Management. What action does OWRC intend to take against the construction company which discharged oil into the Long Lake area?

**Hon. Mr. Kerr:** Mr. Speaker, this is one of those individual incidents that I cannot be aware of every day. If the hon. member would at least give the name of the company and some little more detailed description of the incident to which he refers I will get him that information.

**Mr. Martel:** Is the minister aware that the analysis done by his department indicated that Sanko Construction had discharged concentrations of oil at 1,666 parts per million in Long Lake, and that OWRC had intended in January to move against this company?

**Hon. Mr. Kerr:** I was not aware of that, Mr. Speaker. I will get that information.

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

**Mr. Paterson:** I have a question of the Minister of Energy and Resources Management. When a new industry is going to be located in a municipality, is the minister commenting on or demanding from other departments of government—such as Municipal Affairs or The Department of Labour—is he demanding a breakdown of the contents of the effluent expected to be discharged from that industry, whether it is into the sewage or into our air?

**Hon. Mr. Kerr:** Yes, Mr. Speaker. When a new industry is established in Ontario, where there would be a question of waste or effluent dumped into some receiving water, the OWRC has to approve the plans of that industry and work with the industry under our Act in the installation of pollution abatement equipment. In other words, before the industry opens up, commences its production or whatever its function might be, it has to have OWRC approval of course, this is in line with consultation with other departments.

**Mr. Paterson:** My question, specifically, was is the minister demanding a complete analysis breakdown of that effluent? Also, he did not comment on the air pollution potential of such an industry.

**Hon. Mr. Kerr:** Mr. Speaker, the OWRC would know from the particular type of indus-

try what the effluent would be—the type effluent—and what, in fact, the pollutant would be as far as the receiving waters concerned.

The laboratory and our scientists and biologists are aware of this from various types of industry, particular types of industry there is no problem in that regard. I have forgotten the second part of the question.

**Mr. Paterson:** Potential air pollution in emissions from the—

**Hon. Mr. Kerr:** The same would apply to air pollution with the air management branch.

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

**Mr. D. Jackson (Timiskaming):** Mr. Speaker a question of the Minister of Energy and Resources Management. In view of the fact that the use of DDT is banned in Ontario and many small dealers have been caught with a large stock of such products on hand would the minister take the necessary action to ensure that these dealers can return their DDT products to the manufacturer for compensation?

**Hon. Mr. Kerr:** Mr. Speaker, this would have to be something that would have to be arranged between the small dealers and the manufacturers. We have no arrangement or plan to compensate small dealers who still have stocks of DDT. But, as I mentioned when this question was asked at least a dozen times before, DDT is not banned entirely controlled in all jurisdictions on the continent. I would think that arrangement could be made between the dealer and manufacturer to dispose of this in some way.

**Mr. Jackson:** Mr. Speaker, first of all for clarification, I did not ask the government to make compensation. But surely, would the minister not consider it part of his duty to negotiate such an agreement between dealers and the manufacturers, since it is the government that banned it?

**Hon. Mr. Kerr:** Mr. Speaker, our original edict, I might say, incidentally, was under my colleague, the Minister of Health (Mr. Weir) this is not under my department. This is not in the form of control and regulation rather than an outright ban. In other words, DDT is still used in certain circumstances in Ontario and, therefore, it is still possible to do it; for example the tobacco industry.

**Mr. Speaker:** The hon. member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management. When is construction scheduled to commence on two large incinerators, one within Metro and one outside to the west, which the minister's department's Mr. Heaman announced are proposed to provide a permanent solution to the daily disposal of thousands of gallons of toxic liquid waste produced in this area?

**Hon. Mr. Kerr:** Mr. Speaker, these two large incinerators, if I am referring to the same statement to which the hon. member is referring, will be constructed and established by some private companies. One, I believe, will be in Halton county. There is the matter there of obtaining the necessary building permit from the municipality. The second one, I believe, is at the same stage and the same reasons pretty well apply. There is some objection by the local people to the location. However, if the company which intends to establish these do get their building permits, I would think they would be in operation some time this year.

**Mr. Deacon:** Mr. Speaker, a supplementary: will these new plants eliminate the problem about which the minister spoke a week or so ago, saying that he is still looking for cesspools for these toxic liquid wastes? Would this eliminate the need for the search by the department to find additional cesspool sites for the dumping of these wastes when these incinerators are built?

**Hon. Mr. Kerr:** Is the member being facetious?

**Mr. Deacon:** No. I am not at all.

**Hon. Mr. Kerr:** Will he repeat the question, please?

**Mr. Deacon:** A week ago, the minister said it is a problem to find locations and dumps where these toxic liquid wastes can be disposed of. People were objecting to them. Will these incinerators eliminate the need for such sites? In other words, will these incinerators dispose of these wastes in a way that will reduce or eliminate the need for such sites?

**Hon. Mr. Kerr:** Mr. Speaker, I thought the hon. member was referring to cesspools. I assume that the hon. member is asking whether the incinerators will eliminate the need for land disposal sites. I cannot say for sure whether this will be, but certainly it would go a long way to doing that. If the hon. member implies that these two large

incinerators will fulfill all the needs of industrial waste disposal in this area, I am not of that. But this is our hope, that incineration will be the method of disposing of type of waste and it will not be necessary to acquire a number of landfill sites.

**Mr. Deacon:** A further supplementary, Mr. Speaker, is the department taking a leadership role in the co-ordination of this disposal problem of liquid waste with these private companies?

**Hon. Mr. Kerr:** As a matter of fact, Mr. Speaker, we are the only source of co-ordination of industrial disposal sites, and as I indicated some time earlier this year we have to bring in legislation which will also control and regulate the operation of these sites. Certainly, we are assisting private industry and municipalities in finding a suitable site. We are indicating where disposal sites are necessary and doing everything from a technical and advisory capacity to assist in proper disposal of industrial liquid waste.

**Mr. W. Hodgson (York North):** Mr. Speaker, if I may?

**Mr. Speaker:** Supplementary?

**Mr. W. Hodgson:** Mr. Speaker, according to Mr. Heaman of Ontario Water Resources Commission attending a council meeting in Whitchurch township, about April 1, referred to in the local paper in Richmond Hill, last week's issue, where he said plants could be built to dispose of liquid waste, I am referring to liquid waste at the Brenner dump in Whitchurch township, would these be the plants that were referred to in that particular meeting?

**Hon. Mr. Kerr:** Yes, I think that those would be the plants referred to by the hon. member who just asked the question. Yes.

**Mr. Speaker:** Any further supplementary to that? The hon. member for Scarborough East.

**Mr. T. Reid:** I have a question of the Minister of Health. Does the minister intend to seek a ban on the use—

**Mr. MacDonald:** Discrimination.

**Mr. T. Reid:**—of solid plastic containers for milk on the grounds that there is now sufficient evidence to show that plastic containers which have been used for anti-freeze, turpentine, and so forth by milk purchasers and then returned, cannot be cleaned sufficiently

to prevent contamination of the next batch of milk which is sold?

**Hon. T. L. Wells** (Minister of Health): Mr. Speaker, I cannot tell the hon. member whether we would or not do that, but we will be happy to review any new findings which may be available in this particular area and see what the situation is. Certainly, if there is a definite health hazard in these containers, action will be taken but we will have to have this assessed by our department people.

**Mr. T. Reid:** A supplementary question: as the minister is probably aware, there is a possibility of a health hazard, but there is also now conclusive evidence concerning the taste of the milk that is sold in a container that has had a substance such as turpentine in it. Who will he work with regarding taste contamination as well as health contamination?

**Hon. Mr. Wells:** Mr. Speaker, our public health people would be the ones who would consider this. Contamination of taste, I think, might well become part of the health hazard and certainly we would look into it. I will let the member know.

**Mr. Speaker:** The hon. member for Oshawa?

**Mr. C. G. Pilkey** (Oshawa): I have a question of the Minister of Labour. Is The Department of Labour involved in any way in the strike between Local 50, International Upholsterers' Union, and the Sklar Furniture Company of Whitby?

**Hon. D. Bales** (Minister of Labour): Mr. Speaker, I would have to look at that situation, as it is not one of those that is currently before me.

**Mr. Pilkey:** Is the minister aware of the fact that the company has threatened to move that operation from Whitby?

**Mr. Pitman:** Under an EIO loan, right?

**Hon. Mr. Bales:** No, Mr. Speaker, I am not.

**Mr. Pilkey:** A supplementary, Mr. Speaker: in view of the fact that the company has threatened to move its operation because of a suggested inability to pay, does the government contemplate a move which would require the company to open its books?

**Mr. Pitman:** Hear, hear!

**Hon. Mr. Bales:** Mr. Speaker, I saw at the moment ago that I was not aware that there was such a threat and until such time as I look into it I will make no comment.

**Mr. Pilkey:** Well if they are threatening to move and the minister does find out, will he then ask the company to open its books?

**Mr. Speaker:** I do not think that is a proper question. I think that it is entirely up to whatever the minister finds when he investigates.

**Mr. Lewis:** The Premier finally admitted that he saw Dunlop's books.

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

**Mr. Deacon:** Mr. Speaker, a question of the Minister of Highways. Has the government now reached a satisfactory agreement with the CNR on details for the rush-hour use of the Richmond Hill line by GO Transit?

**Hon. G. E. Gomme** (Minister of Highways): Mr. Speaker, as I said before, this matter is being very carefully considered and a reply to all the proposals on this will be made in due course.

**Mr. Deacon:** A supplementary, sir: in view of the fact that the service is scheduled to commence in two months, what is the schedule on this reply?

**Mr. Speaker:** I think the hon. minister has replied, "in due course".

**Mr. Deacon:** In due course!

**Mr. Speaker:** The hon. member for Sandwich-Riverside.

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Speaker, I have a question of the Minister of Energy and Resources Management, I would like to ask your advice. Would he like the minister to receive a question about air pollution?

**Mr. Speaker:** The hon. member can try.

**Mr. Burr:** This is the question of air pollution at airports. Has any measurement of decibels been made at any Ontario airport?

Interjections by hon. members.

**Hon. Mr. Kerr:** Not to my knowledge, Mr. Speaker, no.

**Mr. Burr:** Is the minister aware that when jets flew over the Vancouver International Airport, sound level measurements often recorded

130 decibels, which is the pain threshold? If so, would he consider legislation to protect Ontario residents, especially those near airports, from noise pollution?

**Hon. Mr. Kerr:** Mr. Speaker, it all depends whether you are for or against 130 decibels. I am not sure if that is high or—

**Mr. Burr:** That is the pain threshold.

**Hon. Mr. Kerr:** I see. Mr. Speaker, unfortunately we have no legislation to control this type of noise pollution. I think that the hon. member should give us time possibly to clean up the three other major sources of pollution that we are concerned with at the present time.

As far as the sources of noise pollution such as jets, automobiles, snowmobiles and lawnmowers, I think we should be working with the manufacturers of such equipment to minimize the noise at that level. In other words they should have equipment on these various types of polluters, shall we say, to minimize noise from their operation, but as far as Ontario, for example, taking action against some international airline, there may be complications.

**Mr. T. P. Reid:** Mr. Speaker, what plans would the minister entertain in regard to the jumbo jets that will shortly be flying into Toronto International Airport?

**Hon. A. Grossman (Minister of Correctional Services):** They are quieter!

**Hon. Mr. Kerr:** This would be something which I think would concern the federal Minister of Transport. For example, it may be that in view of the fact that there are plans for such an airport in Ontario, discussions will have to be held whereby some criteria will have to be established to minimize noise from such aircraft.

**Mr. Burr:** A supplementary, Mr. Speaker: would the minister not agree that it would be better to prevent this noise rather than try to eliminate it after it gets going?

**Mr. Speaker:** The hon. Minister of Health—is this a supplementary?

**Mrs. M. Renwick (Scarborough Centre):** Supplementary question, Mr. Speaker.

**Mr. Speaker:** Supplementary question, the hon. member for Scarborough Centre.

**Mrs. M. Renwick:** Would the minister inquire of the federal Minister of Transport

regarding noise abatement through flight plans, which might even be in effect now?

**Hon. Mr. Kerr:** Mr. Speaker, not to avoid the question, but in a very general way have been in touch with, corresponded with the federal Minister of Transport from the point of view of both air pollution and noise pollution by aircraft—international aircraft and of course airlines such as Air Canada and really I cannot see any other solution than that the aircraft at the time of manufacture must be designed in such a way that noise will be minimized. I suppose things like flight patterns and certainly the location of the airport, general development around the airport, and things like that would also be part of such discussions.

**Mr. Speaker:** The hon. Minister of Health has a reply to a question previously asked.

**Hon. Mr. Wells:** Mr. Speaker, this is a reply to a question asked by the member for High Park concerning Sylvester Young and a bill that he received from one of the mental hospitals. I would like to tell the House, Mr. Speaker, that this case has been followed and looked after very capably by the member for Renfrew South (Mr. Yakabuski) who informed Mr. Yonin about two or three weeks ago that this bill was issued in error and it has been cancelled.

**Mr. Speaker:** The hon. member for Huron Bruce.

**Mr. Gaunt:** Mr. Speaker, I have a question of the Prime Minister. In view of the action of the province of British Columbia in respect to lowering the voting age, is the Prime Minister considering similar action here?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, this whole matter has been looked into by a select committee of all parties dealing with various matters concerning our electoral laws, and I do not think it would be proper for the government to make any move in that direction until such time as we have the benefit of whatever recommendations that committee may make. I think I am on record in some place expressing my own personal view in this matter, but I am quite sure the committee will report before there will be any necessity of changing our electoral laws.

**Mr. Speaker:** The time for oral questions has expired, unless the hon. member has a supplementary.

**Mr. Gaunt:** With your permission, sir, I just want to ask the Prime Minister, in

event the committee does recommend lowering the voting age, is it fair to assume that that will be done before the next election?

**Hon. Mr. Robarts:** A hypothetical question.

**Mr. Speaker:** I think the Prime Minister is quite right. The time for oral questions has now expired.

Petitions.

Presenting reports.

Mr. Jessiman, in the absence of Mr. Gilbertson, from the standing private bills committee, presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bills without amendment:

Bill Pr20, An Act respecting the Town of Georgetown;

Bill Pr35, An Act respecting Dennis Realty Company Limited;

Bill Pr36, An Act respecting Wentworth Radio and Auto Supplies Limited.

Your committee begs to report the following bill with certain amendments:

Bill Pr30, An Act respecting the City of London.

Your committee would recommend that the following bill be not reported:

Bill Pr19, An Act respecting the City of Peterborough (No. 2).

Your committee recommends that the time for submitting its final report be extended for such a period as may be necessary to receive and consider the report of the Commissioners of Estate Bills on Bill Pr25, An Act respecting the Charlotte Eleanor Englehart Hospital, of the town of Petrolia; and to consider the said bill and a bill to confirm an agreement between the town of Fort Erie and the Buffalo and Fort Erie Public Bridge Authority.

**Mr. Speaker:** Motions.

Introduction of bills.

## TOWN OF FORT ERIE

Mr. Haggerty moves first reading of bill intituled, An Act respecting the town of Fort Erie.

Motion agreed to; first reading of the bill.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, on a point of order, has it been brought to the Speaker's attention that there

are three members of this assembly who are designated as representing the constituency of Thunder Bay in the official telephone directory used by the province of Ontario members of the civil service? Is there any way that this can be corrected?

**Mr. Speaker:** I believe this matter has been discussed previously by certain of the members and I will convey the hon. member's questions to Mr. Speaker, who will no doubt reply properly to him.

**Mr. Stokes:** No, it was not discussed before.

**Mr. Speaker:** It was not discussed in the chambers, but I have knowledge that it has been discussed privately as to what was the proper situation.

**Mr. Stokes:** No, but I am saying since this was discussed in these chambers with reference to changes in The Representations Act the government has issued a public document designating three members as representing the constituency of Thunder Bay, but that document shows the member for Port Arthur (Mr. Knight) and the member for Fort William (Mr. Jessiman) as representing that constituency, and I think it should be corrected.

**Mr. MacDonald:** Mr. Speaker, before the orders of the day I wonder if I might ask the Prime Minister whether the rule of the year that permitted substitutes in the membership of two of the standing committees, namely, the estimates committee and the committee on government commissions, contains for this year also?

**Hon. Mr. Robarts:** Mr. Speaker, the question of substitutions and supplements is going to be dealt with in the changes in the rules, and as far as I understand the situation the only place these substitutions present will be allowed is in those committees which are dealing with estimates.

**Mr. MacDonald:** Government commissions last year!

**Hon. Mr. Robarts:** As a principle, I have some reservations about unlimited substitutions in the committees. We are going to have some discussion, perhaps later on, concerning the rules and we can take that up at the time.

**Mr. F. Young (Yorkview):** Mr. Speaker, a matter of personal privilege. In *Votes and Proceedings*, Tuesday, April 14, 1970, I noted that among the people listed on page 10 as voting, "Young" is listed among the "Resignees." That is bad company for me to keep; a

would ask that a suitable correction be made, because my vote was among the "ayes," Mr. Speaker.

**Mr. Speaker:** I am informed that it can so be corrected and it will be done in the journals of the House.

Orders of the day.

**Clerk of the House:** The sixth order; House in committee of supply, Mr. R. D. Rowe in the chair.

## ESTIMATES, DEPARTMENT OF TRANSPORT (continued)

On vote 2302.

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

**Mr. B. Newman (Windsor-Walkerville):** Thank you, Mr. Chairman.

**Mr. Chairman:** This is on highway safety co-ordination and promotion?

**Mr. B. Newman:** Right.

In the promotion of highway safety last year, I made a whole series of recommendations or suggestions to the minister. At this time I would like to ask him if they plan to implement any of them.

One of the suggestions I made was regarding higher-intensity light bulbs at the rear end of a vehicle. On a lot of the cars that travel our highways today, it seems to me the bulbs in their tail lights are not of sufficiently high intensity and you have difficulty seeing them. In addition, very often they get splattered with mud and it makes them that much more difficult to see. I suggested that bulbs of higher intensity be mandated for the vehicles in an attempt to make it that much easier to see the vehicle. May I have the minister's reply on that? I have several other suggestions to make.

**Hon. I. Haskett (Minister of Transport):** Would you like to make them all?

**Mr. B. Newman:** Yes, I will do that then. One of the other suggestions I had likewise made was the use of reflectorized licence plates. I am not going to describe it at all, because the minister knows exactly what the recommendation is and likewise he knows my feelings on it.

I would prefer either to see the licence plates reflectorized or some area across the width of the car, with some type of reflected

material applied on the rear of the car. Likewise, I would like to see some type of reflective material or tape on the inside of the trunk of the vehicle so that, if the vehicle is confronted with some type of problem or trouble, all the operator would have to do is to pull over to the side of the road, lift the trunk and the reflective materials would be readily visible to the headlights of a vehicle approaching.

I made mention of the use of safety glass, a special type of safety glass, on all windows in the vehicle. Likewise, to make it easier to check cars that have been stolen, the etching of motor number or some type of identification on each of the windows. I think this is done in some jurisdictions, where by some chemical method a number is etched on the windows; if the vehicle is stolen, the way you could come along and put the vehicle back on the road would be by replacing all of the windows.

I also made mention of rupture-proof gasoline tanks, either the type that is honcombed or any type that would not rupture as a result of a minor impact. I suggest the use of a double red traffic light at locations where there is an extremely high accident incidence. The single red is the standard type of a light, whereas if you used a double red, an individual approaching that corner would know that this is a corner where he would have to pay particular attention because of its danger.

I made mention of the use of the serrated pavement or the rumble strip, so that a driver especially in heavy fog conditions, would easily be able to tell by the sound of his tires that he is pulling off too far to the right of the road and might leave the highway. Instead of the use of the rumble strip or the serrated highway, the sound itself would warn an individual that he has to pull his vehicle in an opposite direction.

One of the other items that I would like to see the minister to look into is more research into the cause of highway accidents. I think the amount of funds that are spent today—approximately \$250,000,000 across Canada for the cause of highway accidents—is not sufficient. It could be increased substantially so that we would know exactly why some of these accidents do happen.

There were two other items I would like to bring up, and one is the use of a two-three-light tail-light; preferably just a two-light tail-light, with both red and green. The red would come on as soon as the individual has applied the breaks and the green would

be the light that would be on while the vehicle is in motion.

The last suggestion that I would like to make to the minister concerns looking into the "car repair jungle", as it is so aptly described by some writer in, I think it was, the *Star Weekly* some months ago. The average individual, when he goes to have his car repaired, is at the mercy of the industry. There should be some way where an individual could know that his vehicle is being taken care of at a reasonable price, in addition to being serviced properly.

These are a few of the suggestions, and I know other members of this House will make many more. I hope that the minister would be able to reply to as many of these as possible and let us know exactly the thinking of his department on the various items I have mentioned.

**Hon. Mr. Haskett:** Mr. Chairman, the member for Windsor-Walkerville has covered quite a gamut of the entire automobile area with these many itemized matters he has brought up.

First of all, let me pass over the last mentioned, which I think he will appreciate is a matter for concern by my colleague, the Minister of Financial and Commercial Affairs (Mr. A. B. R. Lawrence) on consumer protection. That is, the cost of automobile repairs and the treatment of the motorist when he goes to a garage. I think he will appreciate that.

The first item he raised had to do with the intensity of light bulbs and the tenth item with tail-end lighting. I put those together and say to the hon. member that we dealt with this matter of tail-end lighting briefly, I think, under the main office vote. I do not know just who raised it then. But I would say to him that a member of our staff, Mr. Ed Brezina, serves on the lighting committee of SAE and these matters are both under consideration by them.

Reflectorized licence plates: I would simply say to the hon. member that the answer is the same as last year except that there is building up more resistance to the reflectorized licence plate *per se*. He may know that reflectorization or licence plates was approved in Michigan. I do not think they have yet passed the money to make it possible and there has been a very strong opposition to it develop among the motorists or the automobile clubs in Michigan, as well as the police.

**Mr. B. Newman:** This year?

**Hon. Mr. Haskett:** Yes, recently.

**Mr. Newman:** It is not as a result of reflectorization. It is as a result of the use of gold and the white colouring of their licence plates. They are a very poor combination of colours.

**Hon. Mr. Haskett:** That may be partly correct but I have a clipping from an item put out by the Michigan Automobile Club—with endorsement by the police—objecting to them and hoping the Legislature would not pass legislation appropriation necessary to carry out their plan.

His further comment though has very little sense and that is the use of a broad band of reflectorized material across the rear of the car. I think we have discussed this before and are in agreement, that that kind of reflectorization on the tail end of a car, and along both sides, might be considered as being quite valuable. I think we have the view that

**Mr. B. Newman:** How about on trucks, Minister?

**Hon. Mr. Haskett:** The same thing, I would think, would be quite useful.

I agree that reflectorization has its place. I simply resist, as we have, the using of a reflectorized licence plate as a device for reflectorization. If reflectorization was of that significance, then I think the National Highway Safety Administration in the United States and our own federal department now responsible for motor vehicle safety would have required it—would have mandated more reflectorization on the front and rear.

Some of the tail lights are now being reflectorized, in addition to lighting, as the hon. member knows, and, as I mentioned two or three years ago was coming. Now the licence plates themselves carry interior reflectorization. I think that I approve. On the reflectorized licence plates I retain my position.

**Mr. B. Newman:** Does the minister reflectorize consider that the triangle that is now used on slow-moving vehicles has some safety factor?

**Hon. Mr. Haskett:** Very much so.

**Mr. B. Newman:** Well, if it—

**Hon. Mr. Haskett:** It is the only rear reflectorization the vehicle has.

**Mr. B. Newman:** Is the minister aware of that—

**Hon. Mr. Haskett:** Automobile sand trucks both require either lights, or reflectorization or both.



**Mr. B. Newman:** Is the minister aware that the square inch surface area of that triangle is no greater than what it would be on a licence plate?

**Hon. Mr. Haskett:** This is quite so and the member can just relate those; whether it is coincidence or whether it was designed, I am not prepared to say. We require this slow-moving vehicle sign to be in accordance with our specification and the sign, as we see it, is in line with the specification laid down by our department.

**Mr. B. Newman:** So you approve of it in one instance and you disapprove of it in another?

**Hon. Mr. Haskett:** Because there is an absence of reflectorization on the rear end of a slow-moving farm vehicle.

**Mr. B. Newman:** But there is a similar absence on the rear end of an average vehicle.

**Hon. Mr. Haskett:** No.

**Mr. B. Newman:** Only the newer vehicles have the reflectorization built in the tail lights.

**Hon. Mr. Haskett:** No, they are required to have rear end reflectorization.

**Mr. B. Newman:** But only the newer vehicles have it built in.

**Hon. Mr. Haskett:** Only the newer ones have it on the lights.

**Mr. B. Newman:** Yes, that is right, on the lights.

**Hon. Mr. Haskett:** He speaks of the lining of the interior of the trunk lid.

Now this is a matter that has been put before the manufacturers. I am aware of the lining of the lid of the vehicle trunk with reflectorized matter, perhaps in a checker-board design—

**Mr. B. Newman:** Right.

**Hon. Mr. Haskett:**—so that it serves a useful purpose if the vehicle is immobilized and the trunk is open. But that, too, would be in addition to the required reflectorization on the tail end of a car anyway.

Safety glass on all windows is a matter he mentioned, but I cannot comprehend. We have safety glass requirements on windows now. What particular extra safety glass had you in mind?

**Mr. B. Newman:** I was thinking of side windows of the vehicle. They are the same as the front window of the vehicle; they have that type of glass, which, on impact, shatters completely into little pebbles.

**Hon. Mr. Haskett:** This may be. I would think it would be by regulation, because the Act requires that the glass in the car must be of our approval.

**Mr. E. R. Good:** That does not mean anything. What is your approval?

**Hon. Mr. Haskett:** We have been approving the shatterproof glass on the front and rear and a so-called safety glass on the side windows, but not necessarily the same shatterproof, because the new shatterproof glass on the front and rear windows is a very much strengthened item. It was two or three years ago that the extra thickness of the reinforcement came into effect.

The identification of a car by etching a distinctive number on the—

**Mr. B. Newman:** Yes, on each of the windows.

**Hon. Mr. Haskett:**—windows I think is less a matter of safety than it is of identification and assistance to the police in tracing a stolen car.

**Mr. B. Newman:** Right. Yes.

**Hon. Mr. Haskett:** I say to him that we have done nothing about that. This might be an item we might take up with the Attorney General or the provincial police or the police forces, but I do not think we have had any recommendation from them with respect to it.

**Mr. B. Newman:** I really was thinking of a point of view of being able to trace the vehicle when it was stolen.

**Hon. Mr. Haskett:** Yes, I appreciate that. Fuel tanks are a matter of vehicle construction that should be dealt with by my colleague, the federal Minister of Transport, under vehicle safety at the point of inspection.

**Mr. B. Newman:** What about replacement, Mr. Minister—the car that goes in the garage and has a ruptured fuel tank and replacement of that fuel tank, especially if it is an older model car?

**Hon. Mr. Haskett:** In the event that it comes a requirement of new cars, I

quite agree that we might very well write it into our requirements for replacements.

**Mr. Chairman:** Any further comments on highway—

**Hon. Mr. Haskett:** There is one other matter the hon. member raised—no three other matters, Mr. Chairman, raised by the hon. member for Windsor-Walkerville that I have not dealt with.

One is the double red at dangerous intersections. I do not know if that matter has been dealt with by the committee on uniform traffic signs or not, but I will see it is referred to them for study, or for consideration.

**Mr. B. Newman:** Mr. Minister, I have actually seen that in operation in one of the states in the union.

**Hon. Mr. Haskett:** You can see it in operation in the province of Quebec in some cases.

**Mr. B. Newman:** Well, I have seen it in the United States too.

**Hon. Mr. Haskett:** I do not know if it is being considered by the committee on uniform traffic signs or not. The rumble strips he brought up, with regard to edgemarking of roads or other portions of roads—central medians and the like—those are being used in some areas now by our Department of Highways. It would be a matter for them to decide on road design.

**Mr. B. Newman:** Mr. Minister, do you not make suggestions to the Minister of Highways that some of these have a safety factor and should be incorporated?

**Hon. Mr. Haskett:** Yes we do. We discuss a thing like this with them.

The designation of the total cost for highway safety, or highway collision, research at \$250,000—that, it seems to me, came from some publication. I do not know that I can just recall where. But I do not agree that it would be a total amount being spent on that work today, for the reason that there must be a great many pieces of work that are really related but not specially designated or that the costs of them have not been separated out for inclusion in the national picture.

I would like to say to the House that we appreciate the increase in the amount of interest in, and attention to, traffic accident or collision research—the growing place or role of the Traffic Injury Research Foundation in Canada and organizations like that. I particularly draw to the attention of the member

for Windsor-Walkerville the piece of work that we are doing in organizing our seminar on psychiatric and medical research that to occur in Toronto on May 1 and 2.

This will bring together some of the most outstanding leaders in psychiatry and medicine and law in these areas, out of which I hope will come some very useful and provocative discussions.

That seems to me to cover pretty much what the member was bringing up and I thank him for listing them.

**Mr. B. Newman:** Double light tail-light green and red tail-light.

**Hon. Mr. Haskett:** That I dealt with already with item No. 1 as coming within the purview of the SAE lighting committee study which our Mr. Brezina is a member.

**Mr. Chairman:** Any further discussion on this activity? The member for Thunder Bay

**Mr. J. E. Stokes (Thunder Bay):** The minister will recall yesterday I drew a special instance to his attention with regard to recommendations of a jury as a result of an inquest that was held into a fatal accident. How does the minister deal with special recommendations that are brought to his attention as a result of inquests held resulting from fatalities where road accidents are concerned?

**Hon. Mr. Haskett:** Mr. Chairman, our department receives a copy of the coroner's jury report in every case and the coroner's jury report carries a notation that if any action is taken in the areas mentioned, the chief coroner should be notified.

**Mr. Stokes:** Surely in times gone past you have brought to the attention of officials in the department how essential it is that vehicles pulled over to the side of the road should be clearly marked, so that somebody will be aware that that vehicle is there at night?

Now, have any steps been taken to indicate that vehicles, such as large transport trucks which have pulled over to the side of the road be clearly marked by luminous tape or something of this nature to mark them so that they will be more readily seen at night? Surely this recommendation has been brought to the attention of someone in the department in the past as a result of accidents such as the one I outlined yesterday?

**Hon. Mr. Haskett:** Mr. Chairman, it would be fair to say, I am sure, that a great deal

of The Highway Traffic Act has been developed in measure as a result of reports of coroners' juries through the years. I checked out the specific case the member raised yesterday to find that we have received a copy of the coroner's jury report as of April 1; it has come in.

We looked at the police report, which we also obtained, and there are a lot of missing links along the way. The first thing that came to my mind when I saw both was that the collision occurred on account of a number of offences under The Highway Traffic Act having occurred at that situation.

The hon. member for Thunder Bay asked specifically with respect to marking a vehicle that has pulled off the side of the road because of being immobilized. Neither the police report nor the coroner's jury in this case, indicated that the vehicle was immobilized or that it was out of use. If it was out of use, if its lights were not working normally, then it was required to have flares back and front put out at certain specified distances from the vehicle.

The coroner's jury refers to the matter of cars parked on the highway being required to turn off their lights. I cannot agree with that at all, without knowing some of the specific particulars in this case. A vehicle is required from sundown to sunup, to have its lights on if it is on the highway. You have to try to balance these two. Are you going to have the lights off or the lights on? If the vehicle was parked, a vehicle other than the immobilized truck tractor transport, then the vehicle parked opposite should not have been there. If it was stopped, it should not have been on the highway.

If it was on the highway, it should have had its lights on. If it had its light on high beam—and that may be what raised that question. It may be that the driver of the car in which the passenger was killed, complained about not being able to see the vehicle ahead of him because he was blinded by the lights of a parked car to excuse himself for driving faster than the condition of the roads and light allowed safely. The vehicle that was parked opposite the tractor-trailer should have had its lights on, but it should not have been high-beam if a car was within 500 feet of it.

I cannot put all of these facts together because the police report and the coroner's jury report do not give me anything like a sufficient picture of what happened. But I can see in the story, as related by the hon. member and supported by the rather in-

adequate reports that I have received, there were many traffic offences committed in connection with that collision.

**Mr. Chairman:** The member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** I have a question of the minister about the big tractor trucks that I made reference to a month or two ago. Nobody pays much attention to what one says in this House, but I thought that the builders of these big tractor-trailers I have mentioned this before. There is no man or woman who drives the highway in the province who has not found themselves in the same position as I have. You drive a large tractor-trailer, with a flat box bottom; there are no fenders whatsoever on the sides of these units that go on the road and have, I do not know, 16 tires or more. As you drive by them, the slush on the highway splatters up underneath the flat bottom and then deflects on to the car passing. There is no possible way to get away from being splattered with slush and sand, calcium and ice; especially it seems to you right on the windshield.

I was wondering, and I have mentioned before in the House, why the builder of a particular unit could not be compelled by law to put on a bit of a skirt—five or six inches would do it. Once that slush hits the box, then it deflects out, and I would think it would be good business to construct it in such a fashion so that this would not happen to it. They have a rubber flap at the bottom, usually, that catches most of it, and I do not object to that because I do not know how else they could construct that. But when it hits the side!

Mind you, when you are driving on a slippery road and you drive by these particular trucks, if you are careful and you decide to drive a little slower, then they catch you in the most dangerous position because when they pass you they really hit you at their mercy. They seem to get beyond the portions of the highway that have been cleaned off by tires and they hit you in an area where most of the slush is piled up. You must slow your car down—yes, and many occasions one has to stop because the windshield wipers along with the water that comes out of the window washers are not sufficient to clean that up in a short period of time.

It strikes me that there is a very simple solution to this problem, and I do not know whether the minister and his experts have

talked to the people in this industry who build these particular flat tractor-trailers. The front fenders are all right; they have fenders and they do not deflect out on to the drivers, but I believe there is an opportunity here for the minister to recommend to the manufacturers that if they do not put fenders on them, at least they could put a bit of a skirt of some five or six inches to stop this deflection of ice and slush on to the windshields of the people who are either passing or are being passed. It is a very treacherous way to drive on our highways.

I drive something like 25,000 miles a year, between here and Niagara Falls most of the time, and I run across this condition often. I am wondering whether the minister has had similar complaints from others and, if he has, what has he recommended or what will he recommend to remedy this condition? I think there is a simple solution.

**Hon. Mr. Haskett:** Mr. Chairman, I wish I could agree with the hon. member for Niagara Falls that there was a simple solution because I, and every driver in the province, have shared his annoyance as well as concern for the safety of drivers of vehicles that have to pass, or are passed by these large commercial vehicles. I reported to the House—it was last year as I recall it—what was being done, and there is little result that I can give to him or to the House.

There was a study going on in Great Britain and they did design some sort of a box enclosure and our people, both manufacturers and operators, felt that it was quite adequate for the Canadian operation. Illinois brought in a mudguard, or a protector of some kind, about two years ago and the law was found invalid. It was ruled there that it was not a reasonable requirement for interstate traffic.

We have discussed it with the manufacturers, we have discussed it with—in fact we have a committee—with the ATA, who are the automotive transport operators representing operators of most of the big vehicles on the highways. They have been looking at a draft regulation. Whether it will be useful, or whether it will give us any hope of success or not, I am not prepared to say, but we have been looking at it. We are concerned about this situation, because everyone shares the same inconvenience and danger the hon. member for Niagara does, and it is a very real one.

**Mr. Chairman:** The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, the comment concerning the amount of research into traffic accidents is as follows, and I read it for the minister, so that it will get the record and then he can reply:

Grant G. Brown, of Toronto, president of the Canadian Automobile Association said yesterday in Edmonton that although traffic accidents claim 5,000 lives a year in Canada, only \$250,000 is spent in researching the causes.

Now a quotation from his comments:

For a comparable killer in the medical world such an allocation to research would be laughable.

There is Mr. Brown, the president of the Canadian Automobile Association, making a statement like that. I hope the minister come along and give us information to point out that Mr. Brown is incorrect in his comments there.

**Hon. Mr. Haskett:** I am not going to refer him at this time, except I acknowledge whatever we are doing is inadequate.

**Mr. B. Newman:** Oh, right.

**Mr. Chairman:** Does that complete the discussion?

**Mr. B. Newman:** No, I have three other items that I would like to bring up to the minister. One is, what research is going on in the department, if any, concerning skid resistant road surfaces?

**Hon. Mr. Haskett:** Mr. Chairman, there is no research on skid resistant road surfaces being done in our department. I believe it is a fair question to put to my colleague, Minister of Highways.

**Mr. B. Newman:** Then pavement reflectors—is there anything that the department does concerning pavement reflectors?

I notice the state of California uses pavement reflectors. I know our weather conditions in some parts of the province possibly preclude the use of this, but maybe there is still some way of adhering them to the highway, even if they have to be depressed a bit to mark the highways.

**Hon. Mr. Haskett:** Like rumble marks that is all in The Department of Highways.

**Mr. B. Newman:** Right. The last then is the use of nitrogen in tires as a safety factor. Because of its low expansion factor, I understand some of the trucking companies have

used this and found it a definite advantage. They get more miles per tire and likewise the danger of blowout is that much smaller.

**Hon. Mr. Haskett:** What the hon. member says is quite true, the expansion coefficient is much better in nitrogen, and I would think that the large operators might find it economically useful, but we have taken no action.

**Mr. B. Newman:** Your department has not studied that with the hope of recommending its use to segments of the industry?

**Hon. Mr. Haskett:** No.

**Mr. B. Newman:** All right. May I bring this to the attention of the minister then: An atom-powered traffic sign is being used today on an experimental basis, and I will read the article, it is very short:

An atom-powered traffic sign easily visible at night from 500 feet is being tested in Phoenix. It works in a fashion similar to that of a television tube. Electrons from a radioactive form of crypton gas hit a phosphorous-coated surface causing it to glow. The fuel which keeps the sign illuminated night and day will reportedly last 10 years. There is no electric energy used here at all.

The sign poses no safety hazard, say state officials, should it be shattered in an accident. The crypton is a chemically inert form and there is very little of it. If released, the gas would dissipate in the atmosphere almost immediately. The big advantage of this device is that it requires no electrical lines or replacement parts.

Is the department aware of this and are they giving any consideration toward this type of sign?

**Hon. Mr. Haskett:** Mr. Chairman, I am not aware of the sign mentioned by the hon. member. Like some of the other matters he mentioned in the first list he gave me, I think I would like our people to look at it and see if it has possibilities that we might look through further.

**Mr. B. Newman:** I am going to have this passed over to you, Mr. Minister, and then your officials can look at it. I do not want it back at all.

**Hon. Mr. Haskett:** Thank you, sir.

**Mr. B. Newman:** Now as far as gasoline is concerned, does your department have any control over the sale of gasoline?

**Hon. Mr. Haskett:** The safe handling of fuel is the responsibility of The Department of Energy and Resources Management.

**Mr. Chairman:** The member for Niagara Falls.

**Mr. Bukator:** Mr. Chairman, can I ask a question about helmets for people who ride motorcycles on this vote, or am I—

**Mr. Chairman:** I remember some discussion on this.

**Mr. Bukator:** I was just wondering what the experience of the department was. May I go on with the question?

**Hon. Mr. Haskett:** As far as I am concerned, yes.

**Mr. Bukator:** Very good. I want to speak about helmets and some of the objections from people who ride motorcycles and are compelled by law to wear them. They were telling me that the safety measure that the minister wanted to bring into effect by law has not worked out satisfactorily for people who ride the motorcycles, and you would know better than the people who have to wear the helmets, especially if they ride motorcycles, or at least operate them? They usually have one on their heads and another one attached to the back of the motorcycle for the passenger.

Since that law was brought into effect I was wondering what the experience of the department was, did it work out satisfactorily or is there a possibility that the province might use methods that have been used in some of the states, whereby they found that the safety measure was not that great, and they rescinded that statute and have allowed people to wear helmets only at their own pleasure rather than compel them to wear them. I was wondering what the experience is, did they save any lives, from the knowledge that you have of this particular subject?

**Hon. Mr. Haskett:** I believe I alluded to this in my opening remarks and it is dealt with also in the annual report in the final and the penultimate paragraphs that read:

A decided improvement in the safe operation of motorcycles was achieved in 1968 and 1969 as compared to the previous years. Fatalities were down 17 per cent.

I skip through:

Injuries decreased by 6.7 per cent; number of collisions dropped three per cent.

So while the number of collisions dropped three per cent, the number of fatalities was down 19 per cent, and all of this despite a normal increase in the number of vehicles and riders and mileages covered. So from my standpoint, either or both of the specific changes we made—(a) the separate licensing of drivers of motorcycles; (b) the mandated use of helmets—must have contributed to the very gratifying reduction in fatalities and injuries.

**Mr. Bukator:** You are satisfied that the statute is doing a fairly good job?

**Hon. Mr. Haskett:** Yes, sir.

**Mr. Chairman:** The member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, this emphasizes the point that I made mention of in the remarks to the minister in the first vote, that the department needs to do a great deal more to get across these points to the public and particularly to the motorcycling public in the case of helmets.

Somehow or other the message is not getting through that there is a tremendous benefit as a result of this new legislation. I know there are groups to which this information could be passed, particularly in film form or some type of form that would get the point across succinctly. I would like to know if the minister has any plans to try to get this message through a little more effectively?

**Hon. Mr. Haskett:** Mr. Chairman, we have plans; we work on it all the time. But I am more than appreciative of the kind words from the member for York Centre in his comments on vote 1 where he felt that our communications were inadequate and that we could do much more in publicizing our laws and our changes and the safety practices that we were promoting, and I appreciate those words.

**Mr. Bukator:** Research is being done, no doubt, by your department then? I was wondering whether they would not come to a uniform type of helmet, because there are so many different types. Some of them look as if they have, if anything, a head protection and a colour which would appear to be like blinkers rather than giving them the necessary vision. They look at though they obstruct their vision. I wonder whether your department would consider a standard type of headgear that would serve the purpose much better than some of them I see. I believe

there is room for improvement. I was wondering whether you were not doing some research on the headgear that they are wearing to see that it is properly designed to lives.

**Hon. Mr. Haskett:** Mr. Chairman, for the interim period after we brought in the bill we allowed a period of time in which existing helmets could be worn. After a certain date only three helmets could be worn, they were the Snell Memorial approved, the British institute approved, the CSA approved and our own approved. Finally, after December, 1971, only the CSA approved will be useable, in view of the cost of the Snell Memorial and the British institute approved helmets. They are excellent ones even if they do not quite meet the standards. We thought that it was only fair to those who were using them that we should give them a phase-out period during which they could get some further use out of their expensive helmets. They are good helmets useable until December 31, 1971—just the Snell and the British institute approved ones.

**Mr. Bukator:** If I might complete my remarks on this issue: If I, who happen to be in public life and I meet with a lot of people in all walks of life, did not know these conditions exist, then my colleague who spoke a few minutes ago no doubt has made an exceptionally good point. Maybe you do not get credit for your efforts and in some way this should be publicized. I am better prepared now to go back to my people who use motorcycles and are complaining to me constantly; I can tell them of the percentage of accidents that has been cut down and how we do have a regulation type of helmet which is being brought into existence. You will be in existence by December when?

**Hon. Mr. Haskett:** After December 31, 1971, only the CSA approved helmet will be used.

**Mr. Bukator:** Very good.

**Hon. Mr. Haskett:** My thanks to the member for his comments. I would like to see what we have done in the way of publicity and I will send him copies of data. My colleague from York Centre urges, we should try to do more.

**Mr. Chairman:** Member for Kingston and the Islands.

**Mr. S. Apps (Kingston and the Islands):** Mr. Chairman, I think I can phrase my question so that it will come under this vote. As highway safety is determined to a great extent

the ability of the drivers, I was wondering whether the minister has had any results on the success of opening his licensing areas on Saturday, the way he did in Kingston. The experiment was in Kingston where you opened it on Saturdays to give the general public a better opportunity of being able to take their driver's licence examination. I wonder whether he can advise me whether this has proven successful?

**Hon. Mr. Haskett:** Mr. Chairman, this came up under driver licensing. I outlined to the House then the variety of hours of operation that we were trying out in the hope of finding those that would be acceptable in the various areas, including the Kingston and Windsor operations on Saturday.

**Mr. Apps:** Mr. Chairman, I am sorry that I am a little bit late in this question, but thought you might advise me whether this has proven successful in Kingston.

**Hon. Mr. Haskett:** Mr. Chairman, I have to say to the hon. member for Kingston and the Islands that we have had more audible objection than approval.

**Mr. Chairman:** The member for Etobicoke.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Chairman, the minister may recall receiving correspondence from me in connection with a Mr. H. Baughan, 132 Wincott Drive, Weston. In the early part of 1969, Mr. Baughan wrote me, Mr. Chairman, and asked about loads being secured on trucks and the danger from loads dropping from these motor vehicles or trailers.

I must say, Mr. Chairman, in passing, that the minister has always been, and his department has always been, very courteous and very helpful in their replies.

I have the letter of February 20, 1969, where the minister wrote to Mr. Baughan after I wrote to the minister. The minister made mention of section 56, subsection 2, of The Highway Traffic Act which had recently been amended.

I wanted to bring to the minister's attention that apparently this problem is still with us. I have a recent clipping out of the *Telegram*, I believe it is. Mr. Edmond Wheatcroft, writing to the editor of the *Telegram* recently under the heading of "No Junk Trucks" wants to know when the Minister of Highways is going to do something about the salvage trucks which travel on the highways, spilling scrap metal, junk and garbage on the

roads to the constant fear of the regular motorists and commuters.

He goes on—I am not going to read the whole thing—but generally this letter in *Telegram* is quite similar to the recent letter which I received from the same Mr. Baughan. Once again, he is asking me what has happened? What is the minister doing about this recent amendment to the Act? Is it being carried out? Are people being caught and prosecuted when they allow things to fall off their trucks?

Mr. Baughan makes mention of the fact that he nearly had an accident. He also referred to that Metro policeman Ian Samson who was demoted temporarily and sent to the far bushlands because his cruiser ran over a piece of metal on the highway. He uses these as examples to point out that this is a danger that people all over Ontario are subject to. I would like to know from the minister whether he can report to the House about this recent amendment.

Before I sit down, Mr. Chairman, I would also like to bring the minister's attention to the fact that we often find that when garbage trucks and other heavily loaded trucks or trailers on highways hit a bump, they shower the road with stones and these stones quite often cause the cause of damage to cars, particularly to windshields. Also, some of these trucks are underpowered, and when they get on a grade they have to go very slowly. The very fact that these big trucks, heavily loaded with dropping mud, gravel and other things on the road, the very fact that they are going slowly, causes other cars to try to pass them and we have accidents. Generally, Mr. Chairman, I would like the minister to bring me up to date on this recent amendment to the Highway Traffic Act, which he referred to in his letter of February 20 to Mr. Baughan. How is it working out and what is the minister and his department doing to, shall we say, make this a smaller problem than it is?

**Hon. Mr. Haskett:** The hon. member for Etobicoke raises a problem that is difficult to deal with. We have this section in the Act—I think it was 56(2) I referred to—and I read it to the House:

No person shall operate or permit to be operated on a highway any commercial motor vehicle or trailer unless the load on that such vehicle or trailer is carrying is firmly bound, sufficiently covered or otherwise secured or loaded in such manner

that no portion of a load may become dislodged or fall from the commercial vehicle or trailer.

Now how much more completely we could cover the matter in the law, I do not know. It is largely a matter of enforcement, and there is a difficulty in enforcement. You have to catch the operator of the vehicle at the time, I suppose, the load is spilling or identify the spilled load with the vehicle. In some areas there is a very good job of enforcement, and in other places it seems quite deficient. They have turned on heavy enforcement in some areas and it has helped correct an abuse that has worried the people. In other places, the offending truckers seem to get away with a great deal.

I just find in our annual report, which the hon. member has, that the convictions in 1968 under section 56 were 1,985 and in 1969, for the 11-month period, they dropped to 1,462. A substantial drop, but it was for an 11-month period instead of a 12-month period. We tried to give the hon. members as complete information as we could in our annual report and to bring them right up to the end of 1969.

**Mr. Braithwaite:** Mr. Chairman, if I may go a little further on that. This same Mr. Baughan raises the fact that if a car is speeding on the highway, it can be observed from the air. He wondered why a four-ton uncovered gravel or scrap truck could not be seen in the same way. He is wondering, and I think it is a very good point, that if a truck or a car can be spotted speeding, why cannot the same policeman see a truck that is overloaded?

I would be the first to admit that at most construction sites in the suburbs—and we have quite a few apartments going up and things like that, subdivisions going in—the actual entrance, or egress to the site is usually kept quite clean because this is where most of the dirt or the gravel is dropped. But when these trucks get further on the highway, there is no way that anybody could do anything about it dropping part of its load unless a policeman actually came along and said something. As the minister said, it is rather difficult to catch them.

Perhaps the onus for the overloading could be put on, say, the contractor or on the person who does the loading from the steam shovels. There must be some way that this problem can be attacked. It is all right to say that it is a difficult problem, but for people who use the highways—and there are millions of people in Ontario who do—I should think

there must be some way in which this problem could be attacked. Or some study could be made as to how trucks could be forced, perhaps, to have covers on them, or something. This problem is with us. People are getting killed and accidents are occurring because of overloaded trucks and the loads being strewn on the highways. I think the minister's department should be able to take some sort of constructive action.

**Hon. Mr. Haskett:** Some action, of course, has been taken under the existing law, as indicated by the convictions. The conviction would be against the driver and/or the owner. It could be jointly against the driver and the owner involved. But the enforcement of this section is the responsibility of the Attorney General and his enforcing arm, and we must take it up with him, as indeed, we have done in some of these instances where we have had these very flagrant abuses of uncovered loads and spillage. I can think of some instances not far from my hon. friend's constituency where that was done.

**Mr. Braithwaite:** Thank you.

**Mr. E. W. Martel (Sudbury East):** I would like to ask the minister a question related to school buses. Am I correct when I say that in a zone that is over 45 miles per hour, in other words, out on the highway—that could do not have to stop when a school bus is stopped on the highway? Is it correct to say that in a zone of over 45 miles an hour a school bus that is stopped for children either leaving or entering the bus, that the cars from either direction do not have to stop?

**Hon. Mr. Haskett:** On roads where the speed limit is over 35 miles per hour, travel in both directions is required to come to a stop if the school bus is stopped and has its lights flashing for taking on or discharging children.

**Mr. Martel:** And the same applies on a highway that is, let us say, over 60 miles per hour?

**Hon. Mr. Haskett:** Any highway with a speed limit of over 35.

**Mr. Martel:** Why is it, then, that some of the police are of the opinion that in certain instances you do not have to stop for a school bus?

**Hon. Mr. Haskett:** I cannot answer that except to say the law is clear that on a highway where the speed limit is more than 35 miles per hour, when a school bus stops



and has its lights flashing for the taking on or the discharging of passengers, traffic in both directions must stop.

**Mr. Martel:** The reason I query this is that during the situation which occurred in the Sudbury school district in January or February, the parents were advised that under certain sets of circumstances, cars did not have to stop and this was one of the reasons why there was a hazard in the Val Caron area. This information was passed on to the parents by police officers. I found it strange on that occasion, and I questioned the police as to the legislation. They maintained that under certain circumstances it was not necessary for automobile vehicles to stop. This was the information that was conveyed to a group of 400 parents.

**Hon. Mr. Haskett:** There is a misunderstanding some place. Section 94(2) is very clear.

**Mr. E. W. Sopha (Sudbury):** Well, it is clearer than you made it, because what you said was not exactly correct.

**Hon. Mr. Haskett:** Right you are, sir, in the first instance.

**Mr. Martel:** I would like to deal with one other point. There is something that I find a little bit hard to take—and I know I have had this drawn to my attention by a good number of people—and that is when a man purchases a car, let us say, in the spring, or renews his licence plates and, later in the year, he buys another car or trades in a car and he then purchases another licence plate. In fact, this means that the man purchases two licence plates in one year, which does prove a bit of a hardship. Is there no way that he could transfer his plate with him, or—

**Mr. Chairman:** Order, please!

It seems to me this discussion was passed under registration of vehicles. We are dealing now with highway safety, co-ordination and promotion.

**Mr. Martel:** I was under the impression, Mr. Chairman, that we were just moving up and down the ladder.

**Mr. Chairman:** No, no. This is clearly marked as passed. We had a thorough discussion on that in the last few days.

**Mr. Martel:** Well I was not here on the first of this week, Mr. Chairman.

**Hon. Mr. Haskett:** Mr. Chairman, if there are any unanswered questions the hon. member wants to put to me, I would be glad to hear from him and deal with it separately without interfering with the orderly progress.

**Mr. Chairman:** If there is a brief question—

**Mr. Martel:** Well, I just want to know there is some way that this would be overcome. Either he takes his licence plate with him to the new car or when he buys the new one that he gets reimbursed, somehow through the dealership or so on, for the plates, so that he does not buy two plates a year.

**Hon. Mr. Haskett:** Mr. Chairman, this is a matter that may be dealt with when we achieve the new mechanical issuing of licence plates, and it is under active consideration at this very moment.

**Mr. Chairman:** The hon. member for York Centre.

**Mr. Deacon:** Mr. Chairman, further to the question of safety and education, regarding the new hitchhiking regulations I mentioned to the minister originally. Are there any plans to put out pamphlets or to explain why drivers should not pick up hitchhikers and why people should not be allowed to hitchhike, if this is going to be introduced as a law in this province? It seems to me to be imperative that we give reasons for legislation, or the facts, particularly to our young people. They get turned off about us putting in laws that they feel have no basis in fact.

**Hon. Mr. Haskett:** Mr. Chairman, the new regulations that came in a year ago included a considerable number that were of considerable general public interest. We spent a large amount for newspaper advertising of them, more than usual. As I recall, we had ads in all newspapers across the province—daily and weekly—ads about so high and about two columns wide, perhaps three columns wide. It told the story of the changes that were of most importance to the general public; they were repeated in the papers. I thought they had a rather good general distribution, but I take note of the point the hon. member is making that we are not telling our story as adequately as we should.

**Mr. Deacon:** Mr. Chairman, in connection with matters such as hitchhiking and helmet laws which really do affect the younger generation, the schools are an excellent area

which you can get direct pamphlet distribution at very low cost, at a far lower cost than trying to use the newspapers. I do not know if the young people are as great readers of newspapers as perhaps we think they might be. I suggest that the minister should put out information in this way. There are reasons for this legislation—it certainly is a subject I hear a great deal of discussion and argument about—and certainly the reasons for it have not been put across. I urge the minister to get a pamphlet out and distribute it throughout the schools quickly.

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

**Mr. B. Newman:** May I ask the minister if the approval of municipal bylaws concerning The Highway Safety Act would come under this vote, at this stage, on highway safety?

**Hon. Mr. Haskett:** I would assume that approval of municipal bylaws would come under vote 1, the main office. If the member has some question he wants to relay to me, we would be glad to take it, but perhaps not at this time if you want it to go through the votes orderly. But I am prepared to take your questions.

**Mr. B. Newman:** The point I want to make, Mr. Minister, is that quite often a municipality will prohibit parking on a fairly heavily used street, and the residents in the area have no place to park their own vehicles at any time of the day. Surely, in the approval of municipal bylaws, one of the considerations that the department should make is have the municipality make provision for the parking of the vehicles. This could all come under highway safety. I could refer you to Riverside Drive in my own community. The people on the drive were prohibited from parking their vehicles on the drive as a result of the municipality banning parking on a 24-hour basis. Now there is no place for them to put their vehicles, even on the side streets. There is no place, they have to go quite some distance. They cannot park them in the front of their homes; they cannot park in the alleys; so what do they do? If there were restricted parking, especially during, I would say, late in the evening, but not allowing parking during rush hours, I could readily understand that. But banning parking on a 24-hour basis on a given street, I think, is not really fair to the residents.

**Hon. Mr. Haskett:** Mr. Chairman, the determination of a parking bylaw must rest with

the responsible municipality, and be passed on to The Department of Transport for approval. Our concern would be if a proposed municipal bylaw offended some area of the Highway Traffic Act.

**Mr. B. Newman:** That settles it then, Minister. The thing is it is approved by your department; even though the municipality comes along and passes the bylaw, your department okays it. The thing is; I wonder whether your department knows both sides of the story, or has heard only the side of the municipality. However, I will leave it to you. Does the minister have any responsibility at all as far as the manufacture of a motor vehicle is concerned?

**Hon. Mr. Haskett:** Mr. Chairman, that matter has now been turned over by all the provinces to the federal Department of Transport. That was arranged as a result of a number of meetings between the federal government Department of Transport, The Department of Justice and the provincial departments responsible for motor vehicle administration. It was announced that the federal government, dealing with it now in its Bill C-10, would assume responsibility for vehicle safety at the point of manufacture or of importation.

**Mr. B. Newman:** I would hope that the minister does not give all of those responsibilities to the department. That he has sufficient love of the promotion of safety and so forth to communicate on a personal basis with the manufacturers, especially on items that he sees are of extreme benefit to the safety of the operation of the vehicle and the safety of the residents of the province of Ontario.

I could specifically make mention of some of the misleading types of advertising done by manufacturers, especially when they come along and exaggerate the horsepower rating in an attempt to sell the vehicle. I know that does not come under this vote, and I will stop right there and bring it up when we come into Financial and Commercial Affairs. I think the minister should not lose touch with the manufacturers. I think his voice on the manufacturers is extremely important, far as the people of Ontario are concerned.

**Hon. Mr. Haskett:** Mr. Chairman, I am happy to say that we still have excellent liaison and communications with both the motor vehicle manufacturers and The Department of Transport in Ottawa.

**Mr. Deacon:** One point in connection with this vote, as far as I am concerned. In so

bus drivers' regulations, is it permitted for them to put on flashing lights in areas where the speed limit is below 35 miles per hour? Or do the regulations require that they put on the flashing lights only if the speed limit is in excess of that?

**Hon. Mr. Haskett:** The school bus driver has no authority under the Act to flash his lights in an area where the speed is less than 35 miles per hour. Section 94(2) of the Act clearly states when he shall flash his lights. When that occurs the traffic in both directions is required to stop.

**Mr. Deacon:** Yes, but I am talking about where the speed limit is 35 or less, and he does put on his flashing lights. As a result, vehicles come to a stop. If any accident occurs, is he liable in any way for having put on his lights where he is not required to do so?

**Hon. Mr. Haskett:** That, I am not prepared to answer. He has no authority for flashing them in an area where the limit is less than 35 miles per hour.

**Mr. Deacon:** There is no penalty for his doing so?

**Hon. Mr. Haskett:** That I am not prepared to say.

**Mr. Chairman:** Anything further on highway safety? The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, I am sure that the minister is aware of the recommendation of the Ontario Police Association concerning a specialized type of vehicle for the police departments throughout the province. They make certain recommendations that I think should be of concern to the minister and his department.

One of them involves tires and wheels. I would like to ask the minister if he is taking into consideration recommending to his colleague that the police departments have a specialized type of vehicle; and, likewise, if he is taking into consideration some of the recommendations in the report, and maybe implementing them as far as all aspects of safety are concerned?

**Hon. Mr. Haskett:** Mr. Chairman, I suggest to the police association, I would be glad to have their brief or presentation made to me. But that part of it is certainly directed to the Attorney General.

**Mr. B. Newman:** Have you received a copy, Mr. Minister?

**Hon. Mr. Haskett:** I have seen a copy, but I have not had a copy submitted to me.

**Mr. Chairman:** Highway safety program carried?

Vote 2302 agreed to.

**Mr. Chairman:** We will now move to vote 2303, which is common carriers. I think that for anything under this particular vote, it would be proper, rather than taking it by programme, to take the whole vote as a total.

The hon. member for Thunder Bay.

On vote 2303:

**Mr. Stokes:** Thank you, Mr. Chairman. I have had considerable correspondence with the minister about a problem experienced by consignees in northwestern Ontario, regarding the inability of the holder of a PCV licence to deliver shipments in the normal fashion because of a dispute between the employee and the holder of that licence. I refer specifically to Lakehead Freightways, formerly of Port Arthur and now of the city of Thunder Bay.

I have had, as I said, considerable correspondence and discussion with the Minister of Transport, with the Minister of Labour (Mr. Bales) at both the provincial and federal level, and with the Hon. Don Jamieson, the federal Minister of Transport, and nobody seems able to do anything about this problem. I am sure that the minister has been made aware of the necessity of consignees paying double charges for shipments directed to communities in northern Ontario because the particular holder of a PCV licence has an exclusive franchise to haul from Sault Ste. Marie westward. Because of the dispute, other licence holders will not turn shipments over to him. They are rerouted back to either Sudbury, North Bay or, in some instances, Toronto. The consignee has to pay double charges because the shipment is transferred to another carrier, in many cases, the Canadian Pacific Railway. The shipment ends up at the Lakehead. It is brought back and given to another carrier who is licensed to handle it in that area.

Now the minister says he is powerless to do anything about it. The federal Minister of Transport says he is powerless to do anything about it. Where do these people go when they are being charged double? I know many of them have sent invoices to the proper authority in the province of Ontario. The

are told that it is perfectly legal for this extra charge to be imposed upon them, even though the service has not been any better than it ever was. In fact, it is worse than it was. In some cases, shipments are delayed as much as 10 days to two weeks. Now where does the consignee, where does the public go, for some kind of assistance in instances of this nature?

I would like to draw, specifically, the attention of the minister to the plight of Willroy Mines in Manitowadge. Shipments normally come from places in southern Ontario and in some cases, the United States, to Sault Ste. Marie. The shipment will not be turned over to Lakehead Freightways for reasons that I have not been able to determine. The shipments go back. They are re-routed and the extra expense for doing this and the delay associated with it has become intolerable to these consignees.

It is my understanding that this particular holder of the licence who has the exclusive franchise, has since made another application so that he can pick up these shipments from points in southern and eastern Ontario. I do not know what degree of success they are going to enjoy in that application, but certainly it provides no relief for the consignees. There must be some branch of your department that will come to the assistance of people who are being charged double billing as a result of this impasse between the employers and the employees in this instance.

Mr. Jamieson, the federal Minister of Transport, says it is your responsibility and the franchise from Sault Ste. Marie to Manitoba has been given to them by the provincial governments of Manitoba and Ontario so that the federal authorities have no jurisdiction. You claim that it is just a matter of dispute between Lakehead Freightways and its employees and you seem to think—or the Ontario Highway Transport Board seems to think that it cannot do anything about this. How long do consignees in this particular area covered by this licence have to put up with this?

I can see where some of these companies, which operate on a marginal basis, could be forced out of business because of the conditions that I have just explained to the minister. When you issue a licence to the holder of a franchise such as this, how long do you allow him to hold the licence beyond the time when he can provide a service to his customers at a rate comparable to other forms of transportation and at a rate that it is possible for them to pay? How long do you

allow somebody to hold this licence exclusively without calling the licence in for review and seeing whether it should be transferred to someone else willing to take on the responsibility of providing the service?

I understand there was an application made and heard in the Lakehead last October for somebody to take over the franchise and it was turned down. I do not know what was said on at that meeting but all I am interested in is seeing that these consignees in my area are given the consideration and the assistance that is due them. I am wondering if the minister is well aware of the situation that I speak of and I wonder what assurance he can give me that these people will be given the necessary assistance and the consideration that is due to them under these circumstances.

**Hon. Mr. Haskett:** Surely the hon. member knows the situation thoroughly. He has been involved in it in dealing with all intermediate levels of government. He understands that when Freightways was struck and it is now operating in whole or part, and that some carriers for a while would not co-operate with Freightways in the exchange of freight so that the shipments that he mentions very clearly had to go farther than their destination and come back to their destination, or other shipments be carried more than the required miles from origin to destination.

My understanding is that Freightways is back to normal operation and interchanging freight and interchanging trailers. That is the latest information I have on it. But it is a matter for solution by the Minister of Transport. It is a matter that falls entirely within the purview of our Ontario Highway Transport Board, which is charged with issuing certificates of public necessity and competence where that is proved. That court has been satisfied that there is a situation that needs to be changed, and it will probably refuse applications from other carriers that would seek to duplicate the lines covered by the Lakehead Freightways.

I say to the hon. member that the court has no redress for the shippers, or the other carriers, if the Ontario Highway Transport Board is that is a quasi-judicial court. As far as the minister is concerned, it is beyond reach to observe and recognize completely the integrity and authority of that court.

**Mr. Stokes:** Let me ask the minister another question. If it was brought to your attention that the service provided was inadequate and the holder of that licence was not li-

up the obligation that he took when he was given that franchise, is the minister saying that there is nobody that these people could go to for redress?

**Hon. Mr. Haskett:** Yes indeed; there are two courses they can follow. An aggrieved party can either appeal a decision of the highway transport board—

**Mr. Stokes:** To whom?

**Hon. Mr. Haskett:** —to the Lieutenant-Governor-in-Council or to the courts.

**Mr. Stokes:** You mean they would have to take civil action to get redress from somebody who has been licensed by the—

**Hon. Mr. Haskett:** From one court to a higher court, that is the usual procedure.

**Mr. Stokes:** So that the minister is suggesting that even though his department licenses this particular licence holder—

**Hon. Mr. Haskett:** This department will license on the granting of a certificate of public necessity and convenience by the highway transport board.

**Mr. Stokes:** Not by your department?

**Hon. Mr. Haskett:** No. On the issuance of a certificate by the highway transport board.

**Mr. Chairman:** The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, we on this side of the House are interested in an overall transportation policy for the province of Ontario, and in the consideration of that, the common carriers have a very important part to play. I understand there is a jurisdictional struggle between the federal authorities and the province of Ontario, and that the minister or officials from his department met with the federal authorities as late as last December in an attempt to iron out some of the difficulties, but have not been able to reach a satisfactory conclusion.

The jurisdictional struggle, apparently, is as a result of the federal authorities not taking advantage of the 1954 Act governing motor vehicle transport, and as a result Ontario is stepping into the breach. Now the federal authorities are attempting to take away from the province what is and should be rightfully its. I am just wondering if the minister could elaborate on this and state the stand of the province of Ontario in relation to this specific aspect?

**Hon. Mr. Haskett:** Mr. Chairman, I was very glad to deal with that. I think the proper place to bring it up will be under the services in vote 2305.

**Mr. Chairman:** If the minister would do then, we would delay this until vote 2305.

**Hon. Mr. Haskett:** Yes, the first of the branches under vote 2305. I think the hon. member will find that is the proper place to discuss the relations between the government of Ontario, or our department specifically, and the federal government in implementation by the federal government of its powers under The National Transportation Act.

**Mr. B. Newman:** The reason that I brought it up at this time, Mr. Chairman, is because it deals primarily with the trucking industry and I thought under common carriers where we would probably cover the whole aspect of it and decide what is the problem.

**Hon. Mr. Haskett:** Part 3 of The National Transportation Act deals with this problem.

**Mr. B. Newman:** All right. I will go with the wish of the chairman.

**Mr. Chairman:** Vote 2303; the hon. member for Yorkview.

**Mr. F. Young (Yorkview):** Mr. Chairman over the past few years, I have brought to the minister's attention on several occasions the matter of "pseudo leasing" on our highways and was not at all convinced that he was concerned about it, even though the licensed carriers were very much so. I noticed last year that in the annual report of the Ontario Highway Transport Board, for the year ending December 31, 1968, he voted a good part of this report to this problem of leasing. As I would like to read into the record, part of a speech which was made by Bill Williams, president and general manager of Caravan Trailer Rental Company Limited, Toronto, at the 14th annual Traffic and Transportation Conference conducted by the Canadian Industrial Traffic League at the Royal York Hotel on February 26, 1970. I am not going to cover the whole matter but I do want to read certain pertinent sections of this speech into the record.

**Mr. Williams said:**

I am deeply and sincerely concerned over the increase in the illegal use of trucks and trailers by unlicensed operators who circumvent The PCV Act of Ontario through

use of pseudo leasing agreements. These spurious leases are arranged under several guises, all of which are illegal if the intent is to avoid obtaining all the necessary provincial authority, licences, or permits.

**Mr. K. C. Bolton (Middlesex South):** Mr. Chairman, I wonder if my colleague would be kind enough to answer a question. Would he tell me what pseudo leasing is, because I am ignorant of it?

**Mr. Young:** I am coming to that.

**Hon. Mr. Haskett:** Mr. Chairman, may I answer the hon. member's question by saying I left the member for Yorkview where he corrected the pseudo leasing reference and said "illegal leasing". I have been guilty of calling it pseudo leasing at times too and I think that illegal leasing is a better and more appropriate term.

**Mr. Young:** Well, I would agree although the term "pseudo leasing" is used commonly.

**Hon. Mr. Haskett:** Commonly used.

**Mr. Young:** Yes, commonly used.

**Mr. M. Marachuk (Brantford):** It is these darn theologs!

**Mr. Young:** This is Mr. Williams:

Now let me answer the most pertinent questions. What are some of the reasons behind the rise of pseudo leasing?

or illegal leasing, if you want to call it that.

When you know where to look, they are not hard to find. Because of rising costs in the shipping of goods, many shippers bitterly complain that present carrier costs are too high. In rebuttal, the carriers claim that present rates do not cover increased costs which they must absorb. The impasse has led to some shippers using pseudo lease operators—

That is, they circumvent the licensing which is carried on under this ministry.

**Mr. Bolton:** Thank you.

**Mr. Young:** Quoting:

—to ship their goods at cut-rate prices, circumventing the legitimate licensed carrier. In addition, some for-hire carriers have even set up pseudo leasing companies to circumvent licensing regulations, and are working in collusion with the shipper in areas where their license does not permit them to operate.

In effect, they are doing an illegal act. Coming back to Mr. Williams:

And how are these common acts of fraud most frequently manipulated? Among them are these:

1. Taking title to goods to be trucked (in a buy-sell arrangement) merely to avoid transportation charges;

The goods are sold to the carrier and then sold back again at the end of the journey.

2. Fictitious leasing of equipment to shippers with drivers where the shipper has no control over the operation;

3. Transferring title of trucks to the shipper and employing the owners as drivers;

4. Operating without proper authority in restricted territories or commodities.

I may say that pseudo leasing, and pseudo lease operator, is a problem that the United States also faces—but they are facing a much tougher line. In fact, in legal sense, it is a criminal charge. In a recent ICC prosecution, for example, a New York shipper was indicted in a federal court, along with his company, for setting up a lease deal with owner-operators. He was arraigned along with dope pushers, hiackers, numbers racketeers, and was later found guilty, fingerprinted, personally fined several thousand dollars, and now has to report regularly to a parole officer . . .

In Ontario, many pseudo lease operators openly circumvent The PCV Act through the guise of a dummy freight assembly agency. They hire a driver from a dummy driver supply agency, rent a tractor from a dummy tractor leasing firm, and rent a trailer from a dummy trailer leasing firm. All are supposedly set up as legitimate fronts with no visible connection, but an invisible chain of deceit joins them all to the pseudo lease pirate.

And, speaking of a certain company, Mr. Williams says:

—this same operator has been prosecuted successfully—yet every time he is caught he blithely pays his fine and sets up shop next day under a new corporate name. Up to now, I am aware of six different corporate names he has gone through—but how do you identify a pirate like this without the kind of clout that will stop him cold?

And frankly, who is at fault over this continuing problem? Actually, it is only a small segment of the total number of shippers and carriers—along with a few truck buck independent operators—who are responsible for the entire illicit practice.

minority of shippers who are faced with rising transportation make under-the-table deals with pseudo lease operators to cut their freight bills. A few unprincipled carriers undercut the posted rates—

They will run a cheaper rate than the one that is set by the department.

—and undercut their competition, with the co-operation and complicity of those few shippers. And all of it is packaged under the various subterfuges I described earlier to make it appear legal.

I now turn to the report which I mentioned, the annual report of the Ontario Highway Transport Board, and I would like to put a few paragraphs from this report also on the record:

We must differentiate between leasing of vehicles and the leasing of transportation. . . . Transportation for compensation is regulated by the law of this country and more particularly the province of Ontario.

In an effort to utilize the advantages of highway transportation while avoiding the burden of expense involved in private carriage; procedures are drawn up whereby a shipper, generally a shipper of goods in truck load volume, leases vehicles from a person who also provides the driver, either directly or indirectly. This is putting the gypsy trucker in business on a grand scale.

The advantage to the shipper of large volume—truck load traffic—is that he can obtain lower transportation costs through this type of operation . . .

When the equipment used is owned by the drivers who perform the operations for him, he avoids the labour laws . . .

It is to this driver's advantage to overload his vehicles and to avoid the weight scales enforcing weight regulations. Generally this permits both the lessor and the shipper to avoid any contractual responsibilities re the driver or the group of drivers . . .

The public loses when these operators avoid their share of the taxes, leaving others to assume their share. The public loses when these carriers pick-and-choose the freight that is convenient and economical for them to carry and leave the balance to the responsible carrier. The public, as represented by the lessors or their drivers are also the losers when they overload their vehicles, fail to maintain an adequate standard of maintenance and drive hours not consistent with public safety . . .

Until there is a clearly defined demarcation between the leasing of vehicular equipment and the providing of transportation services, the operations of gypsy carriers which The Public Commercial Vehicle Act was originally intended to obviate, will continue to increase.

Now, I will come back to Mr. Williams' speech where he outlines what the solution might be. He says:

I am pleased to say that a group of us in the leasing industry have now had a preliminary meeting for this purpose—to set up a new truck and trailer leasing association in Ontario. Once this is a going concern, we can approach the registrar of motor vehicles with a view to licensing legitimate leasing companies. If a leasing operator is not licensed, he cannot lease equipment and he will be subject to prosecution if he continues his operation.

This evidently is becoming—according to the experts whom I have put on the record, also from the point of view of the minister's own department—a very serious problem. People are, through the leasing arrangements, circumventing the whole purpose of the PCV Act.

I would like the minister to comment on what progress has been made in this field. Certainly he has now been faced with it in his own department and there is very great concern among the legitimate carriers who are licensed through his department about this kind of illegal leasing in the province of Ontario.

**Hon. Mr. Haskett:** Mr. Chairman, the minister for Yorkview deals with a current matter engaging the attention of the department. I dealt with it extensively. He has given me some facts and figures or some approach that are perhaps now going out of date.

He will recall that in 1968 we enacted new section 2(2) of The Public Commercial Vehicles Act that rather helped in identifying these illegal leasing operations. And then I speak in terms of the report by the highway transport board, which is dated February 1969, little more than a half year later.

**Mr. Young:** But it is the report we have now. The recent report—

**Hon. Mr. Haskett:** Yes, that is right, as I said to the House, I endeavoured to bring the House up to date, as far as could be in all respects in our annual report statistics, to be as much help as we can get, an just putting these things into sequence

In 1968, there were some 109 convictions for illegal leasing operations which, I take it, were under the operation of the old law. And in 1969, with the new law in effect, there were 150 convictions or cases pending. I think there were some eight or nine dismissals only. The new law is being effective.

There is, in addition to the provisions of The Commercial Vehicles Act, a discretionary power given to the minister in The Highway Traffic Act under 63(b) to cancel a vehicle permit where the vehicle or trailer or conversion unit is being used as a public commercial vehicle within the meaning of The Public Commercial Vehicles Act without a proper PCV licence. But, in addition to that, we have a committee comprising officials of our department, the Highway Transport Board and Transport lawyers and others, examining the operation of the 1968 amendment, to ascertain if there are further areas of our leasing provisions in The PCV Act that can be improved.

And so the member's words are very timely and directed to a problem that we are examining carefully. If we find there are improvements that can be made in the leasing provisions of The PCV Act as set out now in section 2(2), they will be brought forward.

**Mr. Young:** Mr. Chairman, it is all right for the minister to say that this is being investigated and prosecution has taken place and we hope to improve the whole situation. But the fact is this kind of illegal leasing is still going on in the province of Ontario, fairly openly. I do not know what the answer is—only the minister perhaps can supply that—but there is concern. I think this department is derelict in its duty unless it can tighten up this whole loophole in the Act and make it impossible for these illegal leasing firms to carry on in the way they have been carrying on and obviously are still carrying on. Certainly as late as February, when the transport conference was held in this city, there was much concern at that time, not only on the part of Mr. Williams but on the part of a great many others in that conference. And I would hope that the minister will address himself to this with a little more enthusiasm and a little more speed than he has up to the present time.

**Mr. Chairman:** On vote 2303, the hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, I want to bring up with the Minister the problem of trucking on Sundays. Can we assume now—

**Hon. Mr. Haskett:** Mr. Chairman, that fits into vote 2305, the legal section, because of the Sunday trucking operation, if it is what I think the member has in mind, deals with the permission that has been accorded to trucking concerns by the federal Department of Transport, through its Canadian Transport Commission. If that is what the member wants to speak about, that fits into the legal section of vote 2305, legal services.

**Mr. Chairman:** On vote 2303?

**Mr. B. Newman:** May I ask the minister if he has issued any PCV licences or exemptions to any American concerns to transport goods to ship or to ship into Ontario?

**Hon. Mr. Haskett:** Mr. Chairman, I cannot name American carriers. I think that is what the member is referring to, American carriers?

**Mr. B. Newman:** That is right, American carriers.

**Hon. Mr. Haskett:** I would have to check that and provide him with a list of carriers with border crossing rights or those that come from American jurisdictions into parts of Ontario, other than the immediate transit areas of the border crossings where there is reciprocity to allow turnaround with a limited distance of two miles or five miles.

**Mr. Chairman:** The hon. member for Scarborough West.

**Mr. S. Lewis (Scarborough West):** The minister, then, licences granted to American carriers on a fairly common basis to come into Ontario and to transship across the border—does that fall under the minister's department?

**Hon. Mr. Haskett:** I would not say it at all common, but I believe there are carriers that have rights running in the United States and for interlining or border crossing and distribution or pickup rights in Ontario. I would have to get the list, because I do not have it available at my fingertips.

**Mr. Lewis:** When the licence is granted to such carriers, is it ever discussed that in the nature of their operation the government of Ontario might have qualms about their picking up goods from strikebound plants? Does that ever enter into the discussion?

**Hon. Mr. Haskett:** Not to my knowledge, Mr. Chairman. The matter of licensing or licensing is a matter that is handled by the highway transport board—

**Mr. Lewis:** Right.



**Hon. Mr. Haskett:**—on the basis of public necessity and convenience. Now, if a plant is to be struck and then unstruck and so on, and the licence accordingly granted or withheld, I am not aware of anything of that kind happening. But it seems to me a rather precarious basis on which to develop a transportation system.

**Mr. Lewis:** By all means, Mr. Chairman. But when, either by direct letter, notification or publicity in the press, it becomes obvious that a given transport firm is engaged in what is the striking of a legal strike, legally upheld by the laws of the province of Ontario, would not the minister's board or his department have some anxiety about it?

**Hon. Mr. Haskett:** Mr. Chairman, I am unaware of any such situation. It would be my view—and this is not too clear—that the board would not be likely to grant a licence to an applicant on the basis that the applicant was going to serve a strike situation or where the grant was dependent on a strike situation.

**Mr. Lewis:** Well, Mr. Chairman, let me draw to the minister's attention that coincidentally enough, in my riding of Scarborough West, there is a plant called Alpine Meat Products Limited, which has been on strike for a great many months. And the strike, a legal strike authorized by The Department of Labour of the province of Ontario, would in fact have been successful were it not that in the months of August and September and subsequently in 1969 and 1970, Beane Transport Limited—and I can give you the licence plate number—on August 26, September 4 and subsequently in 1969, crossed the border from the United States through Buffalo, travelled to Scarborough in my area, picked up a large number of frozen steaks, which is the product that is produced by Alpine Meat Products Limited, and transported them back across the border to Fort Dix, New Jersey, for sale to the United States Department of the Army. And the strike was successfully hampered, almost broken—although decertification has not been successful—by virtue of the right of this transport company to come into the province of Ontario to drive through a picket line, to pick up produce and to sell it to the United States Army and to have free access on that basis month after month since August, 1969.

Now, it is not a situation that was unknown to your department; it was a situation that was certainly known to The Department of Labour; it was a situation that was known at the time to some of the journals within the

trade union movement. And it is something that so violates the autonomy of Ontario and the right of striking workers that it really cries for action on the part of government.

I realize in hindsight that it is impossible now to impose sanctions on Beane Transport Limited, but I would say that as a matter of social policy, the rights of access to a strike-bound plant should be denied by this government, particularly when those rights of access involve crossing state borders, as is the case in this instance. The minister should take a fairly strong stand on it because, in fact, a number of employees, particularly female employees, in what is called the "industrial ghettos" of southern Ontario, have had their future livelihood seriously jeopardized simply because of this collusion between a transport company and the United States Department of the Army; a collusion which was accepted by the government because it refused to step in and do anything about it. What does the minister think of the possibility that a licence might be abused if used in such instances?

**Hon. Mr. Haskett:** Mr. Chairman, I am not in a position to contradict the hon. member in any way. To my knowledge this name company, Beane, has been a carrier with rights into Ontario for a long time—

**Mr. Lewis:** Right—

**Hon. Mr. Haskett:**—and as far as I know its rights were in no way affected by its activity in connection with this strike. I suppose its position would be analogous to that of a railway or any other carrier, and if it went into the struck plant, I would think it would be more a matter of labour law than transportation. You would not suggest that its rights to operate in Ontario should be voided in all that area where it has rights because it carried a load from a struck plant?

**Mr. Lewis:** No, I am not sure that his rights should be totally voided. I grant that. But I think he should be denied by your department the right to cross a picket line simply for the purpose of breaking that strike. I think that in that instance you have the right as a department to say, "No, it is simply not allowed in the province of Ontario."

I appreciate that there is some flexibility in government policy in this area: you allowed the Ontario Racing Commission to licence employees to break a strike that the Jockey Club has forced on employees belonging to another union, so that one department of government violates the precepts of another department. I realize that those things occur

But in this instance, Mr. Chairman, through you to the minister, I want to appeal to him that this is an area that he might look at.

Where his colleague has sanctioned a legal strike and all the procedures required under The Labour Relations Act have been followed, and where truckers consciously and premeditatedly, using interstate licences, cross a picket line, take out the produce, break the strike in the process, and then sell the wares to the United States—which is the final and most humiliating aspect of it all—it seems to me the minister has a perfect right to say to the company, “That is it. You do not use your trucking facilities for that purpose. You use them for legal and legitimate purposes.”

**Mr. Chairman:** Vote 2303?

**Mr. B. Newman:** Mr. Chairman, if I may ask the minister what the department's stand is concerning the permission granted to carriers who would carry vehicles longer than 70 feet or approximately 70 feet. I am referring to mobile homes now. In an attempt to overcome the housing shortage, we find the use of the mobile home more common, and naturally they have got to be transported all across the province. The mobile homes are increasing in length or increasing in size, from their original 40 feet to 60 now—most of them are approximately 60 feet in length. To transport these, a special permit is needed. Is the minister considering allowing these homes to be transported only by special permit, or have some type of category of licence for the transport of these vehicles?

**Hon. Mr. Haskett:** Oversized loads must have a special permit.

**Mr. B. Newman:** Are there many requests for this, Mr. Minister?

**Hon. Mr. Haskett:** Yes, a great many, and the business of moving these mobile homes is a big business. We stick by the rules.

**Mr. B. Newman:** Could the minister give us any information concerning the experience that states in the United States have had concerning the safety factor involved in the transportation of these mobile homes? No information on that? Are they a hazard on the highways?

**Hon. Mr. Haskett:** We consider them a very real hazard if they exceed the allowable limits. And that is why we are very rigid in maintaining the maximums we allow—

**Mr. B. Newman:** And only on special roads?

**Hon. Mr. Haskett:** Only on special roads.

**Mr. B. Newman:** And during special hours?

**Hon. Mr. Haskett:** In some cases, with oversized loads on special permits, there are special hours and special routes and escort required.

**Mr. B. Newman:** They are not allowed to be moved on Sundays, are they?

**Hon. Mr. Haskett:** I would not think anything would be allowed to move on days.

**Mr. B. Newman:** Good.

**Mr. Chairman:** Vote 2303. The hon. member for Brantford.

**Mr. Makarchuk:** Mr. Chairman, I notice this particular section that your department spends \$2,026,000. Could the minister indicate if this money is raised from the carriers to finance the activities of the department? Is it collected through the normal tax sources?

**Mr. Chairman:** The minister is looking through his papers—

**Hon. Mr. Haskett:** What was the amount of the hon. member mentioned we spent?

**Mr. Makarchuk:** The total for common carriers in the book is \$2,026,000.

**Hon. Mr. Haskett:** In the operation of the highway transport board, which accounts a large part of this vote, there is a revenue of \$1 million—no, excuse me; no, just a minute until I get later figures. On the common carriers, our 1970 amount is estimated. The total amount of receipts in 1969 was \$5,000,000; the estimate for 1970 is \$5,950,000.

**Mr. Makarchuk:** Mr. Chairman, this, I assume, is the money collected over and above the regular normal licence fees collected by your department. Is that correct?

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

**Mr. Chairman:** Vote 2303. The hon. member for York Centre.

**Mr. Deacon:** Mr. Chairman, in connection with the operations of the highway transport board, I am concerned about the position of new people trying to get PCV licence rights to operate bus lines, and the difficulties they encounter before the board. It seems that those who have legitimate community support for transporting the public—the backbone of the community to have their services provided—are constantly being frustrated by those who are already in the position of having

franchise. They have been approved by the board in the past when they were struggling to get started. But those who have in the past got themselves established surely make it very difficult for new people to get into the business. As a result, I do not feel the public gets the same, eager offering of service that I feel it otherwise is entitled to.

We have seen in the past where different people have started up bus lines and have provided very good service where the TTC or Gray Coach had not felt it was going to be profitable. I do not know how they managed to get their particular approval through this board but I wonder on what basis the board decides whether the service is warranted or not. How was it that the Shoniker lines got its approval in the old days and now when some chap in the outlying areas wants to start a bus service, he finds he just cannot get past the board and it is deferred?

**Hon. Mr. Haskett:** Mr. Chairman, I am sure the hon. member appreciates the philosophy behind the operations of the board. The board is a public body that receives applications, and hears them in public in most cases, from those who would obtain new licences or change or extend their existing licences for public vehicles or public commercial vehicles. It is all on the basis of the applicant being able to prove public necessity and convenience.

His view is, I see, that the new applicant is in measure at a disadvantage because of the experience and because of the already established position of the intervenor or the objector or the opposition who says, "I am there and I have a right to be heard," and that is so. Anyone who is an interested party can come forward and give his evidence and the board makes a decision only on the proving of public necessity and convenience, and issues a certificate to that effect to the minister, where it so finds.

But the board is sophisticated. The board is, in my mind, a pretty able group of men with a wealth of experience in this area. They can examine the nature of the application and the validity of the support that the applicant has by way of evidence, and by the same token they can weigh the nature of the opposition, of the interventionist or other parties and know their way of doing things, too. They are able to come, in my view, to a pretty sound decision as to whether there is public necessity or convenience to justify the issuing of a certificate. How else could you do it?

**Mr. Deacon:** Mr. Chairman, one way you have to attract business is to let the public know what service you are offering. This is well recognized by somebody who is struggling to get established. A person who is already well established and has business coming in will make a token effort to serve new areas, but they are not really hungry. They are not really scrambling to get the new business. A good example of this has been the experience with the TTC in outlying areas of this city. People can stand for 15 minutes, or half an hour or three quarters of an hour and are never sure when a bus will come along to pick them up. There is a sign there that says "bus stop", but it is a great question when that bus is going to stop and when it is going to come along to give them a ride to where they want to go.

A new operator, anxious to build up business, probably would think in terms of putting up a schedule so people can know when to get to that stop and know that the bus will be along. In the case of the TTC in Markham, they have now started a service to the subway. It is a good service. It is an excellent service; 50 minutes from Markham into downtown Toronto via the Gray Coach and the TTC.

But practically no one knows about it. There is nothing apparent in these places to show where to pick up the bus, and that is where it comes there. Very little has been done to promote the service. A new person, trying to get established, has to get out and promote it. He will do all kinds of things to let the public know the service he is going to offer.

That is how Shoniker and all those other got their bus lines established when they started in the suburbs. That is how Trailway in the north end of the city, got established in areas where the established concern thought there was not a hope.

I am sure the men on this board have great judgement, but sometimes they are slow to get established. They are just not as conscious as they used to be of the need for providing an area where a young, eager, new operator can get established, and will find and develop the market and serve the public. I suggest that some of the criteria being used are just a little too conservative. Perhaps they have a little too much of the touch of this government on that board.

**Hon. Mr. Haskett:** Mr. Chairman, apart from the political plug at the end, I am sure the hon. member knows that when a service deteriorates, as he points out—

**Mr. Deacon:** I am not talking about degenerating, just not promoting.

**Hon. Mr. Haskett:**—where a service is inadequate, there are disgruntled potential passengers who come along as eager witnesses for an applicant; that helps to make an applicant's case.

**Mr. Deacon:** Mr. Chairman, talking about areas where someone sees the opportunity to serve the public in a new market. They want to build a new service and they see an opportunity. But in a very peremptory way, these that intervened convinced the board—and I think with very little evidence—that there is no opportunity; there is no need for this service, there is no place for a new carrier.

Yet the new carrier is probably going to provide a new service that the public is going to support and appreciate in the same way that some of these bus lines got established in the outlying regions of the city before. Somehow they managed to get, perhaps under a different government, the licence to operate.

**Hon. Mr. Haskett:** Mr. Chairman, I am sure the member's words will be conveyed to the board.

**Mr. Chairman:** Vote 2303. The member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, may I ask the minister, when individuals wish to provide a service during the summer months in a municipality by having these group trains or series of cars—such as you see at the Canadian National Exhibition—to take tourists around the community to show some of the high spots, what procedures would they have to follow to get permission to operate in the municipalities?

**Hon. Mr. Haskett:** Mr. Chairman, if the operation was within a municipality or within a radius of three miles beyond the municipality, you would not need a licence from the board. It would be a local matter.

**Mr. B. Newman:** The municipality itself would licence the operation? So that they would not have to see the department at all?

Vote 2303 agreed to.

On vote 2304:

**Mr. Chairman:** Motor vehicle accident claims.

**Mr. Young:** On 2304?

**Mr. Chairman:** The member for York

**Mr. Young:** Mr. Chairman, I would like to ask the minister about the amounts of claims that were paid by the motor vehicle accident claims fund over the past year. Could he give me some idea of how much those claims were? What was the percentage in each category?

**Hon. Mr. Haskett:** Mr. Chairman, the member would like to know the amount of claims paid in the last year?

**Mr. Young:** How many are under \$100? How many of them from \$100 to \$200? How many over \$200?

**Hon. Mr. Haskett:** Let me see if I can give you some information. I think I have a breakdown here. I would just like to put my finger on it.

In the fiscal year, April 1, 1968, to March 31, 1969, there were 3,470 claims paid. Of these, 2,727 claims were paid under section five, that is, claims that were settled by adjustment or, specifically, cases that were settled on a basis of contribution to the fund without recourse to courts, numbered 2,727. A breakdown of the amounts of these would be: 42 per cent were \$100 or less; 17 per cent were \$200 or less; 19 per cent were \$300 or less; seven per cent were \$500 or less; nine per cent were between \$500 and \$1,000; six per cent were over \$1,000.

Those are the percentages of the 2,727 in number, that were settled under section five. Is that the information the member wanted?

**Mr. Young:** Yes, that is the information I wanted. In other words, Mr. Chairman, almost 6 per cent were under \$1,000?

**Hon. Mr. Haskett:** Six per cent of the total that were settled under section five of the Act—

**Mr. Young:** Yes, were over \$1,000.

**Hon. Mr. Haskett:** Of the 2,727 cases, 6 per cent of a total of 3,470.

**Mr. Young:** So that the bulk of the claims are 42 per cent, almost half, \$100 or less; 17 per cent, \$200 or less; 19 per cent, \$300 or less. This, Mr. Chairman, highlights a trend which has been happening across this continent in recent years. I think the minister, being in charge of one of the insurance institutions—if we can call it that—in this government, ought to be giving some leadership.

It was my privilege to attend a hearing in Washington on April 2 at the National H

way Safety Administration, where they were dealing with the whole matter of bumpers on North American cars. I think those of us who attended got something of a shock when we realized just the extent to which the present conception of bumpers on our cars is contributing to this low damage factor.

The hon. minister mentioned Dr. William Haddon, Jr., president of the Insurance Institute for Highway Safety, and he has given us reports of the institute's findings in respect of the damage done in very low speed impacts. Since that time there has been another release on the damage done. The first was on fairly medium-sized cars; the second one was on the Volkswagen, American Hornet, Ford Maverick, and cars of that kind.

We found that the 5-mph impact ranged in those small cars from \$120 to \$125 to \$204.50—that is at five miles per hour. This is incredible; I saw an accident within the last couple of weeks where I am certain the car was not going more than two miles per hour. It was a case of starting from a traffic light and then stopping suddenly and the back car not being quite able to stop in a hurry. That damage amounted to over \$200 to the bumper of the Oldsmobile which was in front.

Mr. Chairman, the research people—

Mr. W. Hodgson (York North): You can buy the bumper for an Olds for \$60.

Mr. Young: Not this Olds, not the new ones.

Mr. Lewis: Well, socialists do not drive 88s.

Mr. W. Hodgson: No, they drive Cadillacs.

Mr. Young: In the researches done by the Insurance Institute for Highway Safety, they discovered that of all claims in a designated area—which covered the whole west coast for all kinds of climatic and other factors—94 per cent were for \$500 or less, and 91 per cent of all dollar claims amounted to \$1,000 or less.

This pretty well coincides with what the minister has just told us—that in his experience, in the institute which he administers, nearly all the claims are for \$1,000 or less, and these are the kind of claims which are created by bumpers which are now on the North American cars, bumpers which have in recent years become profit makers for the automobile industry.

I have had a lot to say in recent years about the insurance industry, but in this case, Mr. Chairman, perhaps I should say that the insurance industry is not to blame, except

insofar as it has passed the cost on without making any objection to it. This is not the case in the United States where the insurance industry is now beginning to wake up and to object to the kind of thing that has been happening.

Some of the movies that were shown—and I think the hon. member for Windsor-Walkerville mentioned one of them—on one of the networks in the United States, and some of those that were shown in the hearing in Washington, showed that bumpers did not match and even bumpers on exactly the same model of exactly the same car, when they were put front to back, the front bumper did not match the rear bumper. Then we can look at the points and the knives—take the Javelin, the Pontiac snout, all these things, and then we look at the new Camaro without any bumper at all except just a little bit of vestigial remnant on the two sides. The Cadillac is one of these which is very much at fault, where the motor car industry is liberally designing its motor cars for maximum damage in the case of low speed impacts.

Mr. Chairman, I think this is a very serious situation and a situation in which this minister must give some leadership, because over the last few years we have seen this proceed on and insurance rates go up to the place where they are beyond what they ought to be even at cost. The minister has shown us that he is paying out a great deal of money in small amounts, and those small amounts are the ones that could be prevented in low speed impacts if automobiles were designed with proper bumpers.

As a matter of fact the industry which makes the hydraulics for the aircraft industry, Monasco Manufacturing Company, demonstrated a bumper in Washington in which the car upon which it sat, and another one with the same kind of equipment, rammed into each other and 30 miles per hour without appreciable damage. When we can slam 747 on to a tarmac and yet we do hundreds of dollars of damage at two, three, four, five miles per hour when an automobile meets another automobile, this is incredible, it is stupid, it is inexcusable.

The minister is passing on the cost here to the people who have the misfortune to get into this kind of an accident. The insurance companies in Ontario are passing it on. Just in this morning's *Globe and Mail* we are told

New generally higher automobile insurance rates for 1970 have almost completed their sweep across the country, with

British Columbia the latest to hear of higher premiums, and insurers are already beginning to talk of still higher rates for next year. One insurance man in Ontario, however, said that rates generally went up in February by about 11 per cent.

This, Mr. Chairman, is something that the minister has to answer. Just as Dr. Haddon and his group in the United States are now heading up a crusade to demonstrate the absurdity of the kind of bumpers that are being put on the North American cars, this minister should be leading the pack of the insurance companies of Ontario, objecting vociferously and insistently to the kind of bumper that this industry is affixing—or non-bumper in many cases—to its machines.

The minister said just this afternoon that his relationships with the industry are good, and he has told us time after time in this House that he discusses many problems with the industry. But this is one that certainly should be discussed, and the minister should be going to the automobile companies and saying to them, "We are not going to put up with this situation any longer."

You know the technology for building bumpers. The United States now is thinking in terms of 7.5 miles only, but that is a minimum and they believe it can be much higher than that. That is for impact without damage. Surely this minister can insist, and lead with him the insurance companies of this province, in saying to the manufacturers that this robbing of the pockets of the motoring public must stop, and that they must put the kind of bumpers on cars which are protective and which at most speed impacts will not bring this disgraceful result that the minister has outlined to us this afternoon.

Mr. Chairman, I would like to hear the minister's reply to this because I think here is a place where he can give leadership. He can save tremendous amounts of money for the Ontario motorists. The figures that have been given to us show that \$1 billion can be saved across the United States, which means about \$100 million in Canada itself, if we had the kind of bumpers which could take an impact of seven, eight, nine, or 10 miles per hour, and we know how to do it. But the industry is not going to do it—just as it would not bring in safety devices until legislation said it must—until standards are set for bumpers in this province and across the country.

I know the minister may say that safety standards are a matter for the federal govern-

ment, but what I am saying to the minister is that he is administering the claims here, he is the chieftain of this operation, because he is, he has the responsibility here in Ontario to start to shout about this disgraceful situation in this province of Ontario. So I hope the minister is going to take seriously. I hope he is going to go out and lead the campaign, where the insurance companies will begin to yell, "We are not at fault." They ought to be saying the fault is with the industry which insists on making profit out of low-speed impacts.

So, instead of handing on the bills to the people who have the misfortune to be in a motor vehicle accident claims fund, the minister ought to be taking this other course. He ought also to be organizing the insurance trust in the province of Ontario to do the things that has to be done in this field.

**Mr. Lewis:** When you face General Moore we know what the outcome will be.

**Mr. Chairman:** Does the minister wish to reply?

**Mr. C. G. Pilkey (Oshawa):** Matter of fact, he will have a car without a bumper.

**Mr. Chairman:** Order please! Does the minister wish to reply?

**Mr. Lewis:** Certainly he is replying. He takes them on every day.

**Hon. Mr. Haskett:** Mr. Chairman, no one is going to argue with the hon. member from Yorkview that inadequate bumpers are the cause of the collision repairs being as expensive as they are. There is no arguing point at all. The National Highway Safety Administration has sent out a call for suggestions from any interested parties and that will help them in coming to a conclusion to the best kind of bumper to mandate, and that is the current issue right now.

**Mr. Young:** Well is the minister going to give some leadership in this field in Ontario by leading the insurance industry into highlighting this problem and saying to the motor car magnates that, "You are to stop this kind of profiteering?"

**Hon. Mr. Haskett:** I think it might be as well to go directly to the highway safety agency in Washington, or through our people in Ottawa that are responsible for motor vehicle construction and let them make representation, because I think we get more direct action there than through the mediation of the insurance companies. The insura-

companies collect the money, and I think this is the weakness, is it not? In my view, the more direct approach would be much more fruitful.

**Mr. Young:** Yes, Mr. Minister, but you are passing on these increased costs to the people in your organization. You are responsible in this way, and while you may say that we should go to Washington and talk to those people—all right, to Ottawa—the fact is that here in this province you have the motor vehicle accidents claim fund, which is administering four of the motor car manufacturers in this deal. You are collecting the money, as you say, and you are passing it on in higher rates. And, for the life of me, I cannot see why this minister is not raising a great noise.

For example, there are now a lot of movies that have been made in this field in the United States. I wonder if the minister is thinking in terms of trying to build up public opinion in this field by getting some of those movies here—and I have the availabilities open—and asking the television people to show them. I know CTV did show one of these some time ago, and it was extremely effective. I do not know if it went right across the country or not, but certainly it was seen in Toronto. There is no reason why we cannot mobilize public opinion by promoting this kind of movie to show people just how much they are being rooked by the motor car companies through the mismatch of bumpers and, in many cases, the lack of bumpers.

**Mr. Chairman:** Vote 2304. The member for Windsor-Walkerville.

**Mr. B. Newman:** The member for Yorkview certainly has put the proposition very well. I think it is incumbent upon the minister to use his good offices to insist from the manufacturing level that they produce a product that is worthy of their ability. And if he is afraid to come along and do that, he should ask his leader to appoint a committee of the House and we will go to see the manufacturers as a committee of the Legislature and point out to them that it is the people of the province of Ontario that are paying this. If we can come along and save them any money at all by simply making an approach and an appeal to the manufacturing industry, we certainly should do that.

It is all well and good to say it is a federal responsibility, but that does not solve the problem. Unless we come along and insist on better standards and upgrading not only the bumper of the vehicle, but other parts of

the vehicle, we are going to be confronted with ever-increasing insurance costs. And the Minister has to take a much more definite stand on the problem of the increasing cost of insurance than he has in the past. And I hope that he does take the comments of the member for Yorkview very seriously, because they certainly were the type that were worried while and he was presenting the facts as they are.

**Hon. Mr. Haskett:** Mr. Chairman, I would like to put it this way. As I said to the member for Yorkview—and I put it to the member for Windsor-Walkerville in a slightly different frame, but with the same thought—I think the more direct approach would be the more useful, and I will see that Ontario makes representation to the vehicle standards people in Ottawa dealing with vehicle safety at the point of manufacture. We have been asked to make representation to them. I will assure the House that I will see that bumpers are one of the items we discuss with them.

**Mr. Chairman:** The member for Dovercourt.

**Mr. Young:** For how many years is this going to go on?

**Mr. D. M. De Monte (Dovercourt):** I would like to ask the minister—I did not get the figure when he was giving them to the member for Yorkview—how many claims are paid that are under \$1,000?

**Mr. Young:** Ninety-four per cent.

**Mr. De Monte:** Ninety-four per cent. Do those claims include personal injury?

**Hon. Mr. Haskett:** Excuse me. I would like to correct this. The member for Dovercourt asking what percentage of the claims paid are under \$1,000. I was giving the member for Yorkview the number of claims paid under section 5, which accounted for about 75 to 80 per cent of the claims paid. I do not take into account the something less than 1,000 claims that were litigated, which would average \$4,500 or \$5,000. Of the 2,727 claims out of the 3,470 that were paid out under section 5, 94 per cent were under \$1,000.

**Mr. Young:** But, Mr. Chairman, could I just add this? When you make allowance for what the minister said, this would almost coincide with the United States' figure of 91 per cent of all dollar loss coming from claims of \$1,000 or less. It might be a couple of percentage points one way or the other.

**Hon. Mr. Haskett:** I would not try to equate our figures with the American ones.

They may happen to hit here, but I do not think that you want to use that as a guide. We have our own standards, and we will give them to you as fully and completely as we can.

**Mr. Young:** Fine.

**Mr. De Monte:** Of those claims, how much was collected back from—

**Hon. Mr. Haskett:** Mr. Chairman, the hon. member will find the complete records in the annual report that was issued recently. What was collected back—do you mean how much was repaid to the fund by people on whose account things were paid?

**Mr. De Monte:** That is right.

**Hon. Mr. Haskett:** Last year, the amount repaid was \$1,158,909.

**Mr. De Monte:** What page are you on?

**Hon. Mr. Haskett:** Page 28 of the annual report.

**Mr. De Monte:** Well, I am wondering, Mr. Chairman. The usual procedure, I understand, is for the delinquent, if he does not pay, to have his licence cancelled. Is that not correct? If he does not pay his claim? And then he can go to the motor accident claims department and make an accommodation whereby he agrees to pay so much a month, if possible, or pay it off. I think I am correct in assuming that.

I had a case the other day where a man had had his licence cancelled for a claim of something like \$350, had made an accommodation with the department and then came to the point where he had to file proof of financial responsibility. He needed his licence in order to get a job. He had lost his job because his licence had been cancelled. He had got a new job and came along and made accommodation with the department. But suddenly he could not come up with the insurance, with the result that he did not get his job and could not pay back his claim because he did not have the money and could not earn the money to pay for his insurance. I also understand that when he does get his licence he is automatically insured under the fund, is he not?

Why could not the department, Mr. Chairman, make some accommodation for these people that cannot afford to pay their insurance in order that, if they do get a job, they can pay the damage claim to the fund and also, later on, perhaps, file proof of financial responsibility?

**Hon. Mr. Haskett:** Mr. Chairman, it is mandatory, when an uninsured finds himself in debt and an account is paid out of the fund on his behalf, that he is suspended. His licence can be restored if he files proof of financial responsibility, that is the first requirement.

**Mr. De Monte:** Is it a requirement under the regulations, Mr. Chairman?

**Hon. Mr. Haskett:** Under the Act.

**Mr. De Monte:** Is it under the Act also?

**Hon. Mr. Haskett:** And then we try to arrange a suitable way, with each one individually, on the basis of his own individual conditions, as to how much he can repay. I think we are trying to meet the situation.

**Mr. De Monte:** Oh, there is no doubt that, Mr. Chairman. The minister and department do very well.

I did want to point out to the hon. minister that hardships are created thereby, and perhaps the minister might take a look at the system. In certain cases perhaps, if he had amended the law, he should do so.

If a man needs a driving job in order to pay the claim, perhaps the government might place insurance for him until he does repay the loan and add it on to his claim. There should be something done about the man who cannot pay his claim because he needs his licence in order to drive a truck. Some of these people involved in accidents do drive trucks and need the licence in order to support their livelihood.

**Hon. Mr. Haskett:** That is true.

Vote 2304 agreed to.

On vote 2305.

**Mr. Chairman:** Transportation.

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Chairman, I would like to talk a bit if I could about air policy in Ontario.

**Hon. Mr. Haskett:** Mr. Chairman, before we do this, would you want to take 2305 in one piece, or would you want to divide it into the four sections?

Whichever the House desires is agreed to, but the hon. member for Windsor-Walkerton was bringing up a number of matters that fell within the first item on 2305, namely legal services.

You will see that 2305 breaks down into four sections: legal, engineering, research



economics. The second section, namely engineering services, involves the air strip programme.

Does the House wish to decide whether to treat 2305 in one group, or to proceed in order through these four clearly separated items? It is a matter for the hon. members to indicate.

**Mr. MacKenzie:** Mr. Chairman, I wrote a note to your predecessor and he indicated that all of them would be taken together.

**Mr. Chairman:** Yes, well there seems to be a wish that we consider the whole vote in one.

If we do it that way then the hon. member for Ottawa Centre has the floor.

**Mr. J. Renwick (Riverdale):** Mr. Chairman, if I may just ask for a little bit of guidance here. If you wanted to deal with the Transair application, would the minister indicate where the appropriate time would be to deal with that and the government's intervention?

**Hon. Mr. Haskett:** With Transair?

**Mr. J. Renwick:** And the government's intervention.

**Hon. Mr. Haskett:** I thought it all comes within the first section—legal—which is clearly devoted to the activities—which would cover all the activities between our department, on behalf of the government of Ontario, and the government of Canada through the operations of the Canadian Transport Commission. This would include the intervention in the application of Transair, and our opposition to the applications by Smith and others for Sunday trucking. And the case of the applications by the railways for the discontinuance of passenger services and the matter of interprovincial trucking generally involved in part three of The National Transportation Act that is presently on the way to being implemented.

They all come within the compass of the first section, legal services, and I did not know but that the House might find that the most orderly way to proceed, and that was why I suggested it. But I am guided by the wishes of the members.

**Mr. MacKenzie:** Mr. Chairman, I might say with regard to the member's query that I do get into the Transair intervention somewhat, but not, I do not think, into the same area that the hon. member does. In any case, it will introduce it.

**Mr. Chairman:** It seems to me from the discussions that have gone on that these

divisions are fairly distinct. Perhaps it might be more orderly if—

**Mr. MacKenzie:** Mr. Chairman, I would prefer to continue on in accordance with the former chairman's ruling, if it is satisfactory with you.

**Mr. Chairman:** You will be touching on some of these, I gather, will you?

**Mr. MacKenzie:** Mine is air policy, yes.

**Mr. Chairman:** Well, carry on.

**Mr. MacKenzie:** This debate, I feel, Mr. Chairman, ought to include the fullest possible explanation from the Minister of Transport as to Ontario's present air policy, or lack of it. I think it is important that the minister tell the House at this time the story of the relationship that his department has had with the federal government in the past and the current state of negotiations. Certainly there is a divided opinion as to the jurisdiction of these different matters.

As a member from an Ottawa constituency I am, perhaps, in an unusually good position to see both sides of the jurisdictional dispute or question, and, as a flyer myself, I know how provoking and vexing the current impasse must be. Both to those in Ottawa who are trying to make The National Transportation Act of 1967 work, and to those who read into that Act the threat to Ontario's economy and hope of a sensible transportation and resulting land use policy for Ontario.

Mr. Chairman, we have in Canada, five regional carriers. We have one out on the Pacific coast, known as the Pacific Western and then we come east. We have Transair, then Nordair and Quebecair, and the Eastern Provincial Airlines, all regional carriers. There is a feeling amongst my own colleagues—and it is to some extent, my own feeling—that what is here in Ontario should make a supreme effort to promote our own airline carrier for regional work. Certainly there are many who believe that the interests of Ontario lie in that direction.

Then there is the other thread running through my thoughts and those of my colleagues. That thread is: Is Ontario losing jurisdictional rights in our air policy by default? Is the lack of a vigorous policy on the part of our transport department causing Ottawa to fill the vacuum, perhaps a little more forcefully than would be the case had Ontario taken a position on some of these issues that more firmly reflected the provincial interest?

Quite frankly, Mr. Chairman, I hesitate to criticize Ottawa civil servants at the appointed commission level, because I think they have been charged with the responsibility to create effective national transportation policies in the fields of movement specified in the Act—namely, air, water, rail and road.

In the end, the avenues open to this government, it appears now, with regard to air policy, are the federal-provincial bargaining table or—more humbly—appearances before the Commons committee looking at revisions to legislation. The latter is the route taken by the provincial Minister of Education (Mr. Davis) who has appeared, not only before the Commons broadcasting committee, but also before the appointed federal commission, the CRTC.

In contrast, the Minister of Transport, and particularly his predecessor, have seemed reluctant to appear before commissions in Ottawa. This attitude it appears has cost Ontario dearly, in the air as well as in other transportation matters.

The often described image of Ottawa riding roughshod over the provinces does not seem to be true in this regard. Ottawa has merely been fulfilling its national transportation mandate, and filling the vacuum left by Ontario's inaction.

The years 1961 to 1967, Mr. Chairman, when Ontario might have done well in asserting its rights while The National Transportation Act was being formulated, afford the best possible example of the *laissez-faire* attitude to which I refer. I really believe, Mr. Chairman, that had Ontario gone before Mr. Macaluso's Commons committee on transportation and outlined their policy and indicated to that committee what Ontario thought was good for Ontario, and what they thought was not good for Ontario, and what should have been changed, they would have had a good worthwhile hearing. It is quite conceivable that had Ontario proceeded in this way we would have made a jurisdictional bridgehead that would have served Ontario well during the continuing constitutional talks.

Unfortunately, Mr. Chairman, we have no foundation today for a provincial position and for that even the minister, I am sure, will agree his department has not moved fast enough or planned ahead.

It is much harder to change things now that a large federal establishment has been created as a result of The National Transportation Act, 1967. Not only is there the existence of the Act itself on the Canadian statutes to ponder, but also there is a new federal

commission with its several committees acting as courts of record. So that what have been accomplished with ease during the formative period 1961-1967 can now be achieved with difficulty and sometimes, indeed, with a humility that some would come close to humiliation for Ontario in eyes.

I must say I do not share this extreme sentiment, but I do find it rather odd that Ontario is now a petitioner at these public hearings such as the rail hearing at Guelph, when, with a little bit of foresight, it might jointly have shared the bench in a unique kind of federal-provincial regulatory body.

The minister may claim I am dreaming when entertaining the foregoing thought. However, I feel sure that he believes, and I do, that the transportation regulatory field was wide open for innovation between 1961 and 1967 and Ontario lost out through inaction and false pride at that time. We find the master plan for Ontario is in jeopardy because we do not have enough say in matters of transportation. And I do not think I should blame the federal government in Ottawa because the provincial Department of Transport were sitting on their hands, unable to recognize the situation and implications. Let us lay the blame where it belongs and hope the lesson learned is well learned for the adverse effects may affect our development for a long time to come.

The minister, Mr. Chairman, has made statements on March 6 and March 19 in the Legislature about Ontario's intervention in the Transair route award. It is unfortunate that the first statement was brief and incomplete, leaving the member for Riverdale, who asked the questions, unsatisfied, as were others, and that the second question was shadowed by a more dramatic statement by the Attorney General (Mr. Wishart).

Members will find those questions and statements on pages 306, 307 and 311 of *Hansard*.

The statements, Mr. Chairman, refer to Ontario's intervention and subsequent appeal to the federal Minister of Transport in the matter of two routes to Transair, a regional carrier, Winnipeg-based, through the head to Toronto. This opportunity has been opened up to regional carriers, Mr. Chairman, by virtue of Air Canada's withdrawal of turboprops, the Viscount and the Vanguard. The cities of Thunder Bay and Sault Ste. Marie are among those who are appealing those awards, as well as the minister of his own provincial department.

In the intervention, Mr. Chairman, it should be kept in mind that one of the things the provincial government could very easily have done, if they had had the foresight at the time, was to request the federal government to provide for public hearings on all applications. Now they find themselves in a position where they must ask for public hearings. In fact it was three years before Ontario's Transport Department realized this was desirable and represents the prime reason for our minister's intervention in the Transair award. As our minister said, and I quote from *Hansard*:

The main thrust of our intervention was to urge the air transport committee to have a public hearing so the plans of Canadian transport commission and Air Canada's turboprop service in Ontario, could be made public, and the overall plan to supplement these services by regional air carriers could be established.

Then the Ontario minister read into the record the fact that the air transport committee had made the award to Transair, details of which he gave by means of decision 2954 of March 9, 1970, and he said and I quote: "This decision was arrived at without a public hearing."

On the following day on March 10, in the *Globe and Mail* there appeared an announcement that Air Canada intended to reduce its services between Sault Ste. Marie and Toronto. Then the minister announced that Ontario was following up its original intervention with an appeal to the federal Minister of Transport in these words:

For these reasons the province of Ontario is appealing decision 2954 through the federal Minister of Transport, requesting that the minister reverse the decision of the air transport committee with respect to the service—Thunder Bay-Sault Ste. Marie-Toronto—and order a public hearing.

That is the end of the quote. To the best of my knowledge the appeal documents have not been tabled in this Legislature, Mr. Chairman, although the original provincial intervention has been so tabled. I should like to know at this point if the minister intends to table the appeal, and I will repeat that toward the end for the minister's benefit. I do not believe he heard it. Also, when will the public hearing of the appeal be held? Maybe the minister could keep track of those questions and thumb through them a little later.

Mr. Chairman, it is most unfortunate that this great province of Ontario should find itself in such an impasse over its transportation jurisdiction—an impasse which could in all likelihood have been avoided if this department, whose estimates are before us, had made strong and complete representation to the federal government at the commence-

ment of their planning, a time when they were open to persuasion, at a time when the real concern was national, as it should have been.

So, Mr. Chairman, through the provincial Department of Transport's failure to recognize the situation, we now have to hand over not to an Ontario regional carrier, but to Manitoba- or Quebec-based carriers, air routes in Ontario. In the present issue, the province has appealed the decision to grant a route through northern Ontario to Transair, in the full knowledge that the alternative grant, in present circumstances, can only be made to another regional air carrier based outside the province.

The original provincial intervention, which was not impressive enough to move the federal air transport committee in making its award, contained some interesting policies which have not yet been aired in this Legislature, Mr. Chairman, and which should be. We are told first, Mr. Chairman, that the future supply of air services in the province of Ontario will be determined not by any positive action initiated by the province, but by the rate at which Air Canada decides to phase out its Viscounts and Vikings and turn over these regional routes for reallocation.

Further to this total problem, questions arise as to whether third-level carriers in the province can be raised to regional carriers. What are the chances of at least one company in the province of Ontario being raised to regional carriers, perhaps with some assistance from the provincial government?

**Mr. J. E. Bullbrook (Sarnia):** Tell Pickersgill what you know. He is like a dictator down there.

**Mr. Mackenzie:** There is no question, Mr. Chairman, that the former hon. minister that the member for Sarnia refers to has our concern, and that is national transportation. Certainly he is providing it, and I think it is our duty to see that we get provincial transportation.

I was talking, Mr. Chairman, about the possibility of a third-level carrier being raised up to a regional carrier. Apparently there is no hope in Ontario, for here is what the Ontario intervention says:

It must be recognized that a number of communities in the province of Ontario have been serviced by companies such as Georgian Bay Airlines, Great Lakes Airways, Austin Airways, Royalair and others

Within the last 12 months, because of financial difficulties, one or two of these companies have discontinued operations. The regional air policy of the government of Canada, as enunciated on August 15, 1969, prohibits these third-level carriers from becoming regional air carriers.

Mr. Chairman, that is the end of the quotation. It is my submission that Ontario has a nucleus for a regional air carrier in the present operations of third-level carriers. There is Great Lakes, for example, out of Sarnia, as well as all these other lesser lines which are able to do an excellent job, if given half an opportunity.

Mr. Chairman, the federal government has made awards which I believe can be shown to be in the best national interest. Our fundamental concern is that they also be in the best interests of Ontario, as well. We must, in Ontario, have sufficient freedom and jurisdiction to be able to plan the total transportation needs of the people of this province and to ensure the systems we plan for are fully integrated with the national and international systems.

The alternative is to sit back and accept what comes our way, a principle certainly none of us can accept. I am of the belief, Mr. Chairman, that Ontario's future air policy must be fully and completely debated to ensure our position is not further compromised by further abdication or neglect of responsibility. I suggest our air policy in Ontario can be clarified to a good extent if the minister will provide detailed and explicit answers to the following:

1. To what extent will transportation and the economy of the remote parts of the province be handicapped or jeopardized by Air Canada's act of replacing its Viscounts with DC-9 jets?

2. Does the minister believe Air Canada should, by internal policies, be able to precipitate this type of major change or should the province endeavour to seize the initiative?

3. To what extent should The National Transportation Act, 1967, be amended so as to secure for the provinces a representation on the statutory transportation committees?

4. Should these not, in fact, be joint federal-provincial committees for air, water, road and rail? Does the minister consider this matter sufficiently important for a discussion at a federal-provincial conference?

5. Does the minister believe the province of Ontario should long continue as a petitioner in these matters?

6. Does the minister believe that the province acting as a petitioner in these matters in the best interests of the province, or, it, perhaps, destroy the province's bargaining position?

7. Whereas Transair is being let into the lucrative Toronto area of Ontario, does the minister not believe this form of subsidization should assist Ontario's bargaining position?

Mr. Chairman, I do not intend to blur the clearcut issues with irrelevant factual questions on Transair and Nordair awards and Ontario's challenges to those awards. The clear fact is that for six years, between 1961 and 1967, the provincial Department of Transport had no initiatives and the province is now in the position of a petitioner. Air transportation within our province is being determined by others who are probably not familiar in any way with the long-term development and needs for Ontario.

There is, accordingly, no assurance of provision and arrangements for Ontario in her own best interests. There are indications they are not.

The reorganization of the provincial Department of Transport has had a catastrophic effect on its performance and, let us hope, time to ensure an adequate and complete policy for Ontario. Our Liberal caucus has the firm belief that Ontario must have a clear-cut transportation policy—for it is an essential part of the master plan for Ontario.

Mr. Chairman, I invite the minister to go in detail to the questions I have raised and thereby assure the people of this province of an air policy to meet the present and future needs—and a properly planned policy meeting all requirements to be classed as economically sound.

Mr. Chairman: Does the minister wish to start his reply to these questions?

Hon. Mr. Haskett: Mr. Chairman, I have a copy of the hon. member's address and I would like to read it and digest what he is saying. If I am going to reply to it in detail, I would like some more time to do it, rather than off-the-cuff.

Mr. Chairman: I think it is close enough to 6 o'clock.

It being now 6 of the clock, I shall leave the chair and resume at 8. I said 8.

Interjections by hon. members.

Mr. Chairman: That is all. It is 6 o'clock.

It being 6 o'clock, the House took recess.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Thursday, April 16, 1970  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 16, 1968

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF TRANSPORT (concluded)

On vote 2305:

**Mr. Chairman:** Before we proceed, I would like to introduce the guests we have with us tonight. In the east gallery we have the York West Liberal Association and students from Aurora Senior Public School of Aurora. In the west gallery, we have the 15th Etobicoke Central Boy Scout Group from Etobicoke and the 2nd Cedar Brook Rover Crew from Scarborough, and also Canadian Girls In Training from Bethesda United Church of Don Mills.

Vote 2305. The hon. member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, before the supper hour the member for Ottawa Centre (Mr. MacKenzie) made quite a lengthy presentation concerning transportation policy in regard to the airlines. During one of the previous votes I made mention to the minister (Mr. Haskett) of a transportation policy in relation to the trucking industry, and I tried to point out where the federal government is trying to impose its will in an area that should be of provincial jurisdiction.

I would like at this time to ask the minister that he, either now or during the course of the debates this evening, outline to us the position that the department took in its submission to the federal authorities and just what the government stand is concerning an overall transportation policy?

**Hon. A. Grossman (Minister of Correctional Services):** Will you help us with the federal government, please?

**Mr. J. Renwick (Riverdale):** Mr. Chairman, I would like to pick up—

**Mr. Chairman:** Is the hon. minister going to reply at this point?

**Hon. I. Haskett (Minister of Transport):** If the hon. member for Riverdale wants to

make some further comments along this same line, very well.

**Mr. Chairman:** The hon. member for Riverdale.

**Mr. J. Renwick:** Thank you, Mr. Minister. I would like to pick up the theme of the remarks made by the member for Ottawa Centre in connection with the air transportation policy of the provincial government, insofar as it has any capacity to bring its weight to bear on the decision made by the federal government about transportation. I refer specifically to the Transair application, which was granted by the transport commission in which the government of Ontario intervened.

I would like to try, if I could, to engage the minister in some dialogue on the matter. The member for Ottawa Centre made an extensive statement on the problem but I would like, by way of question and answer, to try to obtain a clear-cut statement from the minister as to exactly what the position of the Ontario government is?

My first question to him would be: Could he advise me why the application made by Transair in November, 1968, was not opposed by the Ontario government until about a year later? Indeed, the actual submission by way of intervention made by the Ontario government is in February this year. Perhaps the minister could tell me the reasons for the delay; why it took the government so long to respond to this application and what caused the government to then decide they should intervene and respond by way of intervention.

**Mr. Chairman,** I do not quite understand whether the minister was not listening or whether or not he—

**Hon. Mr. Haskett:** I am just trying to follow some of the history in sequence. If the hon. member wishes to ask some further questions, I shall try to put the story in the best sequence I can for him.

**Mr. J. Renwick:** Obviously, I am not going to have a dialogue with the minister. I was going to try to do that in order that we could

develop the theme as it went along, rather than deal with it by way of high school essay presentations.

My first question was, Mr. Minister, that there has been a very substantial delay in any response by the government of Ontario to the application made by Transair. My second comment, of course, is that the government restricted itself to opposing and intervening in the application of Transair and did not intervene in the application of Nordair, which was heard roughly about the same time by the transport commission.

I would, therefore, like to know within that context the reasons for the intervention in the one case and the non-intervention in the other case. If I could then state to the minister my particular conclusion about it; I take it to be, in fact, that the government of the province of Ontario accepts the federal government's position with respect to the regional air carrier policy which was announced by the government of Canada on October 20, 1966. And that it also accepts the regional air carrier policy as confirmed and clarified by the Minister of Transport of the federal government on August 15, 1969. That accounts for the failure of the government to intervene in Nordair's application and, on the other hand, its decision to intervene in the Transair application.

I may explain that, as far as I can understand it—and I ask the minister if he would confirm this as well—for practical purposes, the regional air policy of the government of Canada reserves to Transair the prairie provinces and northwestern Ontario, and reserves to Nordair the remainder of Ontario and northwestern Quebec.

Therefore, the government of Ontario accepts the proposition that Nordair, based in Montreal and having access to the Montreal metropolitan market, is to have that portion of the province of Ontario which has been assigned to it by the federal government. And that Transair, which is assigned the rest of the province of Ontario—that is northwestern Ontario—and the prairie provinces under the present policy of the federal government, is to have access to the Toronto market.

I know that the minister's intervention was opposed to granting Transair access to the Toronto metropolitan market, but I assume his non-intervention in the Nordair application meant that they acquiesced in the proposition that Nordair was to have access, not only to the Montreal metropolitan market but to the Toronto metropolitan market, as far as

the route to Sault Ste. Marie was concerned. Therefore I assume the substance of the government's position is that they accept regional air policy of the Canadian Transport Commission. They accept the division of province of Ontario into the two areas, one to Transair and the other to Nordair.

They accept the proposition that, for practical purposes, there is to be no regional carrier in Ontario and they accept the proposition that Air Canada, as such, will not be held responsible for providing regional service in the province.

I want to make those statements, Chairman, quite categorically because I want the minister to respond on each of the points which I have raised in order that we can here, tonight, clarify what the government's position is. I take it that is the basis of the intervention, although there is an omnibus clause at the end of the provincial government's intervention dated, I think, in January, 1970.

It appeared to me to be an afterthought to the basic intervention of the government and not the main thrust of their intervention. This reads somewhat as follows—and that is in the intervention of the government of Ontario before the Canadian Transport Commission by way of written intervention to the air transport committee, in the matter of application of Transair Limited for a licence to operate a class 1 joint air service for transportation of persons, mails and/or goods serving the points, Winnipeg, Manitoba, William, Port Arthur, Sault Ste. Marie, Toronto. This intervention is dated February 5, 1970, and the tag end of the intervention is almost an afterthought.

And it is further submitted that because any allocation of routes of a regional nature presently served by Air Canada in the province of Ontario be made, a plan of total airline route pattern be developed as to ensure an overall route efficiency. Such a plan should be made outside of considerations of subsidy or carrier financial strength and should include a comprehensive analysis of:

1. the future traffic demand in Ontario and its adjacent regions;
2. the level of participation of Air Canada in regional air services; and
3. the role of the local and third level carriers in the total air transportation framework and their relationship with regional air carriers.

I would like to know whether or not the government of Ontario have, in fact, de-

oped any such policy, or their views on such a policy. Or are they simply again dumping it in the lap of the federal government the way the government, and particularly the Minister of Trade and Development, has dumped the unemployment problem in the laps of—

**Hon. S. J. Randall** (Minister of Trade and Development): Oh, lay off! What are you talking about? You know what Trudeau's programme is? Do you know the good and bad of Trudeau?

**Mr. J. E. Stokes** (Thunder Bay): Sit down and listen. Do not be so touchy.

**Hon. Mr. Randall**: Put the blame where it belongs.

**Mr. J. Renwick**: Mr. Chairman, I am dealing with the estimates of the Minister of Transport and I am sorry that my comment upsets the Minister of Trade and Development.

**Hon. Mr. Randall**: You should be.

**Mr. E. W. Sopha** (Sudbury): He is almost a paranoic. Does Trudeau make you paranoic?

**Hon. Mr. Randall**: Sure, like you.

**Mr. Chairman**: Order!

**Mr. Sopha**: He turns a lot of people on in this country.

**Hon. Mr. Grossman**: He has turned a lot of people off their jobs.

**Hon. Mr. Randall**: You know what he is against? We all know what he is doing.

**Mr. Chairman**: Order!

**Mr. J. Renwick**: Mr. Chairman, has the government got any overall—

**Mr. Sopha**: Take that fellow a tranquilizer, Mr. Chairman.

Interjections by hon. members.

**Mr. J. Renwick**: —air transport plans for the province of Ontario? In other words, does it have a plan of the total airline route pattern which it has developed in such a way that it can make its own independent submission to the federal Canadian Transport Commission about what the policy should be? Or is it a fact that the late intervention of the government of Ontario was really an indication that this was basically the first time they had got around to thinking about

the problem of air transportation in northern Ontario on an adequate and regional basis?

**Hon. Mr. Randall**: I think your needle stuck, you had better sit down while you are ahead.

**Hon. Mr. Grossman**: He is not ahead.

**Mr. J. Renwick**: Now as always, Mr. Chairman, I would like to be able to place before the House very clearly the view which was taken by the New Democratic Party on this issue, again in an endeavour to obtain clarification of the government's position. The minister knows, and as the Minister of Trade and Development knows, if anything we have clear policies in this party about matters that are of great public concern. At the recent meeting of the provincial council of the New Democratic Party which was held in Niagara Falls, a weekend ago—

**Hon. Mr. Grossman**: Is that when you turned right?

**An hon. member**: He turned Conservative.

**Hon. Mr. Randall**: MacDonalld took the bait.

**Mr. J. Renwick**: I would like to clarify to the Minister of Transport the role in a democratic party which such a provincial council plays. Maybe the Minister of Transport will tell us whether there is any equivalent body in the Conservative Party that plays any such role.

**Mr. Stokes**: That is a good question.

**Mr. J. Renwick**: The basic framework, Mr. Chairman—so that the Minister of Transport will fully understand the impact of the resolution which was passed—is that we have a convention in this party every other year and that is the governing body.

**Some hon. members**: It is a small party.

**Mr. T. Reid** (Scarborough East): Is that when you stab in the back, Jim?

**Mr. J. Renwick**: This is when the democratic party—

**Hon. Mr. Randall**: Jim, it is really Russian roulette.

**Mr. J. Renwick**: But in between the gambling—

**Mr. T. Reid**: And you spend the money out of yours—

**Mr. Stokes**: This is the part of democracy that you people just ignore.

**Mr. J. Renwick:** This is when the democratic process operates—when people are involved in the decision-making process, which neither my friends on the right, nor my friends opposite understand.

**Mr. Stokes:** Precisely.

**Mr. J. Renwick:** You see the government does not understand this is in theory a democratic system that we operate, but neither that party nor this party has the semblance of democracy so far as policy evolution is concerned.

**Hon. Mr. Grossman:** Is that why you threw those two people out of the convention?

**Mr. J. Renwick:** Mr. Chairman—

**Hon. Mr. Grossman:** They were thrown out democratically, I hope.

**Mr. Sopha:** Come on tell us about it.

**Mr. T. Reid:** That was two women you threw out.

**Hon. Mr. Randall:** Stick to the truth, Jim.

**Mr. J. Renwick:** Mr. Chairman, the democratic procedures of this party have been recorded many times in *Hansard*. I just want to say for the minister—perhaps the minister and I could engage in this discussion, Mr. Chairman—we could ignore the Minister of Correctional Services and the Minister of Trade and Development for the moment.

**Hon. Mr. Haskett:** Intelligent discussion.

**Hon. Mr. Randall:** If we are making you nervous, we will leave you alone, Jim. Go ahead.

**Mr. J. Renwick:** We enjoy their intervention.

**Mr. Sopha:** Stick to the truth and you are on safe ground.

**Mr. J. Renwick:** Every other year the convention of the New Democratic Party deals with policy matters and, in the intervening periods, it is the provincial council—

Interjections by hon. members.

**Mr. P. J. Yakabuski (Renfrew South):** That is when you dump your leader.

**Mr. Chairman:** Order!

**Mr. J. Renwick:** —which, within the broad framework of policy laid down by the provincial convention, provides a forum and a method by which we evolve policy.

**Hon. Mr. Grossman:** Left, right, left!

**Mr. Chairman:** In a democratic manner might get back to the estimates.

**Mr. Yakabuski:** Do not try to tell us everything is all right over there.

**Mr. J. Renwick:** A week ago in Niagara Falls the provincial council of the New Democratic Party adopted the following resolution:

That this council strongly supports the action of the five northwestern Ontario riding associations of the New Democratic Party in opposing the granting of a licence to Transair of Winnipeg to provide air service in a Winnipeg-Thunder Bay-Toronto run.

That we urge both our federal and provincial caucuses to take every step possible in their respective Legislatures to obtain the reversal of decision serial No. 2954 of March 9, 1970, by the Canadian Transport Commission, and therefore to the extent that the government of Ontario is appealing that decision, then we support the action of the government in making an appeal.

Perhaps the minister will clarify the status of the appeal, and whether in fact the appeal will be held by way of written submission or by way of public hearing when the appeal takes place. I do not pretend for a moment to be familiar with the appeal proceedings of the Canadian Transport Commission.

But, in order that the government understand the differential between the position which we take and the position which the government takes, I would like to point before you the basic statement that was issued by the Port Arthur riding association and supported by the other riding associations of the New Democratic Party in northwestern Ontario. This is the statement made on March 22 and sent by way of brief to the Canadian Transport Commission. The following considerations were set out by the riding associations in Port Arthur, supported as it is by the other four ridings in that part of the province of Ontario. The first objection—and I believe is one in which the government concurs—is that I believe it is one with which the Liberal Party concurs—is that no public hearings were held, although both the city of Sault Ste. Marie and the government of Ontario requested them and, I assume, were in agreement that this kind of decision should not be made by the Canadian Transport Commission without a public hearing.

The second point that was made—and I think it is a valid point because of the amalgamation of the two cities of Port Arthur and Fort William into the city of Thunder Bay—was that the application of Transair was initiated before the amalgamation and therefore the new council of the city of Thunder Bay did not have any adequate opportunity to study the full implications of the policy which would be inherent in the support by the Canadian Transport Commission of the submission of Transair.

The third point made in the brief was that one of the original opponents to Transair's application, Midwest Aviation, during the period from the time the application was initiated by Transair and the time when this brief was submitted, had been in fact absorbed by Transair and had become part of the Transair minor empire in the area of regional transportation services in the area allocated to it.

But the major thrust of our position is included in this next item, which was put within the brief and submitted to the transport commission. The first major argument in the commission's decision to grant Transair a licence was to make Transair's present Winnipeg-Dryden-Kenora-Thunder Bay run economically viable. That is the reason that was given in the actual decision of the air transport committee. And I think that the decision of the air transport committee will bear out that one of the principal reasons given was that it would make this particular service economically viable. I quote from page 7, I think it is, of the actual decision, serial No. 2954, in this connection:

At the present time Nordair is not operating unit lot services in northern Ontario. Transair is operating a service from Winnipeg through Kenora and Dryden to Thunder Bay. This service is serving the public convenience and necessity but it is not economically viable, and Transair cannot be expected to continue such service unless it can become viable. The committee believes that if this service was extended on a once-daily basis in each direction through Sault Ste. Marie to Toronto, with a pattern of service worked out in co-operation with Air Canada, its potential viability would be improved and it would better serve the public convenience and necessity by providing direct service from Kenora and Dryden through Thunder Bay and Sault Ste. Marie to Toronto.

That was one of the basic reasons. And we, as a party, are opposed to that because we

recognize quite clearly that the areas served by Transair certainly require air service, much improved air service. But our recommendation basically is that Air Canada should be encouraged to get into regional service in northwestern Ontario in order to serve the special needs of that area. The recommendation of this party is that this service be removed from Transair's jurisdiction altogether as it is too vital to entrust to the whims of a private carrier.

By way of digression, before I pick up again on the brief, I think I should refer to the stated purposes of the Canadian Transport Commission as set out in the actual statute incorporating that commission.

The statute, Mr. Chairman, for the sake of the record, is chapter 69 of the Statutes of Canada, 1966-67. And it is not by way of preamble, but section 1 in fact is the equivalent of a preamble, as to the policy of the government following upon the royal commission that was held to deal with all these areas. I believe it was the—perhaps the minister could help me—federal royal commission that preceded the passage of this particular statute.

**Hon. Mr. Haskett:** The MacPherson commission.

**Mr. J. Renwick:** The MacPherson commission, that is right.

**Hon. Mr. Haskett:** And the subsequent hearing by the Commons transportation committees—

**Mr. J. Renwick:** Yes. Now, Mr. Chairman, the point is that the statute clearly states a policy which is in direct contradiction to the portion of the decision of the air transport committee I have just quoted. Because it states—and I am going to quote again for the record the whole of this particular section of that Act:

It is hereby declared that an economically efficient and adequate transportation system making the best use of all available modes of transportation at the lowest total cost, is essential to protect the interests of the user of transportation and to maintain the economic well-being and growth of Canada and that these objectives are most likely to be achieved when all modes of transportation are able to compete under conditions ensuring that, having due regard to national policy and to legal and constitutional requirements:

(a) Regulation of all modes of transportation will not be of such a nature as to restrict

the ability of any mode of transport to compete freely with any other modes of transport;

(b) Each mode of transport, so far as practicable, bears a fair proportion of the real costs of the resources, facilities and services provided that mode of transport of public expense;

And I emphasize this next item,

(c) That each mode of transport, so far as practicable, receives compensation for the resources, facilities and services that it is required to provide as an imposed public duty;

(d) Each mode of transport, so far as practicable, carries traffic to or from any point in Canada under tolls and conditions that do not constitute:

1. An unfair disadvantage in respect of any such traffic beyond the disadvantage inherent in the location or volume of the traffic, the scale of operations connected therewith of the type of traffic or service involved, or

2. An undue obstacle to the interchange of commodities between points in Canada or unreasonable discouragement to development of primary or secondary industries or to export trade in or from any region of Canada, or to the movement of commodities through Canadian ports.

And this Act is enacted in accordance with, and for the attainment of so much of these objectives as fall within the purview of subject matters under the jurisdiction of Parliament relating to transportation.

The one, Mr. Chairman, that I emphasize, and I am sure the minister will as well, is:

That each mode of transport, so far as practicable, receives compensation for the resources, facilities and services that is it required to provide as an imposed public duty.

Therefore, I submit to the minister that the decision of the air transport committee is in direct contradiction to that. Because the MacPherson report was premised basically upon the proposition that where a carrier is required by government policy to provide service, then on the submission of adequate accounting statements of that imposed duty—which is the language used in the statute—if it can show that it is operating at a loss, it is entitled to a subsidy clearly and distinctly made for the purpose of meeting that deficit. And there is absolutely no justification under the policy enunciated in that statute

for any suggestion that, in one way or other, a decision should be made on the basis of making an uneconomic service economic or making it relatively more economic by providing access to an area such as the metropolitan Toronto market.

Therefore, I would suggest that the point that we, in this party, have taken on this point, is that Air Canada should be the carrier which in northwestern Ontario is required and obligated to provide adequate service for the needs of northwestern Ontario and if a subsidy is required, it be a government subsidy granted to Air Canada as a carrier owned by the public and not privately owned—and designed for that specific purpose. That is, to ensure not just that traffic mainline services, but to ensure the regionalization of air services through the use of feeder lines in order that the people in relatively more inaccessible areas of Ontario will have the benefit of adequate service.

The further argument that we made at that the second argument in the Canadian Transportation Commission's decision to issue Transair's licence was that this would complement the services already provided by Air Canada. Again, within this brief, you will find specifically on page 6 the statement of the air transport committee that:

Consequently, any such regional service on the route segment Thunder Bay-Toronto will complement and not replace service by Air Canada which will continue to be the dominant carrier.

One has only to look at the newspaper reports of what in fact Air Canada has done, in the light of the decision, to find out that there is no endeavour to complement the service of Air Canada, but there is a direct substitution of Transair service for Air Canada service subsidized in favour of Transair. The obligation imposed by the air transport committee in this decision is that the airport facilities and the other facilities which are required for the operation of that privilege granted to Transair are to be provided by Air Canada—and yet this, as my colleague from Thunder Bay says, is at the expense indirectly of the taxpayer of Canada because Air Canada is a government-owned air service.

I am sure the minister is well aware of those particular newspaper reports. Perhaps I could refer to the *Times Journal* of March 16, 1970:

The concern over granting Transair a licence to fly passenger

through Thunder Bay on a Winnipeg-Toronto run, would indicate that it is quite obvious that Thunder Bay has received excellent service from Air Canada up to this time; it is also obvious the run is a profitable one and it is quite obvious that government policy will lead to a fragmentation and possible over-extension of air services.

And there are other clippings that specifically point out that Air Canada, in fact, immediately responded to the decision by announcing there was going to be a cut in the services provided by Air Canada on those very routes.

The other area that we as a party were concerned about is—if I may just continue to quote the brief with respect to the cutback on service:

We believe the cutback in fact will be about 50 per cent and that the increase in service by Transair will be about 50 per cent of the air service, and therefore northwestern Ontario ends up in the identical position it was before the application was made.

And our conclusion was that we do not feel that Air Canada's profitable runs should now be turned over for the benefit of private companies after the Canadian taxpayer subsidized these same runs when they have been unprofitable but necessary for the public convenience.

Our next point—

To which I have alluded:

—is that we object to the subsidizing of Transair with Air Canada's highly competent station and ground services. We feel that Air Canada's highly regarded reputation is being used to make Transair service more acceptable to the public.

The next item was that the citizens of Thunder Bay have not been clearly informed as to the cutbacks in service that Air Canada will make because of the granting of the licence to Transair—possibly because this so-called memorandum of understanding between Transair and Air Canada which is referred to as a necessary precondition of the grant of the service to Transair has not as yet been made public.

There are other concerns which we have. But one of the major concerns, of course, is, and perhaps the minister can tell us—or perhaps his staff in making the intervention has knowledge of the matters which he can give the assembly—but we would like to know about the share ownership of Transair.

It would appear that in fact, in 1967, Transair or the control of Transair had been taken over by American investors, and that subsequently then, in August, 1969—and this is again part of the mystery why this application of Transair was so long before the transport committee before any decision was made—it may well be that behind the scenes they were requiring some reshuffling of the share arrangements. But there has been no clear indication that Transair is now Canadian-controlled, not even going so far as to say Canadian-owned. I am saying Canadian controlled.

In August, 1969, the takeover in fact appeared to have been reversed by a company called Great Northern Capital Corporation Limited and the Little Long Lac group. But so far as I know, there is no available financial information which would indicate quite clearly that the control of Transair is in fact Canadian-controlled. I would hope that the minister in the course of his remarks could elucidate on whether or not that is a fact, or is not a fact, or that the information is not available on which any such assessment or judgement could be made.

I think I have gone at some length about it. I have not been able to see specifically the two statements by the federal government about its regional air carrier policy; I assume those are available to the minister. I assume that the minister could very well table, if he has copies of them, the regional air carrier policy of the federal government, dated October 20, 1966, and the clarification of that policy or reaffirmation of that policy dated August 15, 1969.

The other aspect, of course, which has been raised in the House of Commons at Ottawa by the leader of this party, is this whole question of the closeness of the relationship between persons intimately involved in the Transair operation with the Liberal Party. This is a matter which should certainly cause serious questioning by the Ontario government within the framework of the kind of privilege which appears to have been transferred to Transair in direct contravention, so far as I can see, of the actual policy laid down in the statute, and by the well known and obvious connection between certain persons who are directors or officers of Transair and the present ruling party in Ottawa, the Liberal Party.

In all of these matters, I believe our position is clearly set forth in these remarks and in the remarks that my colleague, the member for Thunder Bay, may care to make.

These, with his own direct intimate knowledge would have much better information than I have. We want to know the answer to this question; not only about Transair but about the kind of policy which this government envisages as necessary in order to provide adequate air service throughout north-western Ontario; throughout northeastern Ontario; throughout north-central Ontario and, of course, elsewhere in the province.

I think we are entitled to get under this vote, in this estimate, a definitive statement from the Minister of Transport to the questions raised by the member for Ottawa Centre and myself.

**Hon. Mr. Haskett:** Mr. Chairman, before we rose for supper, the member for Ottawa Centre was reading a rather lengthy dissertation on the background and the current history on the matter of air transport in Ontario. I have no intention of discussing the historical background of the present situation or battling with the government of Canada in the course of my estimates here.

Accordingly, I would like to make a brief answer to the hon. member for Ottawa Centre as a result of having read carefully some of the things he said while I had a little time at supper. I think this will put on the record a general reply to the several numbered points that he raised at the end of his speech.

Until such time as the federal Department of Transport will disclose to the province the plans of Air Canada—

**Mr. J. E. Bullbrook (Sarnia):** Excuse me, Mr. Chairman, would you have a spare copy of that? I wonder if you have an additional copy.

**Hon. Mr. Haskett:** Of what?

**Mr. Bullbrook:** Of what you are reading.

**Hon. Mr. Haskett:** It is in my own handwriting. Written at supper time.

**Mr. Bullbrook:** That was the response I wanted. You do not have another copy, right?

**Hon. Mr. Haskett:** I would say that until such time as the federal Department of Transport will disclose to the province the plans of Air Canada as to the timing of Air Canada's phase-out of its turboprop aircraft, and the overall plan of the Canadian Transport Commission respecting the switching of the routes presently served by such aircraft to the designated regional air carriers, the government of Ontario is unable to assess the effect of such phasing-out.

It must be recognized that DC-9 jets economically provide a service for hops currently provided by Air Canada's turboprop aircraft. It was for this reason that we intervened in the Transair application and appealed the CTC decision No. 2954 to the Minister of Transport for Canada. There are four other appeals to the minister on decisions from Nordair, the city of Thunder Bay, the city of Sault Ste. Marie and the operating unions of Air Canada.

I see no reason why Air Canada should not be able to phase-out its turboprop aircraft provided there is assurance that the regional air carriers will provide a similar type of service without cessation or diminution of service on any of the routes now served.

The constitutional aspect raised by the member should be viewed in that context.

As far as part 3 of The National Transportation Act is concerned, I would be pleased to make available to the House the proposals of this government in this regard. As regards the role of the province in transportation matters, which are constitutionally under the jurisdiction of the federal government, a provincial input is meaningful, surely. I must have sufficient faith to believe that the decision-making process at Ottawa will give weight to the position of this province whether the information is provided by the province as an interested party under section 170 of The National Transportation Act, or in consultation between the governments before and after a hearing of the air transport committee.

I think that, basically, is our position with respect to the current situation.

The hon. member for Riverdale has specifically dealt with the background of the situation that brings us to this immediate place. Following the hearings of the MacPherson commission, which we usually refer to as the MacPherson commission, the federal government went ahead and enacted The National Transportation Act of 1967; but during the MacPherson commission hearings, this province was not silent.

It was represented there by none other than the Premier of the province, the hon. I. D. Frost, who made clear that the goals of the province were identical with the goals of the federal government. These goals are now set out in section one of The National Transportation Act, to which the hon. member for Riverdale has made a comprehensive and reasonable reference. These views were presented by the hon. I. D. Frost in a brief from the province of Ontario at the royal commission on transport



dated March 14, 1960. I quote from page four of that brief:

In speaking out for a re-examination of railway policies and practices, we feel we are speaking in the interests of Canada as well as our province. We hope that from your deliberations will come recommendations that will ensure for Ontario and Canada modern and efficient railways, possessing the capacity and adaptability to change and provide services, consistent with the optimum development of Canada as a nation, at rates that are equitable and fair to all regions of Canada and realistic to the cost of providing the services.

It seems to me that is in complete conformity or agreement with section 1 of The National Transportation Act.

He went on further:

Ontario requires a modern, efficient, economical, railway service at rates that are non-discriminatory to any part of Ontario and that, as far as possible, are realistic and reasonable in relation to cost of service. Charging of above-cost rates on some items in order to compensate for the below-cost rates on others is no longer possible on the scale of past years and, where it does exist, it not only arouses feelings of inequity and injustice, but may hobble growth and development in a completely unjustified way.

The whole pattern of railway costs must come under deep scrutiny. Since low rates on some traffic have been in effect for a long time, we are ready to contemplate the use of subsidies to meet the current problem. The ideal situation is one in which each major trade and each economic region sits like a good bathtub on its own bottom. Any departure from that rule should be limited, known and open to measure.

Now I say that that statement is in agreement with the national transportation policy enunciated in section one of The National Transportation Act.

The member for Riverdale went on and said: "Why did you do nothing between the disclosure by the former Minister of Transport, Mr. Pickerskill, in 1966 and the time you seemed to become interested in 1969?" A reasonable question.

The federal government's enunciated programme of regional air services lay dormant at that time. We had no idea what was going to happen, other than that general statement. We have a copy of it. If the hon. member

wants it, I will see that he gets it. I do not have it with me.

However, in 1969, when that policy was restated by the present Minister of Transport and it became apparent that action was going to be taken—that Air Canada was going to phase out its prop-jet services and replace aircraft with an all jet fleet—then we realized what the implications of the phasing-in of regional air carriers would mean and we became deeply concerned. We watched the situation, as it developed, with great concern.

I think perhaps I could help the hon. member appreciate the position we were in a better understand our position if I were to read to him a letter that I sent to the hon. D. C. Jamieson, Minister of Transport; to Mr. John R. Baldwin, president of Air Canada; to Mr. J. C. Gilmer, president and chief executive officer of Canadian Pacific Airlines; to Mr. J. McBride, president of Trans-Canada Limited and to Mr. R. G. Lefrançois, president of Nordair, on February 11 this year, in advance of the hearings—or the hoped-for hearings—in connection with the Transair and Nordair applications. It reads:

#### RE: REGIONAL AIR CARRIERS

The government of Ontario is concerned about any reduction of service or withdrawal from service of Air Canada from those routes serving Ontario communities which can be categorized as regional routes. As evidence of this concern, there was filed with the air transport committee an intervention on behalf of the province of Ontario with respect to the application of Transair for a franchise to fly Winnipeg-Thunder Bay-Toronto, Toronto-Sault Ste. Marie.

In the event there is an overall plan, indicated by newspaper accounts, respecting the phasing out of Air Canada's regional routes in Ontario, it is important that the department is made aware of such a plan so that we can be assured the reallocation of these routes so designated to designated regional air carriers will be carried out in a manner which will be to the benefit of Ontario users.

The thrust of our objection to the application of Transair and of Nordair (Ottawa to Hamilton)—and indeed any other similar applications of which we are not aware—is not that the applications be denied, but rather that the decisions be postponed until we are aware of the overall plans and have had sufficient opportunity to assess them as they affect the plans we have

respecting industrial, regional, urban and northern development.

It is my opinion that this method of procedure will bring the best results as has been demonstrated in our involvement with the motor vehicle transport committee and the railway transport committee and the carriers over which these committees have regulatory powers.

I assure you, sir, that it is our desire to keep to a minimum, adversary proceedings before the Canadian Transport Commission and that such an approach by the government of Ontario will only be taken as a last resort.

That is the end of the letter I wrote those people at that time. I think that puts very clearly the position this government has taken.

We have had dealings with the other sections of the Canadian Transport Commission. We have dealt with them in good faith and openly, and I think most usefully to all concerned. We will be dealing shortly with the matter of trucking that comes under part 3 of The National Transportation Act. We have had extensive dealings with the minister, and in conferences with respect to matters that fall within the ambit of interprovincial or international trucking.

I have also, in this volume, the replies I duly received from the office of the Minister of Transport and from the minister himself, from the president and general manager of Transair, from the president of Canadian Pacific Air. These are available, and instead of reading them into the record now—I believe the member for Riverdale has most of the content in connection with our intervention in the Transair case—but the complete file is here and I would be happy to make it available. I have three copies here and there is a copy available for each party if you wish it.

I think that puts before the House, in a pretty clear picture, the position this government has taken and why we acted as we did.

The question was put as to the nature of our appeal. The appeal from the Transair decision was made to the Minister of Transport in Ottawa. It was a written appeal and there will be no hearings before the minister.

**Mr. T. P. Reid (Rainy River):** Might I interrupt and ask the minister, has the federal government, or the transport commission, indicated to you that this is a tryout period and that a year from now, for instance, or in two years, they will re-examine the whole situation and then hold a public hearing?

**Hon. Mr. Haskett:** It was mentioned in decision 2954, I think, that the routes granted to Transair would be reviewed in a year.

**Mr. T. P. Reid:** They did not indicate there would be a public hearing held at that time, though?

**Hon. Mr. Haskett:** There was no indication of a public hearing.

**Mr. T. P. Reid:** Did you ask for one?

**Mr. H. MacKenzie (Ottawa Centre):** To go on a little bit further on the air policy question of it: The minister has given us a pretty good account of what has transpired and the steps he has taken, but to me, I cannot see how we could evolve out of this an air policy which will permit Ontario to plan ahead and plan the development of Ontario in the way that I think it should be planned. I would like the minister, if he would, to take a little of time to dwell on how he proposes to develop an air policy for the province of Ontario.

**Hon. Mr. Haskett:** To complete my reply to the member for Rainy River, I would like to read the last six lines of the decision by the Canadian Transport Commission:

Consequently, it is proposed to review the adequacy of the services before the close of the first year of operation and to conduct such a review, to give all interested parties in the communities served, a full opportunity to express their views of the services provided to the public.

It does not say there would be a hearing.

In reply to the question just now raised by the member for Ottawa Centre as to—

**Mr. T. P. Reid:** Mr. Chairman, might I interrupt and ask the minister if he is going to ask for any clarification of that statement? To me it sounds as if it means a hearing. Did the minister make an approach to them? He said, "By this, do you mean we are going to have a hearing?" Or have you just let it go at that?

**Hon. Mr. Haskett:** Mr. Chairman, this decision is under appeal to the federal Minister of Transport.

**Mr. Bulbrook:** Which decision? And whether you are going to have a hearing or not?

**Mr. J. Renwick:** No.

**Hon. Mr. Haskett:** To reply to the member for Ottawa Centre, who asked what the re-

for our intervention was, I outlined this in my statement introducing my estimates—that we believed that before any of the routes is spun off to a regional carrier, it is essential that an overall plan of regional air service be established, and for this reason the province opposed the Transair application, and so on.

Our request for a public hearing on this application before the CTC was denied and the Transair application was granted and that is why we are appealing. It is the position of the government of Ontario that no city in this province presently served by Air Canada should be faced with a reduced service because of Air Canada's intention to operate an all-jet service. Nor do we believe it is in the interests of Ontario citizens for a piecemeal and unco-ordinated regional air carrier network to emerge, which will frustrate the introduction of new services.

It is also vital that the role of third-level carriers be established if they are to participate in existing air services in Ontario and assist in opening up northern Ontario.

**Mr. Chairman:** The member for Riverdale.

**Mr. J. Renwick:** Mr. Chairman, I think that the point the member for Rainy River makes is one which the government should follow up independently. It is a question of whether there is an appeal, because if one reads the last six lines which the minister has quoted of that decision—if one were, you know, just taking it at its face value—one would assume that there was going to be some kind of a public hearing about it.

Yet the whole tenor of the way in which the previous hearing was held seemed to indicate that the language would be equally applicable to the same kind of lack of hearing which they had before. They went on to say that all interested parties have had full opportunity through a long period to make submissions in writing with respect to the applications. And that the committee considers it has all the information before it that is necessary to determine whether any of the proposed services are, and will be, required by the present and future public convenience and necessity.

I think the minister should go on record with the air transport committee that both in this hearing and in all subsequent hearings, it shall be unmistakably clear that the government of the province of Ontario expects public hearings on any of these applications, apart altogether from the—

**Mr. Bullbrook:** It is too late for that. They should have done it years ago.

**Mr. J. Renwick:** No, it is not too late. You can always be late but you can still repair some damage which has been done. But I am saying to the minister, and I hope he will take it that, regardless of the appeal to the federal Minister of Transport, this minister should get on the record that he is not going to put up with this kind of exercise of the constitutional authority of the federal government in this field without having an adequate opportunity for all interested areas, including the government, to express their view on it in a public forum in a public hearing, where a clash of opinions and the response and analysis can be heard, and it will be pulled into knowledge.

I want to make this other point about it. I really do not think the last six lines of that decision are worth the paper they are written on. Once you have made the kind of shift which is taking place—that is, a shift from Transair from Air Canada, not by way of supplement to Air Canada service but by way of substitution for Air Canada service, which I want to come back to—you are not going to be able to reverse it. I read in the *Globe and Mail* of Wednesday, March 11, that they said that R. A. Morrison, the Transair executive vice-president, said that the airline will take delivery of a Boeing 737 jet in the week of March 23, and a second Boeing 737 jet a few weeks later. These it will place on the Winnipeg-Thunder Bay-Toronto route in competition with Air Canada. The newspaper goes on to say that the turboprop YS-11, Japanese-built plane with capacity of 46 passengers, will fly on the second route, between Toronto-Sault Ste. Marie-Thunder Bay-Den-Kenora and Winnipeg.

Public hearing is not going to reverse this kind of substantial change in the operation of a company such as Transair. Let us look at it; Transair has:

(a) the support of the government of Canada in terms of the regional air policy statements which have been announced. It has been allocated a monopoly in northwestern Ontario and the prairie provinces, in the first place.

(b) It has had an application before the transport committee for a long period of time. And the air transport committee has had a lot of opportunity to consider all the ramifications of that application—almost 10 years from the filing of the initial application until the decision was made.

(c) During the course of that time—and that is part of the inner mystery of the relationships of Transair with the government

Canada—they have gone through substantial capital reorganization in share ownership and acquired one of the persons who had made an application in opposition to it. After all that length of time, a decision is made by the air transport committee.

All I am saying is that if it is not reversed—and I assume the federal Minister of Transport has the power to either reverse the decision or re-establish the previous situation or to quash the decision of the air transport committee—

**Hon. Mr. Haskett:** Or order a new hearing.

**Mr. J. Renwick:** Or order a hearing. But, unless the provincial Minister of Transport does something like that, then there is not going to be any change basically a year from now, or two years from now, of the decision of this air transport committee. I do not know where it is going to come out—I assume perhaps the minister can clarify; he has clarified the area of authority of the federal Minister of Transport—but how will this hearing be conducted? Will it be an *in camera* hearing, before the minister himself?

**Hon. Mr. Haskett:** Yes.

**Mr. J. Renwick:** Will the public be able to have an opportunity, through the media, to be informed of what takes place? Or is it entirely a private appeal to the federal Minister of Transport?

**Hon. Mr. Haskett:** Mr. Chairman, I have no experience in this, but I understand it will be an *in camera* hearing and the minister will just give us his decision. I think the hon. member agrees with much of what I have said, and I with much of what he has said. If the air transport committee had acted as had the other committees of the Canadian Transport Commission, we would have had an open hearing which we applied for and which we sought and which we expected but which we did not get. The matter was resolved and the decision made without any public hearing. That is what we were hoping we would have, so that we could examine Air Canada, the air transport committee and the federal Department of Transport as to their intentions with regard to the overall phasing out of Air Canada's prop-jet services, especially applied to the cities in Ontario and the phasing in of the regional carriers on the regional routes.

Now, I just want to correct the hon. member in one respect. He referred to the 737 that Air Canada is going to put into service—

**Mr. J. Renwick:** Transair.

**Hon. Mr. Haskett:**—Transair is going to be put into service. This is not going to serve regional runs; this is going to—

**Mr. Stokes:** To replace the present Canada run.

**Hon. Mr. Haskett:** That is right. On a route run. So let us not confuse the use of the 737 on regional hops.

**Mr. J. Renwick:** Mr. Chairman, if the minister would just allow me, I then went to point out that the regional service is going to be provided by the Japanese turbo-prop plane YS-11, which is going to operate on the regional area that is provided. I was using as an illustration that once a company such as Transair—regardless of what I think of its capitalization or anything else has gone through all these stages of approval as the monopoly carrier for a particular region; has gone through the hearing; made this kind of capital expenditure on equipment that is going to be involved; simply make the point that this review a year from now will serve no useful purpose because it is not going to reverse the decision.

**Mr. Bullbrook:** That is right, you are right.

**Hon. Mr. Haskett:** In the event that the minister does not reverse the decision of the Canadian Transport Commission on the Transair case or order a hearing, then the room for appeal to the supreme court. The House probably is aware of the fact that Nordair has applied for leave to appeal to the supreme court; so the matter still is before the supreme court.

In the event that we do not get a hearing presently on the Transair case, I think the suggestion of the member for Rainy River and the member for Riverdale might be a valid, that we should seek clarification of the nature of the review before the end of the year, which is dealt with in the last sentence of the decision.

**Mr. T. P. Reid:** Mr. Chairman, I would like to make a few comments on what the minister is saying and then go on. We are talking about regional carriers in the development of the north, and I throw out for the minister's consideration this thought: Has his department given any thought of considering having Ontario establish and operate its own regional carriers? In other words, set up some corporation similar to Air Canada to operate regional carriers, especially in northern Ontario.

just ask if the minister's department has considered that? As the minister well knows, we already have a carrier in the province of Ontario, the Lands and Forests, but my colleague from Nipissing (Mr. R. S. Smith) informs me that this is a private carrier and not be used in this instance. So I ask the minister, has he given any consideration to the province establishing its own regional carrier?

**Hon. Mr. Haskett:** The idea, of course, has occurred to us that we are without a unit in the commercial business today that might qualify as a regional carrier.

**Mr. T. P. Reid:** Except the Lands and Forests.

**Hon. Mr. Haskett:** Except the Lands and Forests, which is one of the largest operations. But it is not applying for regional routes. We have given thought to this, and it is really for this purpose that we have established the division, so that we can enter into this situation more adequately in the future.

**Mr. Chairman:** The member for Sarnia.

**Mr. Bullbrook:** Mr. Chairman, the majority of my comments concerning this particular debate have been covered by the member for Riverdale. I wanted to add, if I could, some thoughts of my own in connection with the bisection of our province by the federal government within what purports to be their constitutional jurisdiction.

I want to say to you that I find it particularly offensive, as a member of this Legislature, to be sitting here in the unfortunate position as one of the suppliants to the federal government. That is exactly what you are, Mr. Minister, and in this connection, it is the federal statute that you are dealing with in this connection, The National Transportation Act, a statute that you and your predecessors could well have become more actively involved with and more concerned with.

We talk now about the establishment of a transportation policy in the province of Ontario. This should have been considered years ago. The minister stands on his feet and he attempts to resist the reasonable remarks of the member for Riverdale by quoting from remarks made by the then Premier of the province of Ontario, subscribing to section 1 of that Act.

I invite your consideration of this, Mr. Chairman. If he subscribes to section 1, he subscribes to the very Act which strictures

you entirely, right now. And how could he in his naïveté and having regard to his prime responsibility as Her Majesty's first minister in this province, subscribe unilaterally to the Act, which in effect is a statement of national policy? The member for Riverdale read it to you. It says nothing about provincial policy. It says in the preamble, in section 1: "Insuring that having due regard to national policy which is their function and their responsibility."

And I want to read you something, if you might, Mr. Minister, about national policy directly in connection with this area. Listen to these words, if you will, of the then federal Minister of Transport. Listen to what his attitude was when testifying before the committee that was considering the validity of that very statute. When speaking of true transportation, he says this:

Without federal control of the highway I think it would not be beyond the imaginative capacity of any member of the committee to see a dozen ways—

And listen to these words:

—in which a resident provincial government and a willing provincial legislature could frustrate completely, with their jurisdiction, most kinds of jurisdiction we would seek to impose upon them.

That is what your provincial government was prepared to put up with, that authoritarian statement, in connection with policies that constitutionally are within your purview within your responsibility. So, for you to get up and try to placate us with a statement saying that the hon. Leslie Frost subscribes entirely to the preamble of that section, and he does nothing for your position.

Do you imagine for one moment we have to listen to you stand in the House and say: "The main source of our intervention was to urge the air transport committee to have the public hearing." To have a public hearing! provincial minister having to file a request for a public hearing because of the strictures of the federal statute, because the provincial government had not established a policy years ago when it should have! They abdicated their responsibility to the federal government.

That is why we are faced today with the first situation that the federal government takes it upon itself to draw in effect an imaginary line down the middle of the province of Ontario and say: "Nordair, you have one half and Transair, you have the other half." But that begs, of course, the mo-

important question, that the provincial government did not even have the opportunity, having regard to the air policy established in this province, to say to a regional carrier, born in this province and housed in this province, "We will give half of the province to you." That concerns me more than anything else.

I want to direct my comments now to the words in your intervention; the words on page 9. I digress in this respect. You know, it is a breath of fresh air to have Mr. Duncan involved with your department now. At least we are seeing something in the nature of policy come through in connection with this whole question involving rail rates, the trucking industry and air transportation. And he says:

The policy statement of the Minister of Transport on August 15, 1969, anticipated this changeover when he stated:

"Routes which, because of volume of traffic, size of airports and related facilities or suitable type of aircraft, do not fit the style of mainline operations of Air Canada or Canadian Pacific Airlines will be reserved for regional carriers and in some cases transferred to them."

It therefore becomes obvious that the future supply of air services in the province of Ontario will be determined by the position taken by Air Canada in respect to its regional routes, and the allocation of these routes by the Canadian Transport Commission.

A collateral consideration which, it is submitted, must be taken into account, is the future in Ontario of the third-level carriers. It must be recognized that a number of Ontario communities in the province of Ontario have been serviced by companies such as Georgian Bay Airlines, Royalair, Great Lakes Airways, Austin Airways and others. Within the last 12 months, because of financial difficulties, one or two of these companies have discontinued operations. The regional air policy of the government of Canada, as enunciated on August 15, 1969, prohibits these third-level carriers from becoming regional air carriers. (e.g., the January order of ATC respecting Great Lakes Airways.)

I must say I am not familiar with that. I invite your comment in this connection. I did not realize there had been such an order relating to my constituent company, Great Lakes Airways. But I will ask you to reply to that afterwards.

It is therefore submitted that the application of Transair and any other appli-

cation which is made by a regional carrier which involves regional services presently operated by Air Canada in the province of Ontario is premature.

It is further submitted before any allocation of routes of a regional nature preserved by Air Canada in the province of Ontario be made that a plan of the airline route pattern be developed so as to ensure an overall route efficiency. Such a plan should be made outside of any considerations of subsidy or carrier financial strength and should include a comprehensive analysis of:

1. The future traffic demands in Ontario and its adjacent regions;
2. The level of participation of Air Canada in regional air services;
3. The role of the local and third-level carriers in the total air transportation framework and their relationship with the regional air carriers.

Of course, we are getting into the situation now. The reason I rise—and, I hope, some vigour—in this connection is because we are going to have, as we have in being the entire question of the removal of Air Canada from the London-Toronto route. Again, there is the involvement of Nordair, perhaps Transair, in connection with applications and the involvement of my constituent company, Great Lakes Airways. The possibility of success had they, having regard to the policy statements that you allude

But more important is what has been said by the government of the province of Ontario in assisting the development of these third-level carriers so that they can adequately compete for regional routes where necessary. I recognize that the London route is not necessarily a regional route. Let me say that. But the point is—and I suggest this to the minister—that there has not been adequate assistance. My colleague from Rainy River got up, and he said: "What about government itself being instrumental in the establishment of some type of carrier system which would qualify within the policy established by the committee?"

I do not particularly subscribe personally to that. Surely to goodness, in what you yourselves call the province of opportunity, you should have created an adequate carrier system by the establishment of your policy for the development of carriers who could compete with Winnipeg and Montreal. Surely we should all hang our heads in shame, first of all because of the lack of initiative and response on the part of this government, your predecessors

Minister, and you yourself, and more so the former Prime Minister of Ontario. To think that you would laud him for subscribing to the preamble to that Act as the Premier of a province whose constitutional responsibility in the field of transportation is clear within the province; that he would subscribe, without equivocation, to the establishment of that Act as far as national policy and the stricture that is created for you and for me and for our respective constituents throughout this province. He does not deserve any laudatory remarks in this connection, but more so I am interested in your explanation as to the fundamental question of the present rights, apparently, of the air transport committee to bisect this province. Why, in a province of this nature, where we and you—more so than us on the other side of the House—like to say that we will match our enterprise and our expertise and our endeavour with anyone else, when we do not even have a company that could possibly qualify to find itself within the ambit of the policy of that commission?

**Mr. J. Renwick:** Mr. Chairman, I would like to ask the minister a couple of questions. Does he know anything at all about the background of Transair and these changes which took place in its share ownership and control between the time it originally initiated its application and the final decision?

If my memory serves me correctly, the former leader of the Ontario Liberal Party and now Senator Andrew Thompson was chairman of the board of Transair up until the summer of 1969, I believe. Then the statement by way of clarification of the Minister of Transport at the federal level, the hon. Mr. Jamieson, in August, 1969, for all practical purposes appeared to foreshadow what in fact turned out to be the decision of the air transport committee, which is basically that Transair should be given access to the Metropolitan Toronto market.

That is still a complete mystery to me, and I think it is a matter in which the government of the province of Ontario, as an intervenor and as an appellant, has a very real interest. I certainly would like to know whether the minister does know anything about that particular company and its present ownership and control.

And, secondly, I would like to switch to Nordair. Are we to take it that the minister's failure to intervene in the application by Nordair was in fact a tacit approval of the application by Nordair for that particular route to Sault Ste. Marie? And was it a tacit

approval that, rather than Transair having access to the Metropolitan Toronto market, Nordair should have access to the Metropolitan Toronto market?

I believe that is implicit in the intervention of the government of the province of Ontario, that they approve of the Nordair application and that they approve of government regional air policy. And if that is so, then I would like to know what the government's position is, as the member Rainy River has said, they do not intend themselves to introduce an Ontario public owned air service to provide the feeder links and the connecting links in the regional service, which I think the province requires.

I would certainly subscribe to that view, but if the government does not subscribe to that view, what are they doing to stimulate Nordair, which has been allocated this large area of the province and which is located in Montreal, outside any effective jurisdiction of the government of Ontario, if Nordair does not want to accede to the government? What are they doing to get Nordair to provide some form of regionalized service in northwestern Ontario? Unless I am wrong—and I think newspaper reports and what personal knowledge I have of the northern part of the province indicate this quite clearly—Nordair in fact does not provide any regional service anywhere in the province of Ontario. I would like to know what the minister's views are about that part of the province of Ontario because we have concentrated a lot of service in the northwestern part.

**Mr. I. Deans (Wentworth):** Montreal to Hamilton.

**Mr. J. Renwick:** My colleague from Wentworth says that they do provide a service from Montreal to Hamilton.

**Hon. Mr. Haskett:** Mr. Chairman, the member for Riverdale is quite wrong in suggesting that we are acquiescing in the Nordair situation. In the letter I read to the House I had written, I said the thrust of our objection to the applications of Transair and Nordair and indeed of any other such application of which we are not aware, is that the application not be denied but rather that decisions be postponed until we are advised of the overall plans.

I think that that was a very sensible and reasonable approach to it. Our whole thrust is to gain an understanding of the overall plan, because until the regional policy is spelled out by the minister last August,

had no idea of what they planned to do, beyond the announcement some four years ago, of the previous minister, that it was going to be a matter of dividing up Canada into regions and spinning off some of the regions to regional carriers. Until this news came out of Ottawa last fall, Ontario was very well served by Air Canada and we would like to have kept things that way. But now comes, of course, the announcement that, with the advent of proceeding with the original plan, Air Canada services were to be phased out and that is when the problem began.

Mr. Chairman: Member for Thunder Bay.

Mr. Stokes: Mr. Chairman, I would like to enter into this discussion to get from the minister some assurance, if any. I was trying to read through some of the correspondence that he made available to us a few moments ago, and I see no evidence from the people at Transair that the level of service will be equal to, or better than, the service provided by Air Canada at the present time from Winnipeg to Thunder Bay to Sault Ste. Marie and Toronto.

I want to remind the minister that, at a time when the province of Ontario is spending upward of \$1 million in providing assistance to remote communities to provide air strips through his programme of highways in the sky, I think his responsibility goes much further than just assuring the people—who are enjoying Air Canada service at the present time—that either Air Canada, or its successor, or whoever provides the complementary services in areas where they have been granted a licence to operate also have the responsibility of an extension of services into areas where other forms of transportation have abandoned their responsibility for the transportation of people and goods, particularly on short hauls or LCL shipments.

I would like to refer the minister specifically to areas where, for any number of reasons, you have an inadequate service at the present time. Possibly it is not lucrative or attractive enough for private carriers to get in to provide the kind of transportation of people and goods into remote areas of northern Ontario. I think the Minister of Mines (Mr. A. F. Lawrence) will remember quite clearly that at the conferences held in Timmins, Sudbury and Thunder Bay last fall, it came through loud and clear that if you are going to develop northern Ontario and make it an integral part of the economic, social and the cultural life of this province, you are going to have to provide a much more sophisticated and a much more efficient means of

transportation and communication for these areas.

Nothing that I have seen in the assurance given by Transair or by the Canadian Transport Commission, and nothing by way of response to the intervention filed by the minister, has indicated to me that that will be the case. All they are doing, all the federal government and the Canadian Transport Commission are doing at the present time is turning over a lucrative run to another carrier who has taken on the responsibility for providing transportation facilities in an area where he considers it to be economically viable to do so.

We will be turning over a route from Ontario to Transair that has been developed at the expense of the taxpayer. I do not think any of these private carriers has shown any willingness or any interest in developing an overall transportation policy that will either complement or replace a service that is badly needed at the present time in northern Ontario.

I would like to heartily endorse the recommendation made by the member for Rainy River who he suggests that you should sit down in a realistic way and examine the possibility of the advisability of this government getting into the business of providing that kind of facility for northern Ontario.

The government, in the past, has extolled the virtues and the advantages of having built a development railway in northeastern Ontario. I think that is something I would agree with; that if it had not been for Ontario Northland Railway we would not enjoy today the degree of development we have in northeastern Ontario at the present time.

I think the same thing holds true with our air transportation policy. If the people of northern Ontario are going to be provided with the kind of development and the kind of service they are entitled to, I think the government must get actively involved in providing that transportation network. I do not think anything we have seen in the past indicates that a private carrier is willing to perform the kind of service needed in the northern part of our province. The very fact that you have got into your airport and your airstrip policy demonstrates to me that you feel the same way. You feel that if we are going to develop the north it is going to have to be by government initiative; and I strongly and heartily endorse the recommendation of the member for Rainy River that you take the very earnest look at that. I think that is



only way we are going to assure the people of northern Ontario that their transportation needs are going to be met.

**Mr. Chairman:** The hon. member for Rainy River.

**Mr. T. P. Reid:** I think the minister would like to reply.

**Hon. Mr. Haskett:** I appreciate the consideration of the member.

**Mr. T. P. Reid:** All right.

I would just like to bring to the minister's attention, Mr. Chairman, through you, a related problem. It is that the minister—I am sure he has heard me mention this on numerous occasions before, and I hope that the new minister of northern affairs will also pay attention and pay heed to what I say—the Minister of Transport should be concerning himself with the airlines or air carriers that are coming into northern Ontario from the American side.

Now I do not want to go on at great length because I think this has been well documented. I trust that the minister will receive, or has perhaps seen, the report that was prepared under the aegis of The Department of Tourism and Information in regard to this American competition, these planes that are coming into northern and northwestern Ontario.

Surely this is a problem that should concern the provincial Minister of Transport and it should become part of an overall transportation policy that the minister should have for the province of Ontario. I would also hope that Ontario's Minister of Transport will also concern himself with the problem and will go to Ottawa with his colleagues and say we cannot, under our policy, under our programmes in Ontario, countenance this American competition, these transport companies if you like, from the American side of the border operating into northern Ontario.

**Mr. Chairman:** The hon. member for Timiskaming.

**Mr. D. Jackson (Timiskaming):** Mr. Chairman, it is not very often that I break with my colleagues in my thoughts, but the member for Thunder Bay mentioned the ONR opening up northern Ontario. Maybe they opened it up, but they have deserted it since. It should be very clear that surely opening up is not what we need.

**Hon. A. F. Lawrence (Minister of Mines):** He must not let that compliment go by!

**Mr. Jackson:** Take it any way you like.

We are talking about what Air Canada is doing for northern Ontario, but let us be really honest about it; it is doing absolutely nothing for northeastern Ontario.

The service into northeastern Ontario from Air Canada or any other airline is not existent. A person travelling back and forth between Toronto and my riding might just as well take a bicycle, he can make it about as fast as the airplane gets there—the time they go through Ronyn, Val d'Or, Ottawa, Montreal, and then back in Toronto.

It is completely ridiculous!

Although I agree that any lessening of the service is not to be put up with, what we should really be thinking about is what the member for Rainy River mentioned a couple of minutes ago—an overall policy of transportation in this province. Right at the moment I do not think that this department or this government has any policy on transportation. What really happens is that what we get stuck and pushed into the corner as we have to provide a route or a transportation system into that area, we then do something about it. But in the meantime we ignore and that is what is happening right now.

While you are fighting with Air Canada, Transair and the ONR and the CNR, you are really ignoring an overall transportation policy. I look across the House and I see a nice smile on the face of "congenial Al", but if he has never ridden the train to Cobalt and I do not think he has yet, he should.

**Hon. A. F. Lawrence:** I beg your pardon.

**Mr. Jackson:** You have never been on the train to Cobalt.

**Hon. A. F. Lawrence:** I think I have been on the train to Cobalt more times than you have.

**Mr. Jackson:** Then you should be backing me up.

**Mr. Sopha:** What is wrong with Cobalt?

**Hon. A. F. Lawrence:** There is nothing wrong with Cobalt.

**Mr. Jackson:** And if you have had the unhappy occasion of riding in on Air Canada then you should also be backing me up.

What we lack in Ontario and in Canada right now is an overall transportation policy. To argue over discontinuing certain routes and changing certain routes is complete

ridiculous unless you are going to sit down and do something about all of the transportation problems in Ontario; and that is what I would urge you to do.

**Hon. Mr. Haskett:** Mr. Chairman, regarding the northeastern part of Ontario, the member is probably aware that Nordair has applied for the northeastern routes and that north of that Austin is operating.

**Mr. Jackson:** Mr. Chairman, just one more comment.

Maybe they have applied, but how are you fitting this into an overall policy? You serve the needs when the needs are there, but do you do something about providing and making sure of our future needs as an ongoing thing?

You are not talking about developing Ontario, what you are doing is looking after our immediate needs, and surely that is not going to do anything for the development of northeastern or northwestern Ontario.

**Hon. Mr. Haskett:** That is the whole purpose of this exercise, to find out the overall plans so that we can draw up a network.

I wonder if I can deal with a matter that was brought up much earlier this evening by the member for Windsor-Walkerville with respect to interprovincial trucking and the plans of the—

**Mr. MacKenzie:** On a point of order!

Before we leave the air policy, I wonder could I get the minister to deal with the air policy? Some long time ago I rose and asked him what his plans are for the future with regard to air policy, whether he plans to continue on in the same way or whether he has plans to pursue this matter with the federal government to try and resolve it and to arrive at an air policy.

It is still very much in the air, and there are two or three questions I could put to the minister, very direct questions. The first one I would put is: Does the minister believe that the Ontario government should have some degree of authority to determine regional carriers and routes in the province of Ontario?

**Hon. Mr. Haskett:** Yes, Mr. Chairman, I think this was inherent in all the discussion we have had. Our whole desire was to learn the overall plans of the federal government, which has authority in the air, so that we can map out a network or a plan for Ontario that would integrate not only the air but the other carriers as well, those travelling by rail and by road.

I think we have to know the plans of the federal government in respect to air and transport to be able to assess even our local needs. I think it only fair that we should have this sharing of plans with the federal government, and that, basically, is the purpose of our intervention in the Transair case to begin with, and that is what we are putting forward as our desire in our intervention in passenger service discontinuation. We want none of those rail services discontinued until the federal government is able to give us its intention as to the overall plan for the province so that we can begin to integrate our needs. I think that it is only by acting in good faith, one with the other, that we can hope to achieve that.

**Mr. MacKenzie:** I think, Mr. Chairman, the minister has nearly arrived at the point where I have been trying to get him to, and that is, namely that the minister should have a latitude where he himself can plan a network without having to find out what some other's plans are and then be told what he can do and what he cannot do. I would like to see the minister to respond positively to this if he is able.

**Hon. Mr. Haskett:** It is precisely for that reason, sir; that and in view of the operation of The National Transportation Act through the agency of the Canadian Transport Commission and in view of the changes that are occurring so rapidly now, that we have established this division within our department that with engineers and with economists and with analysts we can establish our needs in a realistic way and put them before the authorities so that we make the right decisions.

**Mr. MacKenzie:** May I then, Mr. Chairman, in ending my comments, congratulate the minister for making a slow start but eventually getting around to that point where he is going to firmly deal with this problem?

**Mr. Chairman:** The hon. member for Wentworth.

**Mr. Deans:** Mr. Chairman, first of all I want to say to the minister that I do not have any objection with the position his department has in waiting for the federal government to decide exactly what Ottawa wants to do but I think this minister's department decide its position. I think it behooves the province of Ontario to decide the kind of transportation that the province of Ontario wants and then to attempt to sell that to the federal government, rather than to wait and try to fit the kinds of

that we would desire into the federal policy. But that is beside the point; I want to ask the minister whether the provincial government played any part in the decision on the request of Nordair for carrier rights between Hamilton and Pittsburgh?

**Hon. Mr. Haskett:** Mr. Chairman, not that I am aware of.

**Mr. Deans:** Well, I would like to know from the minister whether he takes into consideration the suitability of particular areas for transportation and whether safety—and this is one of the things that the minister has often stressed as the strong point of the department, particularly that of motor vehicles—whether the minister considers safety in the determination of what kind of landing rights ought to be granted in the province of Ontario.

**Hon. Mr. Haskett:** At the moment, Mr. Chairman, that is a matter I would deem to fall entirely within the province of the federal government.

**Mr. Deans:** Well that is rather unfortunate because I feel somewhere along the way that surely the province must have some jurisdiction over the safety of its citizens. It is not nearly enough to say that the federal government has jurisdiction. This is another of those areas where jurisdictional rights seem to take precedence over the safety of people.

We face this same situation, if I may digress just for one moment, in the determination of pollution and the problems of mercury pollution.

It seems to me that the provincial government, if it feels or if it is aware that there is a safety hazard, a hazard to the people of the area in granting of landing rights in a certain location, that the province has some responsibility in that area. It is not nearly enough to say that is a federal matter and that they are the people who should look after it and if they do not then that is too bad and people can die in the meantime.

What I am suggesting to you is that in the Hamilton area there was a recommendation made by the federal Department of Transport to the municipality of Hamilton that they should apply additional fire fighting equipment at the civic airports. You might well say to me that that is a federal matter. But it occurs to me, as I look at it, that it could well involve the homes and lives of many people in the area; and that when there is a recommendation of this nature the prov-

ince of Ontario surely has some responsibility in at least backing up the recommendation or making representations and perhaps offering financial assistance if need be to provide the kind of emergency equipment and safe equipment that is necessary in order to make airports safe in the province of Ontario.

In decision-making as to the kind of transportation policy we are going to have—

**Hon. Mr. Haskett:** Providing that type of equipment is the responsibility of the federal government.

**Mr. Deans:** That is exactly their argument. The unfortunate part is they are not doing anything.

**Mr. Sopha:** They have got more money than we have.

**Hon. Mr. Haskett:** May I ask the hon. member if he knows of any deficiency in the Aeronautics Act that needs correction? That is where the authority lies.

**Mr. Deans:** All right, fine!

Now let me say to you then that if there is a deficiency in the Act, then the deficiency is this that they will not enforce it. If there is a regulation in the Act to demand that certain fire fighting and safety equipment be installed, there is not the will to enforce it. At this particular moment the fire fighting and safety equipment in Hamilton airport is totally inadequate.

**Mr. Sopha:** Well, Ian, what are the federal members doing about it?

**Mr. Deans:** Well, I do not know; they are all Liberal.

I might say then to the member for Sudbury that I have no jurisdiction over the Liberal federal members. They, unfortunately, are unable to exercise any control over the needs.

**Mr. S. Lewis (Scarborough West):** A great pity!

**Mr. Deans:** I want to ask the Minister Transport of this province, on behalf of the people of this province, that he at least take a look at the situation and determine whether or not it is unsafe; and if it is to make the necessary representations on behalf of the people of this province to the federal government.

I do not think that is too much to ask. I am sure the member for Sudbury would agree.

that that is not too much to ask in this House at this time.

**Mr. Sopha:** Well the first thing you do is to write to your federal member.

**Mr. Deans:** I tried it.

**Mr. Sopha:** Write to your federal member!

**Mr. Chairman:** The hon. minister.

**Hon. Mr. Haskett:** I have no further comments to make on the responsibilities of the federal government in enforcing its own aeronautics Act; I think that would be an intrusion.

**Mr. Deans:** What do you mean it is an intrusion?

**Mr. Chairman:** The hon. minister has the floor.

**Mr. Deans:** Let me ask the minister; at what stage do you decide that you are intruding when people's lives are at stake? When do you decide? At what point do you decide that people's lives are no longer important, that you are intruding when you intrude on their behalf, or at least intervene on their behalf?

**Hon. Mr. Haskett:** Surely if the federal government has the authority, the people of Hamilton should make their representation in the right direction, and not to this minister.

**Hon. A. F. Lawrence:** When we do, you blame us for starting a fight.

Interjections by hon. members.

**Mr. Deans:** Are you sure that this takes place? You say to me that surely this happens. Have you taken the time to determine whether or not it does take place?

**Hon. Mr. Haskett:** No, Mr. Chairman, I never heard of it till tonight.

**Mr. Lewis:** Aha, there you are! You are in the dark, completely, totally!

**Hon. Mr. Haskett:** Fire fighting at airports is in good hands.

**Mr. Chairman:** Does the hon. minister have any further comments in response to—

**Hon. Mr. Haskett:** No, I would like to deal with the matter raised by the hon. member for Windsor-Walkerville. I think he is entitled to an answer.

He asked the part the province was playing with respect to interprovincial trucking. That

has come into the picture with the announced determination of the federal government to implement part 3 of The National Transportation Act that deals with its area of responsibility in road traffic.

This is a matter that I think I mentioned the other day was settled in Privy Council case that goes by the name of the Whelan case that decided that the federal government has the authority on interprovincial and international trucking. When that occurred, the federal government passed The Motor Vehicle Transport Act (Canada) and then deputed the administration of that Act to the respective provinces. We have been carrying on carrying out that responsibility.

Now the Minister of Transport came to a provincial ministers' conference and said he would like to take over responsibility, in fact as it was their duty. So we had a conference in Ottawa with all the provinces represented and the federal minister put forward his proposal and asked us for our views.

We gave an Ontario brief which, I think, was the main presentation—or the best presentation made—on that occasion. One of our suggestions we put forward was that the matter of implementing should be dealt with by a technical committee that could look into the matter and see the problems and determine how the matter could be handled because obviously there were overlapping interlocking responsibilities. It was known on the edge of that that gave rise to the former Minister of Transport in Ottawa making the statement he did before the committee, that is, as quoted by the member for Sarnia.

Apparently the federal government is quite aware of the difficulties it might encounter if it tried to push roughshod over the provincial authorities. We are trying to work this thing out in a reasonable and sensible way. I can assure the House this province has no intention of abdicating any of its authority with regard to road transport. We have laid on the line where our authority begins and the range of our authority, and we are dealing in a responsible and reasonable way with the federal government.

The technical committee that was set up has already met and I expect there is another meeting coming up within the next month when some more of these problems will be resolved. I can assure the House and the people of Ontario that this government has no intention of relinquishing its rights and the authorities of control over the highway in our province, recognizing the rights of

federal government as established by Privy Council decision.

From there, I take you the next step into the case of the applications for Sunday trucking and the opposition we have filed with respect to the Smith application. That is just an indication of what will happen. There were two cases that went through. The first I knew of the Day & Ross Limited and Maislin case was when I read in the papers that they had been relieved of complying with the requirements of The Lord's Day Act. Right away we were concerned. We made request of the transport commission to ensure that we got notices of these applications. The Smith application was the next one to come forward and we are in there objecting.

I intimated, when I made my introductory remarks, that in the case of the Smith application, if we be successful and I expect we will, we would apply for the revocation of the authority granted to Day & Ross Limited and Maislin, which exempted them from the operation of The Lord's Day Act in regard to Sunday trucking in Ontario.

**Mr. Sopha:** I have this comment, that something seems to have gone awry when the provincial government is put in the position of a suppliant to a federal bureaucratic tribunal. There is certainly something out of joint in the constitutional structure of this country.

**Mr. J. L. Brown (Beaches-Woodbine):** It is not the constitution. It is the minister.

**Mr. Sopha:** I would think that, notwithstanding—I would go this far—that, notwithstanding the existence of the board that Jack Pickersgill carved out and which exercises an awesome jurisdiction, it is open to the government of Ontario, at the highest level, to approach the federal government, at the highest level, and say, "Here is the area of our concern; and here is where we think that we have some constitutional jurisdiction; we are not going to be put off by the fact that you have passed a sophisticated statute setting up a very elaborate administrative tribunal".

That kind of talk, which is a better kind of talk than we get from the provincial Treasurer (Mr. MacNaughton) and his breast-beating about Mr. Benson's white paper, is the kind of talk that I would think would get home to the federal government.

Eventually, I am optimistic—nay, I am sanguine enough—to believe that the federal government would reorder the structure in

such a way as to accommodate the legitimate views of the government of Ontario. From a constitutional point of view, I cannot tolerate the notion about this sovereign jurisdiction, sovereign albeit in the words of Lord Watson in the local prohibition case of 1896, if we are going to get into the area of constitutional law — completely sovereign and equally sovereign as the federal government is within its sphere of jurisdiction, so are we within ours. For the provincial government, through the able offices of David Duncan, QC, to put the case of the sovereign people of Ontario before a federal administrative tribunal, is an unseemly spectacle to me, cannot, as a provincial politician, accept it.

Those things have got to change and someone has got to talk to Mr. Jamieson and Mr. Trudeau eventually and lay it on the line and say "Listen, fellows, we have a concern in the transportation patterns in the province because they are inextricably bound up in the industrial, economic development of our province, and impinge in a most intimate way upon how our people are going to live. We cannot be put in a position that we have to go to various administrative tribunals, the role of *amicus curiae*, or in the role of a suppliant, to attempt to get that body to change its policy or its decision. That is not the way the constitution of this country works. That is not the way the founders of this country intended it to work. They intended that the great experiment in federalism would exist on the basis of compromise and reason, going together between governments."

I would implore the minister that an effort be made to exercise initiative along the line of a direct approach to the federal government. If they have to change their statutes to accommodate our wishes and our legitimate desires, then that is the way the cocoon crumbles. They are going to have to do it. We cannot go on for a long period of time accepting that national transportation policy is going to be effected by the Canadian Transport Commission being the front for the government of Canada because, boy, oh, boy, I say to the minister, through you, that is going to have profound implications upon the governmental structure of this federation, as well as having very far reaching effects upon the orderly development of the province of Ontario, which latter is our prime concern.

**Hon. Mr. Grossman:** We could give you a few more examples. That is the way it goes.

Mr. Sopha: That is the way it is going? We do not have to tolerate it in Ontario. There comes a point when we stop being reasonable people in attempting to deal with them around the table or across the table. We can exercise other devices, but I am not going to cite what they are, but we are not bereft of power.

The federal government, under our constitutional structure, is not the Washington government dealing with the state of Idaho by any means. They are dealing with powerful, sovereign jurisdictions here, and the time has come when we should begin to talk to them straight from the shoulder. If you want an example, we should talk the way that Bertrand in Quebec talks to them.

That is the kind of talk that I would like to see emanate from here to Ottawa. Not the flimflam which we have had to put up with and has become so tedious to newspaper readers about how short we are of loot; you know, what a terrible penurious condition we are in. I do not know; the provincial Treasurer is going to walk in here in overalls one day just to show how hard up he is. And the Prime Minister (Mr. Robarts) will come in with his fifth-rate suit to exemplify hard times. Come on, let us get down to a realistic confrontation with the federal government and call a spade a spade and say—

Hon. A. F. Lawrence: But then do not blame us for picking a fight.

Mr. Sopha: No, I will not. I will be your staunchest supporter if you are in line with the intent of the constitution of the country. Just so the record will be complete and it is not indicated that I am talking off the top of my head, I was at Guelph at the last hearing. I saw the masterful job that David Duncan did, there is a fellow at the top let me tell you; we are well represented with him. I never really saw him in court before. But he is an able advocate that you sent up there. I hope that you will remember that at Christmas and send him a Christmas cake or something.

But it astonished me to see the role that we were put in. We were there exercising our deep concern for transportation matters within the province, and, as elected politicians we were appearing before a very sophisticated group, who gave every evidence that they knew what they were doing. They came there attended by all kinds of satraps, larded with expertise. It really dumbfounded me to see the bey of troops they carry with them.

I sat back and I wondered, "what happens when we come to, that we are in this row here because every change they made in transportation pattern of Ontario affects people to whom we have a primary responsibility.

We cannot be put in a subsidiary position of being friends of the court; that is not our role. In ordering the proper transportation policies for the province, we are right in the vanguard.

The last thing I said to that nice man that Winnipeg lawyer, Mr. Jones, the chairman—the last thing I said to him was, want to make it absolutely clear that the Liberal Party takes the position that the prerogative for ordering transportation policies within the province of Ontario does not rest in them. The province of Ontario has a very vital and a very intimate right, in collaboration with the federal government, to order the optimum of transportation within the province because it so vitally affects the economic and sociological development of the province.

I think he got the message and I hope he goes back and tells Mr. Pickersgill that the Ontario Liberal Party said that.

Just let me end on this note, so that the position will be clear. I am aware of the nature of this federal experiment and all the persiflage we hear in the House about the people in Ottawa being our blood brothers. Well in this seat it is taken *cum grano* because—oh boy, I am in trouble; I may be here tomorrow to get that one.

Because the primary responsibility of a provincial politician is to direct his efforts whatever intelligence he has got to further the interests of the people he serves within that portion of The British North America Act that sets down provincial jurisdiction. And if that means a little fight from time to time with our brethren in Ottawa then right—as soon as I get back in shape I will be ready for it.

Hon. Mr. Grossman: And some of us are behind you.

Mr. Sopha: Make no mistake about it; they have got their job to do, we have got our job to do. But what we must never tolerate is this great experiment of Confederation is we ever start to kow-tow to them and acknowledge that they have supreme jurisdiction in areas where we have a right to be first and foremost.

That is the way it has got to be. I say to the Minister, you get down to Ottawa

start to tell Mr. Jamieson the way we think in Ontario.

**Hon. Mr. Haskett:** The hon. member's comments are well directed.

In the matter of highway traffic—and we are discussing the implementation of part 3 of The National Transportation Act—we went to Ottawa and our position was just this. The Privy Council case decided the area of federal responsibility and authority and we went forward with the assertion of our position—just the kind of position that the former minister indicated he recognized.

We said highway traffic within the province is our business and that highways are ours. We set forth our position in no uncertain terms and there was no abdication.

That is where we are now in confrontation with the federal people—that we administer the highways of Ontario—they are our property, and that is where we are in our confrontation. I hope we can come to a reasonable understanding as to where responsibilities come together, so that we can come together and co-operate, rather than clash. But we assert our authority and that is understood.

For the member for Windsor-Walkerville, I would like to send him this copy of the presentation we have made with respect to the implementation of part 3.

**Mr. Chairman:** Vote 2305. The hon. member for Beaches-Woodbine was on his feet earlier.

**Mr. Brown:** I would like to direct the discussion to an item which represents roughly half of the total item in 2305—assistance for airstrip development—and inquire of the minister particularly, what does this cost represent?

What is the breakdown on the \$675,000 that is allocated for this particular item? Are any of these funds recoverable from the federal government? Are they matched in any way by other jurisdictions other than the provincial department here? Specifically, what is hoped to be achieved by this expenditure of \$675,000?

**Hon. Mr. Haskett:** Mr. Chairman, in spending for this airstrip assistance programme, we look to the local community to pay 50 per cent of the cost. In those areas where there is no local resource—where an airstrip fits into a corridor system we must have—like Sandy Lake, Big Trout Lake, running up to Winisk, or to Pickin' Chicken and Pickle Lake—

Mr. Stokes: What was that? Pickle Lake

**Hon. Mr. Haskett:** I knew you would like me that.

On up to Winisk, those two corridors running more or less parallel up to Winisk the west—

**Mr. Lewis:** Did you say Pickin' Chicken is good. Try Colonel Sanders, it is a better.

**Hon. Mr. Haskett:** No commercials please.

On the east, running up through the established airports of North Bay and on Moosonee and so on to the Hudson Bay shore up to Winisk.

We found, in the case of the Winisk airport, we are dealing there with the operation that took over the assets of the operation from the federal government, which has been settled. But with respect to Moosonee I think I announced to the House last year that Moosonee was a mainline airport and should be built by the federal government. The federal government kept putting it further down its priority list every few years and we were getting nothing done.

We were able to negotiate with the federal government that we would build it if they would help with the cost. We worked out a 50-50 cost arrangement with the federal government. In last year's budget we had to pay the cost of the airport, because the federal government had no appropriation for the contribution in last year's estimates, but we are getting the \$300,000 repaid by the federal government this year.

The construction at Moosonee was slow beginning last year, but it will be operational this year.

Just to summarize, I might say to the hon. member and to bring the members into the picture, that we have had some 90 facilities opened with respect to communities in the northern part of Ontario. There are 11 in active planning or beginning construction; there are eight in active construction; there are four in operation. Of the eight in active construction, all will be operational this year and some of those in active planning, as well as beyond the four we now have.

That is the way we move forward year by year. It is not as fast as we might want. I said to the House last year that we had experience in this and we had to build our files. We had to begin to estimate the communities that had the greatest need, a

those communities that were in a position to go ahead with their planning.

Some of these things take longer than was expected. We run into property acquisition problems and you do not resolve them in a day. Sometimes the local community wants to get into the act and it takes some time to generate the enthusiasm and the financial support needed.

Does that deal with—

**Mr. Brown:** Yes, it is part of the information. I am still interested in the fact that \$675,000 has been expended. You know, it has to be accounted for in terms of the specific service that becomes available—the facilities that become available.

I get the unhappy message each time the minister answers a question that somehow he is waiting for the initiative to be taken by someone else. My point on the \$675,000 would be that it is not an appropriate initiative in a province as extensive as the province of Ontario, with the transportation problems that this province has, as an incentive or as a stimulator for the development of airstrips and for facilities for aircraft.

We are not living 30, 40 or 50 years ago. The time has come for the government of Ontario to take a position in favour of developing these kinds of facilities and backing it up concretely. What in heaven's name is \$675,000 out of the total expenditures of the province for this kind of a vital area? I would like a reply from the minister as to whether he thinks this is in any way anything other than the grossest kind of tokenism.

**Mr. E. W. Martel (Sudbury East):** Only \$4 million in this year to GO Transit again. What is \$1 million?

**Hon. Mr. Haskett:** When we entered the work of assisting in these community airstrips that go beyond the programme of the federal government—who, up until a few years ago, we had considered as having the full responsibility—we found that the federal government has a programme such as we have, only they allocated \$1 million for all of Canada.

We get some of that in Ontario. As I say, we will be getting \$300,000 this year from them on account of Moosonee. So, with that payback this year, we will actually have about \$1 million available.

**Mr. Brown:** For airstrip development? I see.

I was wondering to what extent the spoken policy of the department is to until private enterprise develops facilities lag back behind the current need, to keep your feet, to wait for Ottawa, until somehow, else, in desperation, comes in and provides the basic services that make transportation possible in this province.

As I fly around the province, I get an unhappy kind of feeling that this is essential what you are waiting to have happen. I hope that, somehow, somebody will come along and develop a programme, so that we do not have to bear the brunt of planning and financing or supporting it. Is that where within a reasonable conjecture?

**Hon. Mr. Haskett:** No, I think the minister recognizes this is a new programme with it. It takes some time to generate interest in the financial resource within a community in an airstrip programme.

As I say, we have opened some 90 airstrips. When a community indicates its interest, we get our men on the spot and do what we can to help them develop to a place where we can make a grant available up to the point where we are matching the amount equalled.

**Mr. Brown:** Stepping down to the residential services, I wondered what the nature of the research is in this area. Does any of it relate to the development of air services, particularly—not just airstrips and appropriate facilities for airstrips, but the kind of services that are needed?

I was in Moosonee not too long ago and travelled by seaplane. There was not even an appropriate dock for a visiting seaplane tied up to. You either tied up to the dock of the Lands and Forests, or to the private dock of Austin Airways, or other private docks.

There was no gasoline available unless you could manage to somehow, through individual enterprise, get some made available to you. The facilities seemed so primitive and remote.

If the intention of the government is to develop that area and to use modern transportation to do so, then I do not think it would cost a large amount of money to simply put in a minor dock of some kind—some place where you could tie up, and some gas facilities.

**Hon. Mr. Haskett:** Mr. Chairman, I am sure these developments will occur once we get our landing strip complete and operating in Moosonee this year. It is related to the seaplane dock and probably both will be served by the same supply services.



**Mr. Brown:** Is there a policy of co-operation, with Lands and Forests, for instance? There did not seem to be a great deal of relatedness, you know, if you do not have the facilities yourself, or you have not been able to stimulate their development, but another department of government—one of your colleagues—has a service in an area. Is it possible to make that available in the meantime?

Could there be some hospitality extended from Lands and Forests to cover some of the primitive areas where you have not been able to stimulate development?

**Hon. Mr. Haskett:** The Department of Lands and Forests is working very closely with us and we with them, and also The Department of Highways, in the work of getting these airstrips going. We have occasion to rely quite heavily, at times, on the judgment of The Department of Lands and Forests, which has a great deal of experience and expertise in that north country.

**Mr. Brown:** I was wondering, recently we had a report of a new fly-in park up in James Bay somewhere. We inquired of the Lands and Forests and Austin Airways and other knowledgeable people in that area. They advised us to stay the hell out of there—that it was not a fit place to fly into. There was not an appropriate lake to land on, and generally there were no facilities at all.

Is this one of the areas that you hope to develop and stimulate, or is this something that comes under another department? It is a strange kind of arrangement, to have a fly-in park and you cannot fly into it.

**Hon. Mr. Haskett:** The facilities at Polar Bear Park, of course, come entirely within the jurisdiction of my colleague, the Minister of Lands and Forests (Mr. Brunelle). The strip will make provision for accommodation at Moosonee at the southeast and at Winisk, I expect, on the northwest. But I have no knowledge of any landings as yet—although planes go in, they must land on some lakes in Polar Bear.

**Mr. Chairman:** The hon. member for Timiskaming.

**Mr. Jackson:** The minister has spoken of his liaison with The Department of Highways and liaison with different departments of government. What is the nature of the liaison?

After visiting The Department of Highways the other day, I came away with the thought in my mind that there was absolutely no liaison between any of the departments concerned with The Department of Highways.

They told us, in no uncertain terms, that the built highways when the need arose—not on the basis of planned development, but when the need arose.

The minister says that he is in touch with The Department of Highways and The Department of Lands and Forests. In what way are you in touch with them; what liaison do you have?

**Hon. Mr. Haskett:** The liaison with The Department of Highways, of course, is considerable. We work with The Department of Highways in many respects; on highway speeds, and on traffic situations.

In the specific area we are discussing Highways will do our soil testing for us, because they are expert in that. We do not have independent facilities and there would be no point in duplicating facilities for soil testing with respect to the ground where airstrips are to be built.

Lands and Forests carry us into many of these areas where we are looking at prospective sites and give us the background of the area with which they are familiar. Lands and Forests have been a presence in the north for a long time.

**Mr. Jackson:** Just to follow this up a little further. What bothers me is that this is the so-called Department of Transport in Ontario. Yet, now you are saying that the only liaison you have with The Department of Highways is on speeds on the highway traffic control and soil testing. In what way does your department, The Department of Transport in Ontario, influence The Department of Highways in planning roads and building roads to develop this province? What liaison do you have in the planning of highways and transportation? What you are saying is that after everything is done, you come along and provide the ancillary services for The Department of Highways. Maybe you should call them The Department of Transport, and you, the ancillary services. Is that a reasonable assumption?

**Hon. Mr. Haskett:** I think the hon. member is confusing the responsibilities of the two departments. Highways builds highways, and we use their services where they are available to us and have need of the services that they have available.

**Mr. Jackson:** Yes, and I agree with this up to a point. Surely, as a department of transport, the one department of this province that is responsible for transportation within the province, you should be responsible for

planning highways; where they go, what they do when they get there and why they are being built. But it is quite obvious that you are not.

I go back to what I said before. Should we not call The Department of Highways, The Department of Transport, and change your name, because I do not see any liaison? From what you are saying, the only liaison you have is out of necessity. When they have problems, they come to you; and when you have problems you come to them. But there is no ongoing planning.

**Hon. Mr. Haskett:** The responsibility for highway planning is with The Department of Highways.

**Mr. Chairman:** Vote 2305. The hon. member for Thunder Bay.

**Mr. Stokes:** Thank you, Mr. Chairman. I was of the impression that the highway of the sky programme—

**Mr. Jackson:** It is all in the sky; it is all up in the air.

**Mr. Stokes:**—was really going great guns, until I heard two air carriers just recently complaining about the airstrip at Sandy Lake and Big Trout Lake that you referred to just a few minutes ago. What are the specific problems with regard to those airstrips? I heard the minister say that last year they were almost completed, and yet the airstrips are not usable at the present time, nor will they be for quite some time. I am wondering if the advertisement for an airstrip construction engineer in April 10's *Globe and Mail* is the reason. Have you not had a qualified engineer in there to supervise those jobs or at least to instruct local people on how to build airstrips? Obviously, the system is not working to date, because I was informed by the air carriers in the north that neither the Sandy Lake nor the Big Trout Lake are usable after considerable expenditure of money.

**Hon. Mr. Haskett:** Mr. Chairman, I can understand the complaint that the hon. member has from an air carrier we named to an airstrip that is not yet operational. One went down on the airstrip at Big Trout Lake, I understand, and found it very useful because it was frozen. He came back the next time and it had thawed—we were still working on it—he landed and he bogged down so he has not been very favourable toward it. The airstrip is not yet usable; it is not intended to be.

**Mr. Brown:** Is there an airstrip pol in the department?

**Mr. Chairman:** The hon. member for Sudbury East was up next.

**Mr. Martel:** Thank you, Mr. Chairman. I have been listening for the last hour—

**Mr. Chairman:** The hon. member for Sudbury East directed questions to the hon. minister. The hon. member for Sudbury East gained the floor after you took your seat. The hon. member for Sudbury East.

**Mr. Martel:** We are getting touchy. I have been sitting for about an hour listening to the development of patterns for railroads and flights and highways. Listening, I get a strange sensation—

**Mr. T. Reid:** Where do you get it?

**Mr. Martel:** I will save that for after.

But I get a strange sensation that the overall policy of transportation is non-existent. You do not co-ordinate the development of the studies for highways; you have just indicated that. That is left to The Department of Highways. How do you fit the overall transportation development of this province to your branch? It just is not there. How do you say on the other hand that you are responsible for railroads and—what do you call it—

**Hon. A. F. Lawrence:** That is out of order.

**Mr. Jackson:** The whole government is out of order. It has been for many years.

**Hon. A. F. Lawrence:** Better get a different sensation.

**Mr. Martel:** I am getting it, yes. I am getting the sensation there is organized confusion over there, because you cannot start to resolve the problem of transportation unless you have the full determining power of where roads, railway facilities, and so on will go. You cannot have an overall plan. It is impossible for your department to be involved, and by your own admission, you are doing nothing about highways—and that is not the case with railroads. How do you co-ordinate these things to ensure, one with the other, that you are getting some kind of order out of the confusion which exists at the present time?

How do you co-ordinate, for example, the Department of Trade and Development as to where growth centres will be? What is your function as a minister? What is

function in determining the transportation avenue that will lead to this growth centre? What kind of co-ordinating body is there in the province of Ontario to co-ordinate all of this material so that we get the best possible routes for carrying people? Because that is what transportation is about: opening up this country for the benefit of the people of Ontario.

**Hon. Mr. Haskett:** Mr. Chairman, these matters were dealt with very fully both on Friday morning and Monday afternoon last under vote 1.

**Mr. Sopha:** That was before Elie got the sensation.

**Mr. Martel:** Well, I might say I did not get the same sensation as the member for Sudbury got this morning.

**Mr. Chairman:** The hon. member for Beaches-Woodbine.

**Mr. Brown:** Yes; I would like to inquire, Mr. Chairman, as to whether there is indeed an airstrip policy or plan. Does the department have a concept or notion of the kind of quantity or the quality that we need in an airstrip programme for the province of Ontario?

**Mr. Chairman:** The hon. minister has replied to that question.

**Hon. Mr. Grossman:** Repetition.

**Mr. Chairman:** Exactly, repetition.

**Mr. Brown:** I have asked a question. I have not heard an answer to it.

**Mr. Chairman:** But a reply has been given.

**Mr. Brown:** I would like to inquire whether or not there is a timetable attached to that.

**Hon. Mr. Haskett:** Last year, when we announced our first year's entry into the airstrip programme, we distributed a statement at that time and showed the programme as it had developed till then. We will have avail-

able very shortly a new airstrip programme progress report that lays out the places we are already working on and the corridors of which we are developing.

**Mr. Brown:** I wonder if there is a policy within the department of assertively stimulating airstrip growth or whether you take position of being responsive to that which grows up indigenously in the various areas of the province?

**Mr. Chairman:** The question has been previously answered.

**Hon. Mr. Haskett:** I am sure, Mr. Chairman, that this work will develop well when we get our new economist and our new analyst.

Vote 2305 agreed to.

**Mr. Chairman:** This completes the estimate of The Department of Transport.

**Hon. Mr. Grossman** moves the committee of supply rise and report that it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, tomorrow we will proceed with the estimates of The Department of Mines.

**Hon. Mr. Grossman** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Friday, April 17, 1970

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, APRIL 17, 1970

The House met at 10 o'clock, a.m.

Prayers.

**Mr. Speaker:** This morning in the west gallery our guests include the Panama Central High School Band from Panama, New York, and the students from the C. M. Hineks Vocational School in Toronto. Later we will have students from Tecumseh Senior Public School in Scarborough and Widdifield Secondary School in North Bay with us, in the east gallery.

Statements by the ministry.

**Hon. W. G. Davis (Minister of Education):** I have a short statement related to the 1973 Canada Summer Games. Some of us will recall that last August the 1969 summer games were held in Halifax and Dartmouth, Nova Scotia. At that time 2,400 young people, and some in certain sports not so young, were involved in these games and these provided the opportunity for Canada's outstanding athletes, as members of provincial and territorial teams, to meet in competition at the national level and establish relationships with athletes of other parts of this country.

The games in 1969 were the first summer games, and the first winter games were held in Quebec City in 1967. I think we will recall, Mr. Speaker, that in both of these games Ontario's athletes as a team won the national championship.

Plans are already well developed for the 1971 winter games in Saskatoon next February. Ontario's team will be headed again by officials in the youth and recreation branch of the department, and they will consist of athletes in 16 sports selected by this province's sports governing bodies.

The government of the province of Ontario has received from the Canadian Amateur Sports Federation, on behalf of the government of Canada, information pertaining to bids from municipalities to host the 1973 Canada summer games. Applications to host the 1973 summer games will be received by the federation up to July 15, 1970, and a final decision on the site will be made shortly after that time on the basis of the applications received.

The government endorses the concept of the Canada games and encourages interested municipalities to make application in order that Ontario may be considered as the location for the 1973 games.

In addition to the interest created nationally and the impetus to sports in the community in which the games are held, provision is made for the construction of new sports facilities and the renovation of existing facilities to bring them up to the standard required for the games. Thus a municipality can be assured of quality facilities for the recreation and sports programmes once the games are completed. The government is prepared to commit, to a municipality in Ontario which is chosen as the site for the 1973 games, a grant of up to \$350,000 for the construction and renovation of facilities. This amount is intended to represent one third of the capital costs. It is anticipated that the government of Canada and the host municipality would share equally with the province.

Municipalities which wish to make application to host the 1973 Canada Summer Games are directed to contact Mr. John Hunnigan, president, Canadian Amateur Sports Federation, 4877 Montclair Avenue, Montreal, Quebec, for complete details.

Copies of this statement, Mr. Speaker, are being sent out to all the heads of municipalities in this province.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, a question for the Premier that in a sense follows the statement just made by the Minister of Education. Since some announcements have been made already this session of the reorganization in the cabinet council, can we expect a centralizing of the governmental responsibilities for athletics and their promotion under The Department of the Provincial Secretary; or will it remain as it is, distributed among three ministers for the future?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, it will remain as it is for the present.

**Mr. Nixon:** A supplementary question: there is another area of divided responsibility and jurisdiction which might very well be the subject of some consideration in the same way. Would the Premier agree that the division of responsibility for those institutions having to do with education and the arts in a more general way, might be withdrawn from the ministers who are presently responsible, including the Minister of Education, and the Minister of Tourism and Information (Mr. Auld), and centralized under an enlarged Provincial Secretary's responsibility?

**Hon. Mr. Robarts:** There is a certain amount of virtue in what the member says; but there are arguments on both sides and the whole matter is under consideration. We are always looking at ways and means of making administration more efficient. It might be, on the other hand, that the reasons certain of these things are in the departments that they are in are valid. However, it also might be that we could bring them together to get greater efficiency in some other arrangement. All I say is that these matters are under constant examination.

**Mr. Nixon:** Well a final supplementary question on this as far as I am concerned: rather than just a general answer that they are under consideration, as most things generally are, are the changes announced yesterday, and referred to in the Speech from the Throne, for the changing responsibilities of the cabinet council a part of a general review, other than just a continuing concern; can we in fact expect an improvement, or let us say a change if not an improvement, in the responsibilities assigned to various ministers?

**Hon. Mr. Robarts:** No; as changes are made we will announce them.

**Mr. Speaker:** The hon. member for Kingston and the Islands.

**Mr. S. Apps (Kingston and the Islands):** A further supplementary: due to the fact there is a rather alarming tendency for recreation in the various municipalities to be directed more and more toward the board of education and the regional boards throughout the province, could I ask the Minister of Education whether—

**Mr. Speaker:** Sorry!

This was to be a further supplementary to the question directed to the Prime Minister. If not the member for York South has the

floor and in due course I will give the member for Kingston and the Islands—

**Mr. Apps:** Well perhaps I should ask the Prime Minister then, Mr. Speaker—

**Mr. Speaker:** Right!

**Mr. Apps:**—whether this is a plan for development or whether this is an assumption of this role by the various boards of education throughout the province?

**Mr. Sopha (Sudbury):** What committee would be on the hon. member chairs?

**Hon. Mr. Robarts:** Well Mr. Speaker, I think it really gets back to a question of practicality. The boards of education in the municipalities control the major recreation facilities in the municipality that are part of the school system, i.e., playgrounds, gymnasiums, swimming pools and so on. And of course, those facilities are controlled by the local boards of education.

Therefore, in answer to the specific question about whether it is a planned approach, it is an approach that must be as it is, because they are the elected bodies that control these facilities. But I think—and the Minister of Education may be able to answer in more particular—as a general principle, our endeavour will be to make these facilities more available than they have been in the past, that they can be used for general recreation purposes in the communities rather than limited only to those students who may attend the schools and during school hours.

But this leads you into all sorts of questions of control and the expense of supervision and so on. Certainly we do not have a sort of planned approach to it; on the other hand, we would like to see these facilities more widely used than they are presently.

**Mr. Apps:** Mr. Speaker, a supplementary question. I think the Prime Minister is right when he says we want to use more—

**Mr. Speaker:** Order: The hon. member is asking a supplementary question.

**Mr. Apps:** Does the Prime Minister think that the boards of education, whose primary responsibility is for the education, not recreation, the physical education, of the student in an area, is the proper place for a concentration of physical education and recreation developments in the municipalities?

**Mr. Sopha:** I do not suppose the member wants to be chairman of some committee

**Hon. Mr. Robarts:** Well, all I can say, is that it would be rather difficult for us to proceed to replace in some other area in the same community the facilities that are in our schools. In other words, you are faced with the very practical situation of having to use taxpayers' money, whether it be in grants from this government or raised locally, to put recreational facilities in our school facilities.

Whether it is part of the educational function of a board of education to provide recreation for the community at large is a question which is raised and may be debatable. But the fact of the matter is that in the average community in this province, the physical facilities for recreation are under the control of the school board, and I think it would be rather ridiculous if we were to attempt to duplicate those to serve another function in the same community.

**Mr. Speaker:** The member for York Centre has a supplementary question.

**Mr. D. M. Deacon (York Centre):** I would just ask the Prime Minister what provision is made by his department to see that there is continuing liaison between these three different departments in their contribution to the field of athletics? For example, last year in the public accounts committee we asked—

**Mr. Speaker:** The hon. member has asked his question and he now will allow the Prime Minister to answer.

**Mr. Deacon:** Since there has—

**Mr. Speaker:** No; the member has asked his question. I rule that he has asked his question, and now the Prime Minister may answer it.

**Hon. Mr. Robarts:** Well the question is unanswerable. Of course there is co-operation between all departments of government, and there is in this area as well.

**Mr. Deacon:** Is the Prime Minister aware that, according to public accounts committee evidence, there have been no co-ordinated meetings in the last three years among the three departments with regard to these programmes?

**Hon. Mr. Robarts:** Well, there may be no minutes, call to order or a notice and so on of a formal meeting that the public accounts committee could put its hands on, but we talk to one another; there is continuing co-operation between the ministers and the departments.

**Mr. Speaker:** The member for Windsor-Walkerville has a supplementary?

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, in light of the Premier's answer may I ask him if he is considering legislating placing recreation commissions directly under the control of boards of education?

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

**Mr. B. Newman:** And why not?

**Hon. Mr. Robarts:** Mr. Speaker, this might well be raised in the estimates.

**Mr. Speaker:** The Leader of the Opposition.

**Mr. Nixon:** I have another question, Mr. Speaker, with regard to the provincial municipal conference to be convened next week. Is the government going to make available background papers for the enlightenment and education of all people taking part as to what the government's view is on the matters that will be discussed, or must we wait until the various ministers make their speeches and their remarks will be available at that time?

**Hon. Mr. Robarts:** Mr. Speaker, I understand some papers have been distributed. Perhaps the Minister of Municipal Affairs (Mr. McKeough) could make these available so the members will know what has been distributed to the participants.

**Mr. Nixon:** I think surely we would be on the standard mailing list.

**Hon. Mr. Robarts:** Ask the Minister of Municipal Affairs. I have no doubt the members are.

**Mr. Nixon:** Well, it is your conference. We would assume this material would be sent out to the members of the Legislature.

**Hon. Mr. Robarts:** If it has not, it will be.

**Mr. Nixon:** A supplementary question since—

**Mr. Speaker:** Does the leader wish to readdress a question to the Minister of Municipal Affairs?

**Mr. Nixon:** No, I want to question the Premier further, who I feel is taking a very light-hearted view of the participation of the members of the Legislature in a conference which may be to him window dressing, but which I think can be of substantial importance.

**Mr. Speaker:** Order! The hon. leader wishes to ask further questions?

**Hon. Mr. Robarts:** Well, Mr. Speaker, the hon. member need not get angry. We are not taking this in a light-hearted way. But what does the member want me to do, to weep tears when I answer his question to indicate my seriousness?

**Mr. Nixon:** I want the Premier to say that he will see that the members of the Legislature are informed.

**Hon. Mr. Robarts:** The member asked me this question before and I rather assumed that it had been done.

**Mr. Nixon:** And the Premier put it aside before.

**Hon. Mr. Robarts:** I was speaking to the mayor of one large municipality yesterday and he told me that he was completely informed as to what was going to go on at the conference. He does not think we are taking it lightly; he is not taking it lightly. So do not be too superficial in your approach to these things.

**Mr. Nixon:** Well, then perhaps on a matter of—

**Hon. Mr. Robarts:** If the member has not had the information, it will be made available to him. I will have it in his office this afternoon, if it is not there already.

**Mr. Nixon:** Mr. Speaker, on a point of order, so that the Premier will not leave the chamber with any misapprehension. I do not for a moment think that he is not treating the people from the municipalities seriously; I am just objecting that this information has not been readily available to the members of this House.

**Mr. Speaker:** That is not a point of order. It might be a point of privilege.

**Hon. Mr. Robarts:** Mr. Speaker, the objection has been registered.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, perhaps I might speak to this. To my knowledge, I think what the leader—

**Mr. Speaker:** Will the Leader of the Opposition transfer it to the minister?

**Mr. J. E. Bullbrook** (Sarnia): He does not have to transfer it to the minister.

**Mr. Speaker:** The Leader of the Opposition says he will transfer it now to the minister.

**Hon. Mr. McKeough:** Mr. Speaker, to knowledge the information that is being made available to the municipalities is being made available to members of the Legislature and any other observers who are being invited or in one way or another coming to the conference.

I think what is concerning the Leader of the Opposition is perhaps that there is not much background material or stated position out ahead of time.

We gave some thought to that. There have been some exchanges of views going on daily between the participants, if I may put it that way, or the main speakers, from the point of view of co-ordinating so that we are talking about the same thing.

In terms of stated position papers have been issued, either by the municipalities or by themselves, that idea was discarded some time ago. We do not want, as a province, the Prime Minister has stated this—and as a government, to go into that conference with stated views, with rigid positions on everything that may come before us. It is an exchange of views. It will be a discussion and we are not going in with set pieces.

**Mr. Nixon:** A supplementary question directed to the Minister of Municipal Affairs: There are, in fact, no position papers available to anyone in spite of what the Premier has indicated previously?

**Hon. Mr. McKeough:** That is not correct.

**Mr. Nixon:** Well what is available? A supplementary question: is the minister aware that the only thing that has come through the mail is a handsomely printed brochure extolling the centennial centenary very nice magazine put out by the Inn on Park telling where all of their cosy cottages are located and what their rates are, and an embossed invitation from the Premier asking us to a free bun feed, which I expect

Interjections by hon. members.

**Mr. Nixon:** I will be there to listen to the generalities.

**Mr. Speaker:** Has the member for Riverdale worth a supplementary? Has the Leader of the Opposition completed? The member for Riverdale.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, I have a question of the Prime Minister. Will the Prime Minister attend, and the Leader of the Opposition attend, the rally of the D

workers to be held on Sunday, April 26, at the WoodGreen Community Centre?

**Hon. Mr. Robarts:** What is this rally?

**Mr. J. Renwick:** The rally of the Dunlop workers to be held on Sunday, April 26, at the WoodGreen Community Centre.

**Hon. Mr. Robarts:** Have I received an invitation to this? I am not aware that I have. When I do this will be treated like any other invitation that I get—and I get quite a few. I have to, of course, refuse at least 90 per cent of the invitations I receive because of pressures of time, but I would be happy to consider this when the invitation reaches my desk.

**Mr. J. Renwick:** Mr. Speaker, obviously we will expect to see him there.

I have a question of the Minister of Labour—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Robarts:** I went to Brantford, and all they talked about was Toronto all the time I was there. Poor Brantford did not get much of a show.

**Mr. J. Renwick:** Mr. Speaker, it is well represented.

I have a question of the Minister of Labour. Would the Minister of Labour report to the House on what progress has been made by his department in conjunction with the federal Department of Manpower in the Dunlop rubber worker problem?

**Mr. Sopha:** And the minister is not invited to the meeting!

**Hon. D. Bales (Minister of Labour):** I have not received an invitation.

**Mr. Speaker,** I do not have the exact figures before me, but there have been a number of inquiries made among other companies as to the requirement of workers for short-term training projects. There have been a number of cases where the employees have accepted work or have been offered positions; but the numbers are not definite as yet. There has been a statement by the company that if some wish to leave work before May 1, they will receive their termination pay, which they should, but they will not be required to remain until May 1 so that the operation can continue normally. When I have a further report, I will be glad to advise the hon. member and others in this House.

**Mr. J. Renwick:** Mr. Speaker, by way of supplementary question: does the minister know whether the plant will in fact close May 1?

**Hon. Mr. Bales:** No, I understand it will not close before May 1.

**Mr. J. Renwick:** Mr. Speaker, I have a question for the Prime Minister.

Would the Prime Minister consider redefining the boundaries of the central Toronto ridings of Bellwoods, Dovercourt, St. Andrew-St. Patrick, St. George and St. David along the lines recommended by the Ontario Municipal Board for the ward boundaries, in order that the people in those areas will be more absolutely represented in this House before the next provincial election?

**Hon. J. Yaremko (Minister of Social and Family Services):** Where does the member think that "in order that"?

**Mr. S. Lewis (Scarborough West):** Somewhat twigged to the question.

**Hon. A. Grossman (Minister of Correctional Services):** I would like a redistribution, but not along those lines.

**Mr. Speaker:** Has the member for Riverdale completed his questions? The member for Kingston and the Islands has the floor.

**Mr. Apps:** Mr. Speaker, I have a question for the Minister of Social and Family Services.

I was wondering if the minister is considering making available any financial help for the approximately 25 family counselling service agencies in the province.

**Hon. Mr. Yaremko:** The hon. member has made known to me that he has long been interested in family counselling in the province of Ontario generally, and in Kingston specifically. I should like to tell him, and other members of the House, that family counselling services is one of the top items on the matters to be dealt with by the department. There are two areas: one is the ultimate decision as to the administrative set-up throughout the province in the provision of family counselling; the other, of course, is the financing involved. I am pleased to report that our people are working on this problem at the present time, but how soon we can evolve specific financial support I am not in a position to say.

**Mr. Apps:** A supplementary question: in view of the rather serious plight of the Kingston family counselling service, does the minister feel it would be possible to give the

some interim aid in order to help them carry on the very valuable services that they are doing at the present time; failing which they may have to, I think, drastically reduce—

**Mr. Speaker:** Order! The hon. member has asked his question.

**Hon. Mr. Yaremko:** Regrettably, when we make financial assistance available, we are constrained to make it available to everybody across the province. We are not in a position to pick and choose agencies for specific grants. However, it may be that the minister and the department should have some flexibility with respect to this type of grant, and the matter will be placed before the Treasurer.

**Mr. Apps:** Thank you, Mr. Minister.

**Mr. Speaker:** just one more further supplementary question. Would the minister consider having a member of his department contact these family servicing agencies throughout the province to determine the resources available to them so that he can relate them to the tremendously valuable work they are doing and convince himself and his department that provincial assistance is of the highest priority and must be provided?

**Hon. Mr. Yaremko:** An excellent suggestion!

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

**Mr. T. Reid (Scarborough East):** My question is on the furniture now in the Ontario Institute for Studies in Education building: was that furniture purchased after public tenders had been advertised by OISE? If not, will the minister assure the members of this House that the new expensive equipment going into the new building will be open for public tender?

**Hon. Mr. Davis:** Mr. Speaker, the furniture, I assume, was that originally purchased for OISE and we discussed it here some three or four years ago. This information I would have to get for the hon. member. Of the furniture or the equipment that is being purchased for the new building, a great portion has been through tender. There have been two of three items purchased as they relate to specific equipment produced by only one manufacturer.

One item that comes to mind is the security system for the library where this has been developed by one manufacturer. This equipment, Mr. Speaker, relates to, as I understand it, a very small specially treated metal plate which is put in the back of the book.

If the students or others using the library inadvertently have not checked the books through, a little bell rings and they are reminded that perhaps they should check them through. That is one area of service, of course, that did not go to tender.

**Mr. Lewis:** A little bell rings; is that what the minister said?

**Hon. Mr. Davis:** Something does; the buzzer buzzes.

**Mr. Lewis:** There is a lot of trust in Ontario.

**Hon. Mr. Davis:** I think, Mr. Speaker, that is another item that just comes to mind. I do not think that there was any tender for telephone service and this is very difficult to tender for in this jurisdiction. I have other information I would be delighted to get from the hon. member if he would like to pursue it further.

**Mr. Lewis:** When is the minister going to abolish OISE? Get rid of it!

**Mr. Speaker:** Supplementary? The member for Wentworth.

**Hon. Mr. Davis:** The member has a lot of friends there.

**Mr. Lewis:** Get rid of it! Lots more would like to get rid of it.

**Mr. Speaker:** Order, order! The member for Wentworth has the floor.

**Mr. Deans (Wentworth):** Mr. Speaker, have a question of the Minister of Finance and Commercial Affairs. Would the minister take whatever steps are necessary to have the consumer protection branch and the superintendent of insurance conduct an investigation into the two-price system which is used in the collision and repair business? If the minister would like an explanation, what am referring to is that when it is apparent that—

**Mr. Speaker:** Perhaps the minister, if he cannot answer the question, would ask for it to be clarified.

**Mr. Deans:** Does the minister want clarification?

**Hon. A. B. R. Lawrence (Minister of Finance and Commercial Affairs):** I think, Mr. Speaker, the member could either put the question on the order paper; or spell it out to me orally outside the House or write a letter giving me some details.

**Mr. Sopha:** That is a good idea.

**Mr. Speaker:** The question will then be directed to the order paper. The member for Sarnia.

**Mr. Bullbrook:** Mr. Speaker, I have a question for—

**Mr. Apps:** Mr. Speaker, I understand—

**Mr. Speaker:** Is the hon. member on his feet for the purpose of asking a question or is he raising a point of order?

**Mr. Apps:** Yes. I would like to ask a question, Mr. Speaker.

**Mr. Bullbrook:** On a point of order, you gave me the floor.

**Mr. Speaker:** The hon. member for Sarnia has the floor, and I will not neglect the government benches.

**Mr. Bullbrook:** Thank you, Mr. Speaker.

I have a question for the Minister of Financial and Commercial Affairs. In connection with the statement made by the minister yesterday, relevant to the licensing of lotteries, would the minister advise whether the inspectors who have the responsibility of supervision connected with such programmes will have the power to enter without warrant any premises other than the normal places of business of the licensee?

**Hon. A. B. R. Lawrence:** Other than the normal place of business?

**Mr. Bullbrook:** Yes.

**Hon. A. B. R. Lawrence:** I cannot picture it.

**Mr. Bullbrook:** Well, will they have the power?

**Hon. A. B. R. Lawrence:** The powers of the inspectors are set out in the conditions to the licence. As I recall it, they are simply to inspect and to have the freedom to inspect the actual place of the game.

**Mr. Bullbrook:** By way of supplementary, am I correct in assuming that the minister's answer is that they will not have the power to enter warrant premises other than the normal place of business of the licensee?

**Hon. A. B. R. Lawrence:** Yes.

**Mr. Bullbrook:** Thank you.

**Mr. Speaker:** Now the member for Kingston and the Islands.

**Mr. Apps:** Thank you, Mr. Speaker. question of the Minister of Education. In view of the tremendous success of the Canada games, both winter and summer games, do the minister think it would be advisable that the province of Ontario should suggest to the federal government that in order to further encourage the athletes in this country these games should be held annually rather than every four years?

**Hon. Mr. Davis:** Mr. Speaker, knowing that the member is interested in athletics and sharing this interest, although not in the same practical manner these days, I certainly would not be adverse to suggesting—

**Mr. Nixon:** You are a pretty good stick handler!

**Hon. Mr. Davis:** Yes, but not on the same scale like he is.

I would not be adverse, Mr. Speaker, discussing with the federal authorities—

**Mr. J. E. Stokes (Thunder Bay):** Thin ice.

**Hon. Mr. Davis:**—federal authorities. Whether or not it would be practical to have the games on an annual basis, or perhaps certainly every two years. From my standpoint, this would be highly desirable.

Whether or not it can in fact work, I cannot comment at this point; but I would be delighted to discuss this with the federal authorities.

**Mr. B. Newman:** When?

**Hon. Mr. Davis:** Maybe Tuesday or Wednesday.

**Mr. B. Newman:** A supplementary to the minister: would the minister consider setting up an "all Ontario" games on an annual basis?

**Hon. Mr. Davis:** Well Mr. Speaker, we have Ontario games. They will be held this year. These are held, I guess, every two years.

Whether or not this would fit into a Canada games, I do not know. I am not that knowledgeable to know whether or not you would have some conflict, but I guess perhaps not. This is worthwhile considering.

I think, really more participation in athletics is highly desirable. I know this view is shared by the member for Windsor-Walkerville as well.

**Mr. Speaker:** The member for York Centre: a supplementary? The member for Riverview.

**Mr. J. Renwick:** Mr. Speaker, I have a question for the Attorney General.

Is the Attorney General engaged in studying the question of whether or not the government of the province of Ontario has any action against the Dow Chemical Company by reason of the pollution alleged to have been caused by that company in the St. Clair River?

**Hon. A. A. Wishart (Minister of Justice):** Yes, Mr. Speaker, I think I indicated that in answer to somebody's question a day or so ago. We are studying the matter.

**Mr. Lewis:** Still studying?

**Hon. Mr. Wishart:** Yes, it is quite a big question.

**Mr. Lewis:** Really?

**Mr. Speaker:** The member for York Centre.

**Mr. Deacon:** Yes, Mr. Speaker, a question for the Minister of Municipal Affairs. Has his department assumed all the costs of assessment incurred since January 1?

**Hon. Mr. McKeough:** Yes. Obviously the member thinks that we have not and he may be referring to some specific example, but the simple answer is, yes.

**Mr. Deacon:** The reason I ask is—

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

**Mr. Deacon:** It is a supplementary question: therefore will the department assume the cost of printing of the assessment rolls which were carried out subsequent to the year end—which could not possibly have been printed prior to the year end?

**Hon. Mr. McKeough:** I am aware of one specific case about them and I think there is some discussion going on about it.

**Mr. Speaker:** The member for Oshawa?

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, on February 25—I would direct my question, I am sorry, to the Prime Minister—on February 25 he stated:

You can look in almost any department and you will see there are programmes designed to create meaningful employment for our people.

In view of the recent announcement of increase of unemployment in Canada and in the province of Ontario, could the Prime Minister tell us what jobs are available as per the programmes in the various depart-

ments that he alluded to here on February 25?

**Hon. Mr. Robarts:** Right off the top of my head I could not answer that question. I will take it as notice.

**Mr. Speaker:** The member for Essex-

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I have a question of the Minister of Lands and Forests.

Is the minister prepared to give any information as to the refund of angling licences; and also is he considering the dredging of the lakes where fishing is now prohibited?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, with reference to the refund of angling licences, I indicated earlier that we are not prepared at this time to refund them because we are optimistic that the fishery could be restored some time later this year.

**Mr. Speaker:** A further supplementary question from the member for Scarborough West.

**Mr. Lewis:** Mr. Speaker, a question of the Minister of Labour, which he might answer with the same precision as the Dunlop question—

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

**Mr. Lewis:** What is the minister's department doing precisely to settle the strike of Honeywell Industries by the United Brotherhood of Workers in the city of Toronto at this time?

**Hon. Mr. Bales:** That matter is under the conciliation branch of the department. The officer in charge has been in touch with the parties, we are reviewing it. It is a subject to be discussed here in detail.

**Mr. Lewis:** By way of supplementary question, the minister saying that there is some meeting specifically in the mill with the parties, are they meeting; or that something is occurring?

**Hon. Mr. Bales:** I am saying that our conciliation officers are reviewing it and appraising the situation as it goes along. I am saying that there are meetings taking place at this moment.

**Mr. Lewis:** Is the minister aware that the head of Honeywell Industries, Mr. Williams, is also head of the Canadian Manufacturers Association and wishes to make this strike an object lesson in the war against inflation?

**Hon. Mr. Robarts:** Order! order!



**Mr. T. Reid:** Mr. Speaker, I have a question of the Minister of University Affairs. Has the Minister of University Affairs requested a briefing with the RCMP concerning their on-campus investigations of individual university students, including students who have "not applied for government jobs, or have been suspected of a criminal act," as reported in the *Globe and Mail* about Queen's University on February 27? If the minister has not requested such a briefing with the RCMP, how does he intend to assist in the protection of individual liberty, on-campus, of non-violent dissenting students?

**Hon. Mr. Davis:** Mr. Speaker, I do not really see the connection between the two aspects of the question. I have not requested an interview with the RCMP. The question of law enforcement, the question of the breaches of the Criminal Code, surely are matters of criminal jurisdiction. They do not relate to the function of The Department of University Affairs or its minister.

**Mr. T. Reid:** Mr. Speaker, a supplementary—

**Mr. Speaker:** The oral question period has now expired.

The Minister of Lands and Forests advises me that he has a statement which he would wish to deliver this morning, if the House unanimously will allow us to revert to that order. There will, of course, be no oral question period afterwards.

I will be pleased to do that; otherwise it will have to wait.

Is it agreed?

Agreed.

Statements by the Ministry.

**Hon. Mr. Brunelle:** Mr. Speaker, on Monday of last week steps were taken to close commercial and sport fishing in Lake St. Clair, St. Clair River and the Detroit River and part of the Wabigoon River. A number of questions have been asked since that date and this morning I would like to bring the hon. members up to date on the action taken by this government.

Following the closure of these areas to fishing, my colleague, the Minister of Energy and Resources Management (Mr. Kerr), and I went to Ottawa and met with the federal Ministers of Fisheries and Forestry, and Energy, Mines and Resources. It was agreed at that meeting that recommendations would

be made to our respective governments to provide temporary assistance in the form of loans to commercial fishermen and other affected industries, and persons who are dependent whole or in part on the fish resource; that this programme be supported on a 50-50 basis by Canada and Ontario.

Following a preliminary meeting with fishermen and camp operators last week, basic data on incomes of these industries has been gathered, collated and referred to the technical advisory committee, consisting of federal and provincial senior civil servants. This committee has met with representatives of the two industries for the purpose of determining the extent of loans required by them and most advantageous methods of administration of the loans from the point of view of the industries.

The committee has recommended that interest-free loans be made available to commercial fishermen and camp operators on Lake St. Clair, St. Clair River and the Detroit River up to an amount equal to 10 per cent of an individual's gross income for the year 1969, derived from commercial fishing or angling operations; less, of course, any revenues received in 1970 from these sources. Seventy-five per cent of the amount will be made available immediately and the remaining 25 per cent will be available in the fall.

The federal Treasury Board has allocated funds to cover the estimated loans to the industries and this government has approved the recommendation and directed that immediate steps be taken to implement the loans. The Department of Lands and Forests is providing an office at Jeannot Creek in the local area where the applicants can apply for the loans. As soon as the necessary legal forms can be provided, the fishermen and camp operators can bring their applications and supporting evidence to the office.

A consultant from Ontario Development Corporation will be available to review applications and an official of my department and The Department of Fisheries and Forestry will be available to render technical advice. Any difficulty that cannot be resolved at this level may be referred to the committee. We are hoping to have these procedures under way within the next two weeks.

On Wednesday afternoon of this week the committee heard representations from the Tri-County Bait-Fish Dealers Association which indicated the need for assistance in

vicinity of \$750,000. These representations were undocumented at that time and this organization is gathering its information and will forward it for the consideration of the committee on an early occasion. The activities of this group vary considerably and the committee required more information before it can establish guidelines for providing assistance to some or all the classes of activity represented by this organization. There may be other groups, Mr. Speaker, that wish to make representation to the committee and I would suggest that any group planning to make a presentation get in touch with us in order that their presentations and documentation may be considered by the committee.

Mr. Speaker, I would like to draw to your attention that the representatives of the fishermen have indicated their appreciation of the efforts of this government and the federal government to provide assistance to their industry, and their satisfaction with the extent of the assistance being offered.

**Mr. Nixon:** Mr. Speaker, did you say you would permit questions?

**Mr. Speaker:** No, I said there would not be any questions because we had passed the question period; and that is why I asked if the members wished to have the statement read. However, I think it was a statement in which a great many of the public would be interested and I think the members did well to have it read.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

#### THE RESIDENTIAL PROPERTY TAX REDUCTION ACT

Hon. Mr. McKeough moves first reading of bill intituled, An Act to amend The Residential Property Tax Reduction Act, 1968.

Motion agreed to; first reading of the bill.

**Hon. Mr. McKeough:** Mr. Speaker, The Residential Property Tax Reduction Act provides direct financial aid to homeowners and tenants to ease the growing burden of municipal and education taxes.

This amendment to the Act improves the method of calculating the amount of tax re-

duction to ensure more equitable assistance to all eligible householders and tenants, particularly to residents of municipalities where average tax burden is highest.

This amendment permits the tax reduction to be calculated by use of a simple two-part formula—a standard sum of \$30 plus 10 per cent of the average residential tax paid by householders in that municipality during the preceding year.

The basic sum of \$30 represents a standard contribution by the government toward the cost of all municipal services. The payment of 10 per cent of the average residential taxes gives a greater relief to the residents of municipalities with relatively high tax rates.

This means that the majority of taxpayers will receive a greater benefit in 1970 than they did in 1969. However, there will be some taxpayers who received a greater degree of assistance than others in 1969 and whose tax reduction will consequently be less in 1970.

In order to avoid an undue reduction in the amount of the payment, the amendment ensures that no taxpayer will lose more than \$5 in the rebate as compared with 1969. Similarly, it places a \$15 ceiling on the amount of the increase in tax reduction available to any taxpayer. These limits are based on reductions for a full year. Proportional adjustments will be made for householders and tenants who do not occupy their premises for all 12 months of 1970.

Under the existing provisions of The Residential Property Tax Reduction Act, these have not been changed—no taxpayer will receive a tax reduction exceeding 50 per cent of his taxes on any property. Eligibility remains the same—that is, a tenant or homeowner must occupy a separately assessed dwelling.

The programme will continue to be administered through local municipal governments. Guidelines will be mailed to all municipalities as soon as possible so that they can make their tax reduction calculations. The tax reduction must be passed on by December 31, 1970.

**Mr. Bullbrook:** Might I ask a question, Mr. Speaker, by way of clarification? Is that the order?

**Mr. Speaker:** No. Questions may be asked during the next oral question period or at the second reading of the bill.

**Mr. Bullbrook:** Fine, sir; thank you.

## THE BLACKWELL-LAURIE BOUNDARY ACT, 1970

Hon. Mr. Brunelle moves first reading of bill intituled, An Act respecting the south boundary of the geographic township of Blackwell and the north boundary of the geographic township of Laurie.

Motion agreed to; first reading of the bill.

Hon. Mr. Brunelle: Mr. Speaker, the purpose of this bill is to fix the boundary between the geographic township of Blackwell and the geographic township of Laurie and the territorial district of Thunder Bay, and to amend the letters patent that have been issued with descriptions that are inconsistent with such boundary.

## THE LOGGERS' SAFETY ACT

Hon. Mr. Brunelle moves first reading of bill intituled, An Act to amend The Loggers' Safety Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Brunelle: Mr. Speaker, the purpose of this bill is to clarify and strengthen the existing principles of The Loggers' Safety Act, 1962-1963.

## THE FOREST FIRES PREVENTION ACT

Hon. Mr. Brunelle moves first reading of bill intituled, An Act to amend The Forest Fires Prevention Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Brunelle: Mr. Speaker, this bill permits alternative methods of reduction of a fire hazard from brush and other material in land-clearing operations, such as grinding or chipping.

Mr. Speaker: Orders of the day.

Clerk of the House: The sixth order; House in committee of supply; Mr. A. E. Reuter in the chair.

## ESTIMATES, THE DEPARTMENT OF MINES

Mr. Chairman: Page 114. The hon. minister.

Hon. A. F. Lawrence (Minister of Mines): Mr. Chairman, it is not that I have nothing to say, it is merely that I think where the

departmental policy needs to be questioned the questions will be forthcoming as we go into the various items. Other than that I merely want to indicate that some of the members have been asking me about the possibility of questions respecting the reorganization of the department as announced in the Speech from the Throne, and when this would be the time to also discuss plans for that reorganization, namely northern affairs part.

All I can say is that these estimates do not include any budgetary items respecting that reorganization or that expansion. That will be legislation brought before the House some time soon respecting that. I would therefore submit to you, sir, that any discussion respecting the reorganization of northern affairs, because they are not in the estimates and it has not been approved by the House—and there will be full opportunity later on, in any event, to discuss it—that northern affairs aspect would therefore be out of order in these estimates.

Mr. Chairman: The hon. member for Sudbury.

Mr. E. W. Sopha (Sudbury): You would be grateful to the Minister of Mines for the assistance that he has given you this morning in making your ruling before I had the opportunity to make it. And that is exactly the rub, that we are more than a little prejudiced when we see the expansion into the field of stardom of a young man and his grandiose acquisitions of power that are going on apace—

Mr. R. F. Nixon (Leader of the opposition): Almost a grab!

Mr. Sopha: Yes, indeed, a very apt word. His colleagues may almost wish that they had thought of that word first.

The minister, of course, did not allude to all of the expansion of his authority. Because the House became acquainted only yesterday of another one, and that through some sort of informal press conference somewhere here by the Minister of Energy and Resource Management (Mr. Kerr). It is very strange that this announcement did not come from the first citizen, who has the primary responsibility for determining the makeup of the cabinet council, those others with whom he is *primus inter pares* and who only sit there as a result of the fact that they are *per se* *grata* to him.

But the Minister of Energy and Resource Management took it upon himself to inform

the world that soon several important facets of his department would be going over to the ombudsman for the north—

**Mr. Nixon:** Specifically, the private car on the ONR.

**Mr. Sopha:** Yes indeed. Colonel Reynolds, of course, would turn over in his grave if he were aware of that in the nether world.

His power is not to be confined, of course, to northern Ontario, where he had staked out his claims in certain announcements to which I will allude at a greater length. But he has become responsible for the natural gas and petroleum industries of the southern part of the province. So said the Minister of Energy and Resources Management, who tells us that he is going to become the minister of pollution alone, and all else, including the private car, will go to the Minister of Mines—

**Hon. J. P. Robarts (Prime Minister):** The car goes to the Prime Minister.

**Mr. Sopha:** Oh, the Prime Minister is going to get it?

**Mr. Nixon:** You had better renegotiate this, Al.

**Mr. Sopha:** Well, for a fleeting instant you could see the visions of grandeur that were open to you.

**Hon. A. F. Lawrence:** Just fleetingly, yes!

**Hon. A. A. Wishart (Minister of Justice):** The clouds have closed in again.

**Mr. Sopha:** Just fleetingly. I speculate, before I go to sleep, about any nervousness that has been cultivated in the breast and mind of the member for Parry Sound (Mr. A. Johnston). I hope there will be an early assurance to him, a long-standing, faithfully of the government, that he has nothing to worry about.

**Mr. Nixon:** He does look a little tense.

**Mr. Sopha:** One hears, ricocheting off the walls, that there is a certain paleness about him—

**Hon. Mr. Robarts:** You can hear almost anything you want to hear around this place.

**Mr. Sopha:** —like lean Cassius, but he has not got the ear of this minister, as he has had of predecessors in the government.

**Mr. Nixon:** He is slated.

**Mr. Sopha:** However, in the few that I want to deal with, I do not want to deal with the department of northern development or whatever it is to be called. The minister alludes to the fact that we will have an opportunity to discuss it later in session, and I suppose he means that it will be on second reading, of the bill which creates it. Memory tells me, though, that it might be the case that in the inauguration of new departments, no specific amount of moneys are voted to sustain the department in the year in which it is created; the minister usually says that there may be resorts to the consolidated revenue fund for such moneys as are deemed necessary. If that is the case, we as elected representatives over here, particularly those of us from northern Ontario, are indeed very greatly prejudiced. And I say that, in the light of the comment the minister himself has made in northern Ontario and elsewhere—to select one, at a recent august gathering he told the people of northern Ontario in his own phrase that it was to become the ombudsman—

**Hon. A. F. Lawrence:** No, never!

**Mr. Sopha:** —for northern Ontario; he has been so quoted in the popular prints. I suppose the minister now says by his intervention that newspapers never refuse ink and he was misquoted. Yet that was widely circulated throughout northern Ontario, and I did not see any denial of what he had said it.

**Hon. A. F. Lawrence:** Oh yes, I have denied it a couple of times.

**Mr. Sopha:** But, although we had been advocating something quite different for a number of years, we were led to believe that a whole department of government was going to be, at our behest, in the north. I would be the friend at court in the executive council of the province. And we wait impatiently to see what the terms of reference will be for this new department.

Well, Mr. Chairman, I leave off that train of thought. There are a few subjects upon which I wish to deal, and not at too great a length. One of them concerns the memo that I have of the tremendous desk thumping which occurred about a year ago in this chamber when this minister introduced Bill 112, the Act to amend The Mining Act. And especially section 106 of that Act, which of course stimulated the party faithful to make a spontaneous and public demonstration of their support for the new brand of economic nationalism that this minister was exhibiting. I might say it was an economic national-

that came as a fresh breeze, because we have not seen much of it emanate from those that have the Lieutenant-Governor-in-Council's confidence. I think it is not unfair to make the comment along the way that if we sat back and remained silent, the Minister of Trade and Development (Mr. Randall) would sell a good portion of this country, this province, to the Americans.

**Mr. E. W. Martel** (Sudbury East): Or give.

**Mr. D. Jackson** (Timiskaming): He gives away more than he sells.

**Mr. Sopha**: Because he says—it never excited anybody the way it does me—that you cannot eat independence. That will be his epitaph. Well, section 106 said this:

All lands, claims or mining rights patent at least or otherwise disposed of under this or any other Act or by any authority whatsoever, are subject to the condition that all ores or minerals raised or removed therefrom shall be treated and refined in Canada, so as to yield refined metal or other products suitable for direct use in the arts without further treatment, in default whereof the Lieutenant-Governor-in-Council may declare the lease, patent or other form of title of such lands, claims or mining rights to be void, and the order-in-council so declaring shall be registered in the office of the local master of titles or registry office, as the case may be, or in the case of a licence of occupation filed in the minister's office whereupon such lands, claims or mining rights revert to and become vested in Her Majesty, her heirs and successors, freed and discharged of any interest or claim of any other person.

As a legislative statement, that is pretty positive and goes pretty far. It exhibits on ordinary reading a firm declaration of economic policy that will be adopted before this province in respect of perhaps its most important national resource. I do want invidious comparison, but it is a very important natural resource and there is a long history behind it.

One aspect is terribly interesting. I believe it was from 1896 to 1919 that the government of this province struggled with the predecessor of the International Nickel Company to require it to build a refinery in Canada. That was for about 23 years—just about a generation—that struggle took place, and I had the advantage of reading an account of it at one time. Prior to 1919, they were exporting their concentrates into Ohio, I believe it was, and

finally they were required through pressure of government to build a refinery at Cobalt.

Well, that section as it stands closes the book, and it says that from now on it is a policy that jobs will be created in Ontario which is as good a way as any of putting them there. But then comes the rub; then comes the question of qualification. Subsection 2 all but emasculates the firm declaration of policy made in subsection 1, when it says:

The Lieutenant-Governor-in-Council may exempt any lands, claims or mining rights from the operations of this section for such period of time as seems proper.

As far as my knowledge goes, we were never told by the Minister of Mines how many companies in Ontario were affected by this section and how many had been exempted. We are indebted to Jack Cahill of the *Toronto Daily Star*, who wrote an article on April 25, 1969, in which he said: "The legislation when it comes into force, will directly affect 23 of the 66 companies operating mining ventures in Ontario at present."

What we would like to know is how many of the 66 mining ventures in Ontario producing mines are required to comply and how many have been exempted from the rigour of the section by the Lieutenant-Governor-in-Council. I would like to know that, and I hope the minister will tell us that today.

There is one important one that overshadows all the rest put together, and that is the Falconbridge Nickel Mines, now owned by the Texas millionaires. Considered as shifted from English entrepreneurs to Texas in the recent past, and a Texas oil company got control of McIntyre Mines, I believe it was. I do not follow too fastidiously the intricate workings, but I believe that is how it was done. McIntyre and Falconbridge are very intimately interlocked companies and, when they got control of McIntyre, they got control of Falconbridge.

One observes that they changed the president very shortly afterwards and put the Texas man into the president's chair. But, as I say, that company overshadows all the rest because Falconbridge is a very large producer and historically has always shipped their concentrates to Norway, and continues to do so. I suppose the minister continues to exempt them and all the while Falconbridge, rather in the fashion of tempting the rabbit with the carrot, make an announcement.

I see my friend from Sudbury smiles, and he knows as well as I do that they make an announcement every once in awhile, to keep

the matter alive, saying that they are considering the erection of a smelter in the Sudbury area. They at least give the hint that it is going to be in the Sudbury area. But nothing concrete ever develops about it.

We never hear when the day is that the first spade-full of sod will be turned for the building of this. I suppose the Minister of Mines exempts them from year to year from the very strict provisions of sub-section one of 106. I feel very badly about that. Because I have nothing against the Norwegians; they the very good customers of Canada and no doubt, to be fair about it, the Norwegians probably buy more from Canada than Canada buys from them.

But of course, that is true with all nations, except the United States. There may be one or two others, but—

Mr. J. B. Trotter (Parkdale): Venezuela!

Mr. Sopha: Venezuela. There is a super-riding principle here that would blunt the ire of the Norwegians toward us and that is that we are dealing with the question of our own natural resources. We have the inherent right to order our affairs in respect of those resources, and at least require their refinement and smelting within our own country.

As an economic nationalist—as I am, and I never blush when I say it—I would go much farther. I would be prepared to go much farther than that; that is a minimum requirement to me, the refining of ores in Canada. The reason I would go much farther about the utilization of ores is, I suppose, that I was born and raised in Cobalt; that is as good a reason as any. Born and raised in Cobalt, but for a number of years away in the armed forces and then at the university.

I have lived in Sudbury and that is enough to bring home to me the tremendous desecration that has been done by the mining industry to our natural environment. It is hard to judge whether the desecration has been greater than it was in Cobalt. In Cobalt, it was terribly bad and what is needed, of course, is some major poet. I wish there was some major poet to really put down in living language, in some eternal way, the ultimate meaning of the desecration of the countryside which has been the corollary of course, of our lot in producing the affluence elsewhere.

There, of course, is the thing that is hard to bear, when we know the tremendous affluence that we produce elsewhere. Not only all those incidents of modern living throughout the great American economy but, in fact, the tall

buildings to the south of us here. Those buildings on Bay Street and University were in a very real sense, erected as a result of great wealth produced by our natural resources. How far does it go?

I was listening to the radio one night I heard a fellow—a very nice fellow, he came on the telephone afterwards—Ron Laplante. He works for the CBC, and he was talking about Mr. Benson, I think it was he was making a speech in Toronto to some group about his white paper. He said within 50 miles of where he spoke, two-thirds of the wealth of Canada is produced.

Well, that was too much. I could not sleep that night, thinking about that one. I wrote a letter to the CBC and I said there is no way any version of that can be true, because I come from the area, the heart of this province at least, where the real wealth of the province is created.

The CBC got in touch with me, and they were very fair about it. Mr. Laplante came and said that what he meant was that the money falls into the coffers here. That has been our lot.

Now apart from the desecration, I was awfully badly, coming from Cobalt as I am, about the way we have treated with respect to the benefaction, the great munificence, the great charity with which the people of the north treated such people as Harry Oakes and W. H. Wright, and J. P. Bickell; and latterly, Steve Ronan. We have been awful good to them. It ended up that Canada, Ontario, did not owe them a cent when the books were closed; we did not owe them a nickel.

Yet where the environment was being destroyed, these people looted vast sums of money out of the exploitation of our country and took them away. Today, you can travel about northern Ontario, and you do not owe very much that bears the name of J. P. Bickell, you do not see very much that bears the name W. H. Wright; you do not see anything that stands as an epitaph to Harry Oakes. There may be some minor structures but nothing that would truly testify to the great amount of wealth that they sequestered as the result of the exploitation of the country's bodies.

That has been our fate. Therefore, at this stage of my life, I am an economic nationalist. I may change my mind some time later, but I support wholeheartedly that principle in subsection 1. I would like the Minister of Mines to say to the Texas millionaires who currently control Falconbridge that, "we

give you a reasonable period of time, perhaps a year, a year and a half and at the end of that time you have to present us with a specific proposal for the erection of the refining and smelting processes within Canada."

We did it with Texas Gulf and that brought on the section, of course—that is the origin of the section—and we can do it with Falconbridge.

The next subject that I wanted to deal with is one that concerns me greatly and that is the geological mapping of this province. During the period of time that I have been a member I have asked, from time to time, how that is progressing. I can recall, back in the days of James Maloney, that announcements were made in this House about the works that were afoot in completing the geological mapping of Ontario. It seems to me that it is not going on with the speed that would be such to engender confidence and enthusiasm in it.

For example, the district of Timiskaming is a good part of the northeast upon which to focus and I have done a little research in respect of that. It appears that there are only 15 detailed, up-to-date geological maps which were completed during the past 10 years. Those 15 maps cover only 24 townships within the district of Timiskaming, while there is a total of 164 townships in that judicial district.

When you consider the tremendous potential that there must be in that district, even to this day, in precious metals, those statistics do not make one very sanguine. One wonders what the department is doing along those lines.

Of course, beyond Timiskaming—and I only seized that one as one illustration—but beyond that, of course, there is the whole of the vast area of northern Ontario that remains to be mapped, and I make two points about it. I found it difficult to understand, if this department was about its business, how Texas Gulf Sulphur happened to make that major discovery that it did, at the time that it did, in the way that it did. It was a curious matter to me.

I think it is germane to show how my complaint about the lack of energy in the geological mapping is related to that discovery by Texas Gulf Sulphur. Here we have giant mining companies right next door to it, McIntyre Mines and Hollinger Gold Mines—

**Mr. P. D. Lawlor (Lakeshore):** Have you read the great Shulman's book on it?

**Mr. Sopha:** No, I have not read that or I must say that it was such a burden to go through that one about the millionaires that I had not appetite for any more of his literary endeavours.

**Mr. C. G. Pilkey (Oshawa):** You did rather well with that introduction.

**Mr. Sopha:** I never made a nickel as a result of reading that book about the millionaires.

**Mr. Pilkey:** Did you lose any?

**Mr. Sopha:** I did not lose any either.

**Mr. Pilkey:** Well, that is not too bad.

**Mr. Sopha:** I would not take the advice that he gives on page 132, I believe it is. You can look at the last paragraph on that page and he says that people are silly to invest in Canada; they should invest in the United States. No amount of money—bonanza at the end of the rainbow—would stimulate me to do that.

Interjection by an hon. member.

**Mr. Sopha:** All right. Please, this is my speech.

**Mr. Lawlor:** I know, but it is unfair to say that.

**Mr. Sopha:** There you have it. McIntyre, Hollinger, or Dome, or the Noranda group there are several companies in the area of the Noranda group, Aunor, Pamour, are two of them that come to mind. Yet none of the very energetic companies twigged to the tremendous deposit of base metals in the Texas Gulf Sulphur area. I was willing to put that down to the lack of proper geological mapping on the part of this department.

I recall asking at the time whether there was any geological mapping which would indicate the presence of electromagnetic contacts, or greenstones, or calcopyrites that might lead one to believe that there was a bonanza of base metals in the area. I recall that I was told at the time that there were no such maps. That is too bad. It is indicative of a lack of energy as far as I am concerned on the part of this department.

After all, we have been in the mining business for—well, more than 67 years. I put 1902 as being the beginning of it all when in mythological history, Larose is supposed to have thrown the prospector's pick at the fox—it is as good a story as any.

Of course, it is interesting to note that my fellow Cobalters will be shattered to know that Bruce Hutchison, in his last book in that Canadian history series, points out that the original discovery in Cobalt was made about 1854. Indeed, a company was formed in the middle of the last century to exploit the known precious metal resources in the area, but, by reason of lack of transportation and other factors, it was never proceeded with. Well, it was rediscovered in 1903.

But 67 years is a long time and one would have thought that The Department of Mines would have the whole of the northeastern part of the province mapped by this time.

The second observation that it is apposite to make, of course, is that if one is an optimist one believes that only a very minor portion of the treasures in the Canadian shield have as yet been tapped, and that only along the southern fringe. No doubt there are vast riches in the storehouse of metals, precious and otherwise, still to be revealed in other portions of the Canadian shield—not to leave out of sight, of course, the great potentiality for natural gas and oil, perhaps, in the lowlands of the Hudson Bay basin.

A great amount of work needs to be done. Before this minister can really get about the task of expanding his empire, hither and yon, he should attend to some of the housework that needs to be done within the department. If it means hiring more people then, certainly on this side of the House, we would be willing to support a greatly energized geological mapping of the northern part of the province.

In the same way, I have always felt, and I have said several times in this House, that not all the knowledge about our mining industry that should come home to The Department of Mines. There is a great deal of secrecy about it. Successive Ministers of Mines have never really required the mining companies to file with the department the knowledge that they have gained as a result of underground exploration.

Of course, it is well known that the giants, Inco and Falconbridge, do not want to tell anybody anything, and Inco would not be caught dead telling Falconbridge a thing, and *vice versa*. They develop their own procedures pretty well on their own and they have the secrecy of the Kremlin about them.

Really, the Russian diplomats are amateurs compared to Inco people when they are in social circumstances. They just clam up and other than telling you the time of day and saying you are wearing a nice tie, that is

about it. I have always suspected they talk in twos so that one can watch the other report back what he might have said. That is the way they carry on business and is really not an exaggeration.

The Department of Mines ought, in my opinion, to require a great deal of information to be filed with it about the development of the underground workings and the geological conditions encountered, so that there would be a growing body of knowledge concerning the Canadian shield. That knowledge of course—I do not need to paint pictures to anyone—could be resorted to in the future the way of finding like conditions and phenomena. No doubt it would be of help to future generations.

But I have always said, of course, and I think this department that it really does not have a great interest in mining. It takes a great interest in safety, but in the technology of mining this department has been concentrated focus on the safety aspect and not surmounting itself with a body of knowledge about mining techniques.

I would be willing to bet that, should somebody come from Zanzibar—although I think other country, Zambia, is probably a better example—and wanted to know from the department something about mining techniques—the cut-and-fill stope, let us say—that this department would have to say, “well, you will have to go and see Inco or Falconbridge.”

If they wanted to know about deep mining, they would have to go and talk to the people at Wright Hargreaves, of the former entrepreneurs at Lakeshore, or perhaps Hollinger to gain information about mining techniques. They would not get it within the corridors of The Department of Mines and I have never seen any evidence to the contrary.

I would think that as a matter of public policy, as a matter of principle, the Minister of Mines is, in the name of society—the public—politically—he is entitled to say to these mining companies that we have a right to know. That one just came to mind—that is a personal expression.

**Mr. J. E. Bullbrook (Sarnia):** That is a happy choice?

**Mr. Sopha:** That is a very happy choice. It is a personal expression.

“I have a right to know,” we could say to them on Wall Street. And, “You have a right to make this information available to us,” we will undertake to you that we will



make it available to anyone else. We will just keep it in store here and sort of collect the body of knowledge."

That would be a very salutary development to keep Ontario, as it always likes to be, the first in the universe. When we meet the first inhabitants of Mars, of course, when that day comes in the 1980s, we are going to be able to tell them that Ontario is first in the universe in all things, in all areas of human endeavour.

So I implore the Minister of Mines, as I complete this second section, to get on about the business of the development of this department in a way that will make it the storehouse of information about mining. I am hopeful, Mr. Chairman—you and I are hopeful people—that mining is going to be part of our way of life in this province for a good many decades to come.

It may be—and I am not going to dwell upon this—that sometime, Mr. Chairman, the people of Ontario may own a mine of their own somewhere, some time or at least get the major portion of the action off the top. I am not against that.

That is a matter of deep principle to me—the belief that I have—I am afraid I will have advert to this again—that I have always been willing to look anybody in the face, look him straight in the eye and without blushing say to him the first, last, foremost and ultimately, the precious ores of the province belong to the people of Canada. They have the rights of ownership of them. Everybody else that comes to develop them is a trustee at the very best.

I said it to Mario Debastiani in the lobby of the King Edward Hotel very recently, a lifelong friend, a very able young man, and, of course, general manager of Denison Mines, with which company he has been associated for a long time. The other fellow is from Cobalt too, the president, John Kostuik. We have sent these people out to all corners of the world and every part of Canada of course. They emanated from Cobalt to develop ore bodies elsewhere and took their knowledge with them and knowledge they had gained at the institutions of higher education.

Mario Debastiani will not hold it against me if I say that he does not disagree fundamentally with that proposition. I just cannot convince the Ontario Mining Association on it. They send me their literature from time to time telling me what great things they are doing for the country. They are not modest people. They are doing a great job for the

country as they set out the immense amount of money that they glean from the sale of our ores in a raw state outside the country and what contributions they are making in the acquisition of foreign exchanges. They never blush when they say it.

But they, of course, have been content there has been a whole generation of them that have been content to be the hewers of wood and the drawers of water—to contribute to a donkey economy, which is what we are, very obliging people. We help others carry our resources away to create jobs elsewhere.

That brings me to the third topic when I am going to take issue with the minister will ask him to make the House aware of just what his thinking is in relation to the statements that he has been making about the action of the government of Canada, taken in relation to Denison Mines and the activities of Mr. Roman.

I was looking over some of the clippings yesterday and I observed that no less a person than the financial editor of the *Toronto Telegram* called the action of the government of Canada "ham handed." I do not know exactly what that expression means. I guess it means that they were clumsy, inelegant, or did something in a way that might have been improved upon, if their behaviour had been purposive—that if they had thought about it, they would have done it much more skilfully.

The Minister of Mines agrees with that. He agrees apparently with the editor of the *Toronto Telegram* about it, because he has been critical of the activity of the government of Canada.

He revealed his criticism in this House forgive me, Mr. Chairman, while I turn the cup up—it was on April 7. Oh, the book has been confused, because that was the day that we were on living colour and the question period came at the end of the day, after the pulpit of Ontario had had the great advantage of hearing the Leader of the Opposition. The question was addressed—rather lengthy, it was a lengthy discourse, if you will forgive me, that day, but I think it all of it ought to be read.

The member for Algoma-Manitoulin (Mr. Farquhar) addressed the question to the Minister of Mines:

Is the minister aware that Mr. Roman of Denison Mines Limited has suggested that consideration should have to be given to the closing of Denison Mines in Elliot Lake, which would throw some 900 miners out of work and work a real hardship in that town in which the residents have had more than the

share of hardship? If he is aware of the situation, and since such action would mean a swamping of the welfare rolls and incidentally write finis to the possibility of the town managing a \$9 million debenture debt, would the minister, through his department, offer the co-operation of the government in any efforts that might be necessary and participate in any federal plans that might take this shape and might be necessary to ensure that this mine does not close?

If I may say, a very intelligent question.

Before going on—the minister will forgive me if I intersperse my comments—there were those that called the action of the government of Canada clumsy; some questioned its legitimacy.

I want to go on record and say in a public place that, if politicians are now to be surrounded by a certain amount of style—and that appears to be one of the characteristics of contemporary politics. This minister likes style. He is a man of great style; a very charming presentable individual.

I want to say that, speaking for me, as a citizen of this country, I rather approve of the way Mr. Trudeau did it. As he came in on the evening—some reports had it that he was dressed in tuxedo, he had been to some social event. He came into the House of Commons in the evening and he interrupted an emergency debate on a very important matter. He announced that any sale of Denison Mines that was to take place on the morrow would be blocked by the government of Canada. That is a paraphrase.

If that is style, I like it. It is about time Canadians started to be forthright and stopped being mousy and being equivocal and being frightened of their shadows. I have long had the belief that one of the difficulties that Americans have in dealing with us is that they can never figure out what we stand for, because we are such a retiring and shy people. The shrewd Yankee businessman most often goes away with the sad conclusion, after trying to figure out what we stand for, that we do not stand for anything.

It is about time somebody of Mr. Trudeau's type just dropped in to the House of Commons in that way and said: "Fellows, this is the way it is going to be. We thought we would let you know tonight before the stock market opens, and Mr. Roman can get up the next day with a full day's work ahead of him. He has his work cut out."

I want Mr. Trudeau to know—if somebody would ever tell him—that that is the way to do it. All right.

So the member for Algoma-Manitoulin alludes to the fact that Mr. Roman, at a sub-

sequent time, when blocked in the sale—were not Texas millionaires this time, I think they are New York and New Jersey millionaires that he was selling Denison Mines

Mr. D. M. Deacon (York Centre): Continental!

Mr. Sopha: Continental, of New York think it is New York.

Mr. Deacon: Delaware!

Mr. Sopha: Delaware, the eastern seaboard.

But, Mr. Roman, having been blocked that way, adopted in many respects the attitude of the boy with the football who says "if you do not play the game my way I am going to take my ball home," and breaks the game. One of the next things that I heard from him was that there was a possibility that as a result, as he says, of deprivation of financing, that Denison Mines would not be able to continue.

That was an unfortunate way to put it. I also said another thing that I wanted to allude to the last time I spoke. He said he might move to the states; he might take all his marbles and depart this country which has been very good to him. I tried the figure of \$40 million on a person with sophisticated knowledge of the amount Roman would have gleaned from uranium in Ontario. This person rebuffed that figure, saying it was probably nearer \$60 million that he has corralled. That is so, Canada has been very good to this immigrant boy, as he describes himself. He ends up like Harry Oakes and J. P. Bigelow and W. H. Wright, in that we do not owe anything. He said that things are getting bad he may move to the states or Nassau.

If he does, I say this, that I want the privilege of buying his ticket for him. The only qualification I put on it is that he has to go Air Canada, because I want us to get the last piece of him as he goes; that kind of citizen we do not need. We shall continue to survive with the assets that we have even if they do depart to the sunnier climates. It is nice that they come back every once in a while and give us advice on our taxation policy. We are very grateful to them if they sort of take a holiday up here and tell us how we should run the country.

Of course, the first of the immigrants to look down at my good friend—the very first of the immigrants that fled our shores—the man he admires—the former Minister of Health (Mr. Dymond)—R. B. Bennett. He started it all. And indeed, R. B. Bennett

crossing the ocean to the east just when the former Minister of Health was coming west; they crossed in mid-ocean.

All right, that is the way Roman has put it. Let me say that, having painted the picture like that myself, I am confident that Mr. Trudeau and Mr. Greene are people of such temerity and foresight that if there was a danger that Elliot Lake, that Denison, might close down for lack of financing, the government of Canada would do what it has done, put up the money. The government of Canada, in respect to the production of uranium, has always put up the money from the public treasury. Both in good years and in lean years they have done that, and uranium mining in this country has been largely financed from public moneys.

The minister began to reply and it is this reply—the Speaker, of course, is not here, he always manages to get his oar in; he was good for about eight sentences there before he allowed the Minister of Mines—you will not tell him I said that, Mr. Chairman? All right, fine.

Mr. Lawrence begins:

Basically, Mr. Speaker, I think the question is a hypothetical one. It is: "If the mine closes, or if there is a real threat to Denison Mines closing, what is this government going to do to either alleviate the condition or keep it open?"

May I say, after the member for Humber asked me the day after the very surprising and abrupt statement was made by the Prime Minister of Canada in the House of Commons in Ottawa respecting the foreign control of Denison Mines, I indicated that the implications of the policy statement then made by the Prime Minister of Canada were extremely extensive.

Now I intervene to say that is the very nub of this minister's statements, which have been vague to the point of being ambiguous and vacuous. I believe he said in other places outside here that the implications of the policy of the government of Canada have been extensive. But he has never told us the nuts and bolts of what the implications are. He has just given us the generalization and a bare skeleton.

It is time that he was challenged to tell us in detailed terms just what the implications were of that decision taken under the responsibility of the government of Canada.

Now he goes on:

For that reason the Prime Minister of Ontario made a very brief statement in this House a day or so later. My views have not changed and one must—

I again interrupt to say, keeping a watchful eye as I do on this, that the very first time this matter was raised in this House by a

question addressed to the Minister of Mines the Minister of Mines ducked. He said "pa" and looked over at the first citizen and said that question had better be asked of the head of the government. One is entitled to infer from that that the Minister of Mines does not have very fixed opinions. It is unlikely that the Minister of Mines was cogitating, ruminating, if you like, about what the implications were. He was willing that the head of the government should take the responsibility for any public statement.

He goes on:

My views have not changed. The implications of the federal policy in this respect are immense and I am not at all satisfied in my own mind that the federal government realizes the implications of some of the things that they are now stating. We have no objection at all with their overall objectives, with the closing of the Denison Mines, the future of all the mineral development that has been taken place over the last year and a half in the Blind River area and northward has been thrown into jeopardy by these statements.

The minister nods, and I am just wondering whether he was not a bit excessive there that he was not a bit irresponsible in putting it that way. After all, another government, another sovereign jurisdiction, is taking the responsibility. All right, if you want to get it down to political adversity, he is a Conservative and they are Liberals, the way the Minister of Trade and Development (Mr. Randall) talks—and I must say you people should do something about him, because Trudeau is getting to him—and last night at the very mention of the name of Pierre Elliott Trudeau, he almost went paranoid. There were witnesses. I could call witnesses who would testify that he did and—

Mr. T. P. Reid (Rainy River): He needs a holiday in Japan to rest his nerves.

Mr. Sopha: Maybe it will get so bad that to preserve his mental stability, instead of saying Trudeau here we will have a word like Barbra Streisand. But you have an obligation. I am glad he is not here this morning.

All right. As I am analysing this lengthy statement, the Minister of Mines is taking on himself a rather large bite at that time. My complaint is that he never fills in the gaps; he never enlightens us. Thus I set the challenge now to him to do so; to tell in chapter and verse just what are the implications of this policy. He goes on having called it a mess—that is the point where I left off—to clean up the mess, he said, is the responsibility of the federal

**Hon. A. F. Lawrence:** No. I said we have to clean up the mess.

**Mr. Sopha:** Just a moment. He goes on:

I think all that we can do as a government, even if the worst comes to the worst in that area, we will be the ones again who will have to pick up the tab and clean up the mess.

**Hon. A. F. Lawrence:** That is right.

**Mr. Sopha:** He goes on:

A great many things have been thrown into jeopardy because of these statements and all we can do is sit back, I think, and simply wait for the actual determination of the federal policy and see either their regulations or their intended statute on the matter.

**Mr. R. Haggerty (Welland South):** No leadership!

**Mr. Sopha:** To continue:

They have not approached us for any information, any statistics, any help, any co-operation, any advice, any counsel whatsoever, even though the Prime Minister of Ontario has telephoned the Prime Minister of Canada about it. Under the circumstances all we can do, along with the industry and along with people from Blind River, the Elliot Lake area, is wait with bated breath to see what can be done.

All right, I leave off at that point. To go back, it never occurred to me that there is any failure of communication between this province and the federal government. The telephone lines are always open and certainly there is no obligation constitutionally for the federal government once it makes up its mind, to clear policy with the government of Ontario.

If Ontario, on the other hand, feels there are baleful sequelae that come from it, to me there is nothing wrong with the Prime Minister of Ontario telephoning the leader of the federal government. I say, in the same breath, that one notes relations are sufficiently good between them, as two reasonable human beings, that the Prime Minister of Canada comes down to Ontario to have a soiree with the leader of the government of Ontario.

**Hon. A. Grossman (Minister of Correctional Services):** A soiree?

**Mr. Sopha:** Yes, a soiree. And he misunderstood my question when I wanted to poke my nose in the other day to find out what they talked about. In his reply, he was mentioning something about "all that we talked about." I never asked him to tell us all that they talked about.

**Mr. T. P. Reid:** The member did not want to hear about Barbra Streisand?

**Mr. Sopha:** I did not want to hear about their social communications. All I wanted hear about were those matters that affect the public good of Ontario. And the important point is that the Minister of Mines does not have to make a misleading statement to the people of this province if there is any failure of communication or if of opportunity for Mr. Robarts to say to Trudeau, "Let me in on what you have in mind." I am sure that the Prime Minister of Canada will do just that. And, incidentally, the Minister of Mines here can get on the telephone to Mr. Greene in Ottawa. Knowing Mr. Greene as I do, I am quite sure that he will be very affable and co-operative.

But what I am getting at, of course—the reason I raise this important matter—is that the Minister of Mines, in a somewhat irresponsible way, is going to great pains in this answer to drag a red herring. And what I fear—because I fear the implications of this—is that this is part of the assault he is making upon Mr. Marchand some months ago, in my recent memory. This minister, of course, alluded—and now the term "irresponsible" fits; he was terribly irresponsible—that some form of discrimination is practised by the federal government against Ontario. Now no one believed it.

**Hon. A. F. Lawrence:** Against northern Ontario.

**Mr. Sopha:** Yes, against northern Ontario. No one believed for a moment that such could be the case. And the newspaper, I noted, challenged the Minister of Mines at that time to cite specific examples.

**Hon. A. F. Lawrence:** The northern newspapers agreed with what I said.

**Mr. Sopha:** I think this is the way he put it—the policy stopped at the border of Quebec. This is the kind of thing that the Honourable member used to say, you know. This rather pedestrian—boy, I am glad I found a word to suit—this is a rather minor jocular thing, that they would so order their policy that it would stop at the imaginary boundary between Quebec and Ontario. Well, you get up, tell us; I never saw in the press, Mr. Chairman, where the minister ever came good with specific examples of such policy.

All right, it continues:

Certainly we do not want that mine to close; certainly we do not want the increasing prosperity and development that has looked so rosy in the economic

horizon for that area to disappear. Under the circumstances, we are caught in the middle and we are extremely concerned about it and extremely disturbed about it. But, under the circumstances, I do not think we can do anything until we see the actual mechanics of what the federal government intends to bring down in relation to this extremely complex situation.

And there ends that portion of his answer. One must point out, of course, in the light of the way that he puts it, that this development was not a new phenomenon in Elliot Lake. We had been through it before, when the uranium industry had fallen on bad days and there was a terrible restriction of employment and cutting down of production in that important mining field. And the federal government exhibited great concern, back up by financial contributions, in keeping the industry viable in the area; indeed, as I pointed out before, kept it so viable that Denison Mines availed itself of all the quotas in the production of uranium during that trying period.

**Mr. D. M. De Monte:** (Dovercourt): \$49 million.

**Mr. Sopha:** Thank you. The member for Dovercourt tells me the extent of the contribution of the federal government was \$49 million.

I well recall that production ceased at Bancroft at Faraday Mine; and Denison Mines and Rio Algom continued to operate in the Elliot Lake area. So the Minister of Mines in Ontario has no business, Mr. Chairman, to contribute to the anxieties of the people of Elliott Lake in this way. He has no right for his words to be reproduced in the Blind River-Elliot Lake area showing, as a responsible minister of the Crown in Ontario, that there is an imminence of disaster conditions.

**Hon. A. F. Lawrence:** I did not.

**Mr. Sopha:** Well, that is the colourful language the minister used. He can shake his head, but the colourful and misleading language he uses is wrapped up this way: "We will be the ones again who will have to pick up the tab and clean up the mess." That is the way he puts it. Historically, that is not so. It just is not so that Ontario has had to cast itself in that role.

**Hon. A. F. Lawrence:** Certainly we have, in respect of Elliot Lake.

**Mr. Sopha:** Well, I remember the day we had the emergency debate; and we have seen recorded in the press that the only emergency debate we had in the last 10 or 11 years concerned unemployment; it did not.

Memories are short. The Clerk of the House was quoted as saying that is what the emergency debate was about. But it was not. It was about Elliot Lake. It was the only one we ever had. And I well recall—

**Hon. A. F. Lawrence:** We have had other

**Mr. Sopha:** Well, that is the only one I recall. And I well recall almost every minute of the Crown getting up and saying what the department would do to contribute to the resuscitation of Elliot Lake. The one I lay about, of course, is the predecessor of the Minister of Lands and Forests, because one of the things that Mr. Pearson, as the member for Algoma-Manitoulin—pardon me, Algoma East—wanted to do in the area was to create a national park, something of which this province does not have the advantage.

And I am told on reliable authority that when that subject was broached as a matter of mind you, of sustaining Elliot Lake and creating employment, the then minister, Kenneth Roberts, said—and these are his exact words—"He can go to hell."

**Mr. De Monte:** So can the people.

**Mr. Sopha:** His exact words were: "He can go to hell." He went on to say that they were "not going to do anything to enhance the reputation of the Liberal government in the area." Of course, that is the position that we have always taken about the sale of crown lands to the federal government for the establishment of a national park in Ontario.

**Hon. A. F. Lawrence:** No, no. That is not true.

**Hon. R. Brunelle** (Minister of Lands and Forests): That is not our position.

**Mr. Sopha:** Well, I am told that is precisely the response they got.

**Hon. Mr. Grossman:** We do not talk that way.

**Mr. Sopha:** Well those ministers a decade ago, did not do very much; their contribution was not very great. I think the Minister of Correctional Services did as much as anybody, I believe—he will correct me if I am wrong—but I believe the initiation of the Thessalon institution dates from about that time.

**Hon. Mr. Grossman:** We did not have that institution in Thessalon.

**Mr. Sopha:** And he used some of the quotas at Elliot Lake.

**Hon. Mr. Grossman:** There was a place at Elliot Lake.

**Mr. Sopha:** Yes, that is right. You used some of the buildings at Elliot Lake. All right, who got into the act at this point but Mr. Lewis—of Scarborough West, is it?

**Mr. J. E. Stokes (Thunder Bay):** Yes.

**Mr. Haggerty:** He is not here anyway.

**Mr. Sopha:** He is a very energetic young man. He throws himself into the fray with increasing frequency nowadays because it is well known that he is gunning for the top.

**Mr. Pilkey:** Too many Liberals here anyway.

**Mr. Sopha:** He is going for the top. As Mr. Renwick put it last night, he said, "Every other year, the provincial council meets to determine matters of policy." They determine matters of policy, the provincial council of the NDP. That is, in the even-numbered years, they meet to determine policy; in odd-numbered years, they meet to assassinate the leader.

**Mr. Stokes:** It is the prerogative of this party to establish its policy, the leader of your party formulates your policy.

**Mr. Sopha:** Is it any secret around here, that Steve has fixed '71 as the year that he is going for the jugular?

**Hon. Mr. Grossman:** Tomorrow the world!

**Mr. Sopha:** Yes, that is well known.

**Mr. T. P. Reid:** There is still blood on seat '70 there.

**Mr. Sopha:** It is well known. A likeable young fellow; very likeable. But there is something dynastic about the Lewis's. I do not know; they are power hungry in some way. They never run out of troops; they have a whole string of them ready. In a party that likes the family relationship, there are about four families that run that party.

**Hon. Mr. Grossman:** The "new left family compact."

**Mr. Sopha:** That is right. The first introduction of nepotism into Canadian politics. That is right, if you are not a Renwick, or a Lewis you do not count in the socialist life of Ontario.

**Mr. H. Peacock (Windsor West):** Is that right? Is that what nepotism means?

**Mr. Sopha:** You have got to have credentials. You have got to produce birth certificates and relationship. All right.

**Mr. Lewis:** A supplementary, Mr. Speaker, the minister saying that he disagrees with the assent of a percentage of Canadian control in industry of this kind?

**Hon. A. F. Lawrence:** The hon. member, I am not listening to what I said. I said we agreed on the overall objective regarding foreign ownership.

Now there is an amazing answer. He takes refuge in the general. Having had a say about everything else about the policy and having left all kinds of spectres of the horrendous things that are going to occur as a result of the policy—calling it a mess: "We will do it up, as we always do, come in and do it up,"—he takes refuge in the generality that they agree with the overall objective. Mr. Lewis is not to be put down by that rhetoric, parrying:

**Mr. Speaker,** a supplementary: if the minister in favour of the overall objective, then what, precisely, is he concerned about? What is frightening him?

**Hon. A. F. Lawrence:** Did the member not ask the question of the hon. member for the area?

**Mr. Lewis:** What is in this—by way of supplementary—why is the minister not endeavouring to make some plans, to make some plans if there should be any contingency, since he agrees with the overall objective of Canadian control of the industry?

What Mr. Lewis is really saying there is "put up or shut up". That is precisely the confrontation, how it has developed. He is saying "get out of the realm of the generality of agreement and tell us what you are going to do with all these things that are going to occur".

Having put it to him that way, watch the way he scurries around; now, he is like a fox going to ground. Just note this, Mr. Lawrence—he has heard the sound of trumpets and the clatter of hooves—"That is not the time to debate the matter."

A masterful, parliamentary bit of expertise, is it not?

He runs like Leslie Frost, not like Mr. Robarts. Mr. Robarts will get up and bow in. That has to be said to his credit; he will not walk away from a question. But that is the old fox of Lindsay.

This is not the time to debate the matter; I certainly did not indicate; and I am sorry if there is any misinterpretation of my remarks—

Let me put it that on this side there is none; we understood his remarks perfectly—that we are not making plans. There are a number of alternatives in this extremely grave and troubled area right now that we think the federal government may be moving toward. Obviously we have to have plans because they concern us

than they concern any government jurisdiction in this country.

We are aware of our duties and we are concerned about it. But until we know exactly how and where, and in what way the federal people are moving, then obviously we cannot announce what our alternative plans or our plans may be on the matter.

**Mr. Deacon:** Is that not something!

**Mr. Sopha:** Boy, oh boy! Has there ever been any doubt about where the federal government is moving? All the federal government has said is that we are not going to permit control of this industry to fall into foreign hands. That is all they have said—that we will take the necessary legislative steps to prevent it. Now, in addition—

**Hon. Mr. Grossman:** If things are so good, why are they so bad?

**Mr. Sopha:** In addition to that, after Roman made his irresponsible announcement that he would close the place down, the township fathers of Elliot Lake got in touch with the government of Canada; and Mr. Trudeau, by way of a letter or an announcement or a release, sent back clear assurance to them. Clear assurance was published in the area that the government of Canada was to assume the burden of responsibility necessary to see that the community was kept as a viable economic unit.

Those are the two sides to the coin. We are not allowing the sale to American interests, to foreign hands. We are going to see, as far as within our power, that your livelihood is protected. What is this minister talking about? The answer is he does not know. He does not know what he is talking about. Or as Mitchell Hepburn used to say: "He was making conversation"; a lovely phrase—"he was making conversation" that day in the House.

All right. Mr. Lewis pursues it. We are coming close to the end, Mr. Chairman.

A supplementary, Mr. Speaker. Is the minister as concerned about the reckless irresponsibility in the statements of Denison Mines as he is about Canadian control of the industry?

**Hon. A. F. Lawrence:** Obviously by our actions and by our policies, we are concerned respecting the control of measure of return to the citizens of this country of the profits of the resource industries. We have been concerned obviously in this field for a longer period than the federal people have because we have attempted to be doing something about it over the last couple of years.

I cannot resist, as a very amateur scholar of the Constitution of the country, making my perennial comment, that one of the great mistakes made at Confederation in the writing

of The British North America Act, was to put the natural resources of the country in the hands of the provinces exclusively.

I always thought that a good deal of trouble in this country, as a federal experiment, was directly related to that decision made in 1867. The provinces ended up with the natural resources and thus castrated the federal government of any power to move the field of the economic development of the country, and restricted it to manipulations of the monetary and financial side of the country. But I will not dwell upon that.

The minister is being trite to the point being absurd when he says that the provinces have had more experience in resource industries—of course they have—the primary responsibility has been that of the province. The federal government, of course, only came into the picture when the matter went to court, I believe. I am not sure about that. Yes, it did. It went to court and the court ruled that the uranium industry, being strategic metal, was under the jurisdiction of the federal government. So they are latecomers, there is no doubt about it sir, in that area. He goes on:

But in any event, until we know exactly how they are going about making what they believe their solution to the problems, we cannot very well bring our plans into the open in respect to it.

Forgive me, I do not like to laugh at my own jokes, but that is really humorous. What I am really laughing at are these convoluted sentences; this gymnastic demonstration of literary elocution. He says: "We are not going to show till we know what they are doing. We are not going to tell what plans we have. He puts them under the cloak."

Tell us, when you get up, just what plans you have? Where do you think you fit in the picture? What the implications of the federal policy are. What you, as Minister of Mines, are going to do within your jurisdiction to maintain the economic viability of that important community and that industry.

Tell us! Because we will sit here and wait patiently to hear from you. I say to the minister, through you, Mr. Chairman, get away from all this rhetoric, this vacuousness that you employed in respect to the answer to a perfectly legitimate question to you. I say to him, through you, that he is the one that has adopted in a very purposeful way the mantle of economic nationalism.

We have been waiting a long time for someone to emerge in that government who appears willing to be forthright enough to speak out for Canadians, as Canadians. A

especially to speak out in relation to the destiny that is involved in the utilization of our natural resources.

We did not launch the young man from St. George (Mr. A. F. Lawrence). He was a long time in the wings. I say to him in the most friendly fashion, we sat in this House, I tell my friends, for many years and observed his yearning to get into the cabinet councils.

He never had the expertise of the greatest expert of them all, the Minister of Correctional Services. He could have learned a lot from him. When I first came into the House the Minister of Correctional Services sat about where the hon. member for Armourdale (Mr. Carton) sits today and he had the rug worn out between there and Leslie Frost's seat.

**Hon. Mr. Grossman:** I could not help it if the Prime Minister wanted my advice so often.

**Mr. Sopha:** Being a novice here, I quickly came to the conclusion that it would not be long before there was a laying on of hands of Allan Grossman; and it was not. He was translated before a 12-month had elapsed.

Well, Allan Lawrence sat up there somewhere in the boondocks—in the nether regions.

**Hon. A. F. Lawrence:** That is where I am.

**Mr. Sopha:** And his trouble was—he will permit me to say—his trouble was that he was too outspoken. People like Wilfrid Spooner—a sensible man, an irascible man. He used to get a lot of criticism from over here. He did not thank Allan Lawrence for giving the criticism such as he would get from over his shoulder. Lawrence sat up about where the hon. member for Carleton (Mr. W. E. Johnston) sits and Wilfrid Spooner, in a moment of frankness, was willing to discuss at any length what he alleged to be the canine ancestry of Allan Lawrence.

Well, Wilfrid Spooner is gone and Allan Lawrence remains, so it is the Grecian nemesis operating once again. But all right, he finally made it and, as I say publicly, because I have such admiration for this young man, I want him to be the leader of economic nationalism so far as it pertains to our right to order our affairs in respect of our resources. If he does that, I will be one of the first to support him in the public arena of the country.

But I do not want him to equivocate; I do not want him to play both sides of the street. I do not want him to, on one hand, say: "This is what we are going to do in section 106;" and, out of the other side of his mouth give credence and respect to the lunacy that

Stephen Roman enunciates. We cannot have both. We took a great step—two great steps in recent months of which Canadians should be proud. One is the announcement of the federal government about the retention of control of the uranium industry. The other is that great declaration of sovereignty over the Arctic waters.

One is entitled to feel, as a Canadian, that the time has come when the Canadian people should stand up and assert their rights and give the impression that they are conscious of their destiny to a place among the family of nations. You cannot have it both ways. You cannot equivocate.

I agree with Newman of the Toronto *Star*, when he says that "by the end of the decade there is going to be a cleavage in this country." You are going to be on one side or the other. You are going to be an economic nationalist or you are not going to be that is where the great conflict will occur.

I know now where I will pitch my tent in that struggle, because the national movement played such a part in the development of this country that I want to see a return to the earliest opportunity. The national movement within the framework laid out by the father of this country, a man who belongs to all parties at this stage. John A. Macdonald. As he launched it and as Wilfrid Laurier carried it on in the last decade of the nineteenth century and in the first 20 years of the twentieth century.

From that we have departed, to our eternal shame. We have lost control—we have lost control of the management of this country. If someone wants to turn it around I am for it. I am for it and I will support development.

I say to my friend Peacock that that in its origins involves also the aspect that we are willing to pay money from the various parts of the province to sustain the various parts. Because any country—it is recognized if we are to continue as a nation—the strong at the centre and weak at the extremities is going to do what the human body does. It is going to have a haemorrhage and is going to fly apart.

I just want to complete. There is one paragraph. Mr. Farquhar got back into the questioning process when he addressed the final question to the minister:

**Mr. Farquhar:** The minister agrees that my question has reverted now to the international implications that caused the situation, but does he think that the fact remains that any minute international action could close the mine?



**Hon. A. F. Lawrence:** I have the assurance of Mr. Roman, with whom I had an interview just before his threats became public, that we would be given warning of any termination there of the operation of Denison Mines. I must say there is an argument in relation to this whole matter on behalf of Denison Mines, which, for some reason, has not been made public, but in any event, there is a threat of an argument on that side as well. It is not completely a black and white matter, no matter what the hon. member may feel about it.

Well, I merely make this comment—that I infer, from what he says there, that he is not much enamoured of Mr. Roman's arguments—that they are not very impressive to him. All right.

The reason for that exercise—why I went into that—is to make a point in relation to this department and its management, and its expanded role. Especially in the light of the expanded role which we are promised, for this minister will become responsible for all sources of energy and all the metallic natural resources and will take over, in addition, the transportation system.

Then, in the light of that, this is the time of new beginning. Finally there is a ray of hope on the horizon that that area that makes up four-fifths of the land mass of Ontario—that great area—is going to come within the purview of the executive council of the province in such a way as to bring home to those who have responsibility for the governing of Ontario the immense potential of that area. Goodness, gracious. I am sick and tired after 11 years of coming here and making a perennial speech about how we have suffered under a lack of imaginative policies, that our needs have not really been understood, developments have not properly been assessed, that environmental conditions have not been studied, that ores and minerals have not been utilized to their full potential. That has been the thread and the theme of my remarks, and that is the side they want this minister, this new ombudsman for the north, as he calls himself, this new economic czar—

**Hon. A. F. Lawrence:** I have not called myself that.

**Mr. Sopha:** I am sorry. All right, fine. If you deny that, you are a—

**Mr. T. P. Reid:** It was the member for Kenora (Mr. Bernier).

**Mr. Sopha:** As I say, Mr. Chairman, that is where I want him to be. But I want him to be that 24 hours a day and to launch us and lead us into a courageous period in the development of northern Ontario. But he

cannot do it if he makes answers and speeches like that, followed by provocation and almost dissimulation, or he tries to come down on both sides.

That is the kind of minister Wardrop was. Oh, how I remember him. If the president of McIntyre Mines smiled at him, George's whole day was made. It made his whole day. How he used to love to rub elbows with the potentates and the Pooh Bahs of the mining industry. That is all he ever did, of course. He did all of that.

But this young man is different. He has been on Bay Street a long time. He knows all these people, and they are no longer so oppressive. And if Robarts sends him out to talk to them all, to give it to them, then so long as Robarts needs it, Al does not need to ask Randall about what they sell next.

Well I use colourful language to make a point, but I want us to stand up in this country and use our resources to create optimum life for our own people. That is our first responsibility.

The second responsibility I learned from Leslie Frost. He taught me. Leslie Frost said a number of years ago in this House, "I don't know," he said, "we have not got the moral right to be the owners of the northern half of the continent, unless we take the moral responsibility of developing the rich treasure that we have in the northern half for the good of our own people and to share with many more tens of thousands who can come here and make a good life with us." That is our moral responsibility as Canadians.

And my final words are words of encouragement to the Hon. Allan Lawrence. Finally, he is to seize all of the reins and take the initiatives, to bring some light and guidance and hope and courage to the people of northern Ontario, then I say, let the Lord be praised that we have a leader. He will be welcomed in northern Ontario in that role. I must add, by way of depressing addendum for those few short months that he still has left, that he will occupy a chair in the executive council of Ontario.

**Mr. Jackson:** Well, Mr. Chairman, that is going to be a very difficult act to follow. I assure you.

In my review over the last couple of months of *Hansard* for the last few years, I find the criticism that has come from all the members of these two parties has been very repetitive in its content. And it is perhaps for a good reason, because the department has not moved far enough away from

their policy of 25 years ago to get away from repetition. The minister, when he was in Cobalt just recently, stated to the Ontario Mining Municipalities Association that the policy of the department was to promote the mineral resource industries of Ontario. I think that is a good policy statement on what the department really has done over the past years: promote the mining and resource industry.

**Hon. A. F. Lawrence:** I have always added the important words, "In the public interest."

**Mr. Jackson:** Well, you did not say that at that time, Mr. Minister—

**Hon. A. F. Lawrence:** I certainly did. In fact, you were there, I think, and I emphasized it.

**Mr. Jackson:** I have a copy of your speech.

**Hon. A. F. Lawrence:** Did you not hear me say it?

**Mr. Jackson:** No, I did not.

**Hon. A. F. Lawrence:** Well, you had better clean out what you have between your ears then.

**Mr. Jackson:** Thanks very much. Well, I will get to that too.

**Hon. A. F. Lawrence:** I emphasized those words.

**Mr. Jackson:** Well, I would interpret such a policy as meaning that the department will promote the establishment of new mines in Ontario, expand existing mining operations and establish new mining frontiers—and I would consider processing in that category. The department's policy, in my opinion, has been somewhat inadequate over the last number of years and it is still inadequate—

**Mr. Lawlor:** The subways are getting worse.

**Mr. Jackson:** I would like to spend a couple of minutes just going over what, I feel, the role of the department has been over the last number of years. But first of all, in the geological branch, I think they have done a fairly good job. I disagree with the member for Sudbury that they have not done their job. Maybe they have not done it as fast as we would like to see it done; maybe we would like to see them do a lot more. But, surely, what they have done has been well done. I do not really think we can criticize them for what they have done. Maybe, as I say, we

can criticize them for the speed at which has been carried out. And that becomes criticism not of the department, but of the minister himself.

It is also possible that many of the mines in Ontario right now, the operating mines would never have been found without the department's work, without the mapping and the surveying that has been done over the last 40 years, you might say. Many of the mines would never have been found. Manitowadge is a very good example of that.

If you want to dig down and look into part of this department, it is not hard to find things to criticize. It is not hard to find things to criticize, no matter what department you are looking at. Nevertheless, I do think that this branch has done a good job, and I think they deserve some commendation for what they have done over the years.

We get into the services part provided by the government under vote 1304 and, once again, we cannot criticize the department for what it has done. They have done a good job of supplying services to the industry. Many of these services and information, data that are supplied and research facilities that have been used on behalf of the mining industry, could not have been afforded by a lot of the smaller mines. In some cases, it would not be practical for a mine to take on their own and try to carry out these projects. And, surely, if one goes up and visits the Timiskaming testing laboratory, as I have done, he will find that they are doing a very good job under somewhat adverse conditions. I am sure that we will agree that many of the conditions they work under are adverse. Nevertheless, they do a good job and—

**Mr. W. Newman (Ontario South):** Come over to this side. You are doing well.

**Mr. Jackson:** I will get to it. We will get to the branch that is responsible for mine safety.

**Mr. Martel:** Yes.

**Mr. Jackson:** I do find very valid criticism in this department. However, because we know that Bill 2 is coming up, and there will be ample debate when it comes before the committee, we will just let it by for today.

But in general The Department of Mines has been reasonably efficient. They have done a fairly good job within the policy of the Department of Mines and within the policy of the government toward mines. You know I might even add that at times I get the impression that the minister is a little serious.

Hon. A. F. Lawrence: Do not be fooled.

Mr. Jackson: I also get the impression that his quick outbursts of temper, his little boy complex of someone taking away his candy—

Mr. Lawlor: Petulance!

Mr. Jackson: —are maybe a result of his frustration at being tied to such a policy. And that he would like to spread out a little bit and take a greater field of endeavour for his department.

Mr. Peacock: The member for Sudbury might well have pointed across the aisle.

Mr. Jackson: But is not that, Mr. Chairman, the basic fault of the department's philosophy at this time? That while they are promoting the industry and doing everything in their power to promote the industry, they do not, in actual fact, promote industry on behalf of the public interest? He says one thing and does something entirely different.

I would like to read a statement made in this House. It is on page 9830 of *Hansard* of last year and it is by the member for Victoria-Haliburton. He said:

In this province, Mr. Speaker, we have the greatest collection of resources, with manageable population and political problems, that exist within comparable geographic boundaries anywhere in the world. In my opinion, with intelligence, understanding, compassion and co-operation, we have the opportunity to bring the greatest good to the greatest number of people in the shortest period of time.

Mr. Martel: The potential is there.

Mr. Jackson: To bring the greatest good to the greatest number of people in the shortest period of time—surely we all agree with that. But has it really happened?

Over the years, Mr. Chairman, we have seen the mines develop; we have seen them die. But we do not see this greater amount of good coming to the greatest number of people. The member for Sudbury has pointed out where the greatest amount of good has gone—to the Wrights, the Bickells and Harry Oakes and the many others that have taken the money and gone to Bermuda.

Mr. Chairman, you can realize how we felt when the Premier stood and announced the expansion of the department. It was going to become the new department of mines and northern development. The minister has since corrected that, but nevertheless we felt that with a new department responsible for northern development, maybe, for a change,

we would get some northern development. Maybe for a change we would get a department that would forget the old policies looking after the corporate interest and start looking after the people in the province—getting something for them for a change.

We have always believed that the development of the viable long-term economy in mining areas of Ontario must be built on solid resource-based industry. It has to be backed up by a widely diversified secondary industry, either directly or indirectly related to resource. I do not believe that they can be separated. Resource industry without secondary industry has proven that it cannot exist in Ontario.

It is here today and it is gone tomorrow. Today we have a new mine; we have a boom town. Tomorrow, we have a worked-out mine and we have a shack town. I would like to read what Mr. David Bell of Sarnia said in the *Toronto Star* of April 8, 1970:

And while the megalopolis grows in southern Ontario, our north rots. Minerals are dug up to feed the industries that are spreading across the southern farmland, or else exported to the United States for processing. The north, with its lack of good farmland would be ideal for the establishment of mineral processing industries. But instead, it is an area where a shanty town and its people are cast into the slag heap when a mine becomes unprofitable. This kind of thing has alienated the people of northern Ontario. They blame provincial politicians as people who are Toronto-oriented and who regard the north as the boon docks.

As the member for Sudbury said, the mine was relegated to the boon docks for many years and maybe that is why the policy of The Department of Mines is as it is. Again quote:

A similar attitude is developed in northern Quebec. The people have suggested that the north of both provinces should be split off to form a new province.

That is a very real threat. I mention this thought in this part of the province and everyone says, "What would they do with Toronto?" You should start talking to them and realizing that very seriously they are finding out what they will do without Toronto. Surely none of us wants a separate north, any more than we want a separate Quebec. But our present policies are driving them towards it.

Mr. Chairman, we were somewhat delighted, anyway, by the Premier's (M

Roberts) announcement that the Minister of Mines was going to expand his department, and it was going to become the department of mines and northern development. As I say, the minister has corrected that. He says it is not going to be the department of mines and northern development, but the department of mines and northern affairs. It is only a word, but I would like to read what Mr. Webster had to say about a word. If you get to the word "develop", it says:

To set forth; to make clear by degree or in detail; to make visible or manifest; to evolve the possibilities of; to make active; to promote the growth of; to make available or usable; to move from the original position to one providing more opportunity, to cause to unfold gradually; to expand by a process of growth; to acquire gradually; to go through a process of natural growth; differentiation or evolution by successive changes.

That is what we thought, maybe, the government was moving towards, development. Something that we could all share in; not just the mining companies which come in and take the money away, but something that we, as northerners—and when I say northerners, I really mean all of the mining communities in Ontario—could share in. So we could see something happening for a change, other than our towns going downhill. But that was not to be. The minister says "no, that was a mistake. We are going to call it northern affairs." I went through the dictionary again and I looked up "affair", and Mr. Webster says:

**Mr. Martel:** The minister knows what that is.

**Hon. A. F. Lawrence:** You see no credit in having an affair?

**Mr. Jackson:** Mr. Webster says:

Affair: commercial, professional, or public business, matter or concern.

**Mr. Martel:** You would not do that, would you?

**Mr. Jackson:** To continue:

A procedure, action or occasion only vaguely specified, an object or collection of objects only vaguely specified.

If we get into the word affaire with an 'e' on it, it says:

A matter of romantic or passionate attachment, typically of limited duration.

That explains your policy, "typically of limited duration."

**Mr. Peacock:** His will be until the leadership convention.

**Hon. A. F. Lawrence:** At least, it is intense and passionate, anyway.

**Mr. Jackson:** It might be, but we are getting a little tired of your affairs in northern Ontario. Even your nice smile and blue do not help. We still resent your affairs.

You know, if one looks at the proliferation of reports, study papers, propaganda, the minister's statements and, to go back to the clipping of about two years ago—"His hand"—that is all it is, a romantic affair in northern Ontario. You know the results of your affairs when the minister gets involved in northern Ontario—we lose. Somebody takes the baby, but we end up as babysitters.

**Mr. Pilkey:** An illegitimate one at that.

**Hon. A. F. Lawrence:** I know the picture you are reaching for.

**Mr. Jackson:** I was trying to be very polite. Mr. Chairman, the present mining policy in this department is a timid, misguided attempt to promote northern development on the basis of primary resource-based industry. The policy of The Department of Mining is paralleled by the policy of The Department of Lands and Forests, but there is absolutely no integration between the two. One does not know what the other hand does. The Minister of Lands and Forests might sit down with his colleague and have a cup of coffee after breakfast in the morning, but I am sure they do not discuss the development of northern Ontario. At least it does not show the development in northern Ontario, if you do discuss it.

If we achieve the goals set out in our policy—the promotion of the resource industry in Ontario—it may be the quickest way to create a situation of employment, the quickest way to provide jobs today, but it is not a policy to achieve overall development in northern Ontario on a long-term, large-scale development. What we have today is only today, and very soon it has drifted away. All one has to do is look at the many communities around northern Ontario to realize this is true.

I can take you into at least 50 communities in northern Ontario that were once thriving mining towns or thriving lumbering towns and today they are on the verge of bankruptcy. In fact most communities in northern Ontario, no matter how big the mining industry and the forestry industry is at

moment, are on the verge of bankruptcy because of the policies of this department and this government. The town of Geraldton right now is waiting daily for the closing of the last mine in the area.

And when it comes, what happens to Geraldton? There is a good chance it will survive. But if it does survive, it will be like so many other towns that survive—with staggering welfare bills, no sewers, no water services, almost non-existent health services and the biggest unemployed rolls in the country. But, as my colleague says, when the company moves out, it will not move out with staggering welfare bills, I can tell you. They will have enough money in the company kitty to look after themselves.

The member for Sudbury covered very clearly my feelings toward Mr. Roman and Denison Mines and in relation to the government's refusal to let them sell to foreign interests; I will not expound on that. However, I think we should strike a medal in this province and send it to Mr. Roman as a great Canadian patriot.

**Mr. Martel:** Him on one side and the Minister of Mines on the other side of the medal.

**Mr. Jackson:** Mr. Chairman, as much as I believe that the minister is sincere in trying to do something and as much as I believe that maybe he is frustrated by a policy that ties him too closely to what he does not want to do—

**Mr. B. G. Gilbertson (Algoma):** Great guy.

**Mr. Jackson:**—both the minister and the government are dead wrong if they believe that a change in just the title of the department will improve the image of the department in northern Ontario. They are wrong if they believe they can continue to defraud the people of Ontario of their rightful share of the mineral wealth that is daily going across the border. And they are dead wrong if they think they can convince the people they are really trying to do something unless they start doing it.

During the debates of the estimates of the department in 1968, I made some proposals on a development corporation for northern Ontario for the mining communities. I want to read some of that into the records again, Mr. Chairman, because I think it is as valid today as it was then. At that time, I proposed—and this party proposed, through me:

That incentives to private enterprise no longer take the form of tax concessions or special depletion allowances, whether federal or provincial. Instead, this government should establish a provincial crown

corporation to undertake development work and co-operate in that endeavour with private business to provide such open financial assistance as may be warranted and required, in the forms of grants to undertake enterprises of its own.

I propose that this assistance should be reflected in some form of proportionate equity holding in the Crown corporation in the businesses involved on the same basis as any other shareholder. In this manner we can ensure the public interest, as voted by the corporation, will be an acknowledged factor in all future decisions made by the companies.

I propose that the initial capitalization of the Crown corporation be voted openly by this Legislature, and that further funds, if and when required, be voted on an annual basis as part of the estimates. In this way, we in the Legislature, who are democratically-elected representatives of the people, will know exactly how much is being spent each year to bolster economic development in the north.

And I might just add in here, right at this moment, while we are debating this estimate, which surely is directly related to the development of northern Ontario—the minister's position on the bill, the government sits on the sidelines that will make this the department of northern affairs. Surely it should have been brought in before these estimates came up, so we would know what this department is going to do over the next year?

I also, at that time, proposed, Mr. Chairman:

—That the Crown corporation's role not be limited to mining, though obviously it would have a crucial role to play in that industry. It should be involved in all new resources enterprises in the north requiring public assistance. Its operations should also include exploration and development on its own, where private business is not prepared to do the necessary job.

I have no regrets about proposing that we abandon the old tax concession route that has been used to stimulate private enterprise. It is no secret to me or to anyone who has looked at the north, that mining municipalities have long suffered financially from this approach. However, it has proved difficult if not impossible, for members of the Legislature to calculate on behalf of the electorate who put the money, just how much public funds are being diverted in this way. Thirdly, as a result of the Smith committee report—

And the subsequent select committee report— we are now trying to modernize and reform the provincial tax system on a fairer basis. It would be a backward step to perpetuate, in a new north development programme, one of the most indefensible aspects of the old tax system.

Mr. Chairman, that proposal is still as valid today as it was at that time. But instead of a cutback in concessions—instead of an expansion of the department—this government and this department have seen fit to not only increase the concessions to some of the companies, but to give back tax already paid.

Let us not fool anyone. When we give money to these companies, whether by concessions, or rebates on taxes at preferential

rates, who picks up the tab? It is the guy on the street. If you have any doubts about that, just look at some of the cost to the public from such commissions as the Ontario Hydro. While we are giving preferential rates to companies on Hydro the individual's bill goes up every year.

I have here a letter, Mr. Chairman, from the Minister of Mines to Mr. R. D. Mollison, vice president, metals division, Texas Gulf Sulphur. I think everyone got a copy of it, although I do not think that most of them read it. I would just like to read some of it into the record.

Mr. Mollison at that time was negotiating with The Department of Mines, or The Department of Mines was negotiating with them, to build a smelter at Timmins. The Minister of Mines, in his letter to Mr. Mollison, suggested he is going to give them a few concessions.

The first one: he is going to enact into law the provisions already introduced in the Legislature but not yet passed at that time—The Mining Tax Amendment Act—which related the allowance for pre-production expenses to the date of January 1, 1965, as a special concession. In other words, what he was doing was giving taxes, already paid on behalf of the people of Ontario, back to Texas Gulf Sulphur, a multi-million-dollar corporation that needs it like it needs another head.

He went on, in section b, to say that he was going to recommend to Ontario Hydro a cheaper power rate than the flat six mills the company was expecting would be the power cost. Once again, who picked up the tab? Look around Ontario: everyone's hydro bill has gone up. Surely, while we give it to Texas Gulf Sulphur, somebody pays for it. We give away our profit, we give away the resource and then we turn around and add something to the bill that the average guy on the street has to pay in order to support that proposal.

He goes on to say, in paragraph three, "We will obtain a quotation for you from the Ontario Northland Railway of a freight rate for sulphuric acid," and the letter goes on to say that the rate will be preferential. Well, if you have ever ridden on the trains in this province, you will know that you will not get a preferential rate. The small businessman does not get any preferential rate. In fact, what is killing the small businessman, if you want to get down into it, is freight rates to northern Ontario. And it is not on train-loads, it is on the small shipments. But does he give them a preferential rate? Not a bit.

I would say that this so-called free enterprise system that we have in Ontario, and so-called tax system is something like R. Hood, only it is in reverse—they take it from the poor and give it to the rich.

**Mr. Gilbertson:** You talk like an NDP.

**Mr. Jackson:** I am very happy to be on

**Mr. Trotter:** Remember what your le said the other day. Do not get too radical.

**Mr. Jackson:** I do not think we can radical enough in this party.

**Mr. T. P. Reid:** Too radical for that p

**Mr. Jackson:** I do not think we can too radical.

**Mr. T. P. Reid:** Too radical. You move right.

**Mr. Jackson:** It is one thing to forego come—

**Hon. Mr. Crossman:** You had better the Liberals; they are moving to the left is hard to tell the players even with a gramme.

**Mr. Jackson:** —in the form of concess but when we give taxation back to them we have already collected, that does make much sense to me.

I would like to go on a little further the statement that I made in *Hansard* July 17, 1968. I said at that time:

I would like to propose further that the Minister (Mr. Roberts) immediately set up a task force on northern development, involving a northern ministers, perhaps chaired by the Minister of Mines. Let that task force begin the long-overdue job of designing a total blueprint for long-term northern development, which would be presented to the Legislature, perhaps in the form of a paper, some time during the next session.

Well, instead of a task force, we had a one-man commission. He came into northern Ontario and told us that he was going to listen to our complaints. He was going to listen to how we thought we should cure our troubles, how we were going to develop northern Ontario.

If, after 27 years, this government does not know what is going on in northern Ontario, then where in heaven's name have they been?

**Mr. Martel:** Bay Street.

**Mr. Jackson:** If they do not know after 27 years, there is not much use telling them again, because 27 years from now, when

are over on this side, we will be telling them again. Of course, it will not be necessary; we will know.

Surely it must be obvious to all of us that the tax concession methods that have been used by this government to encourage industry in northern Ontario, the forgivable loans that have been the only weapon in the arsenal of the good Minister of Trade and Development, have not encouraged development in northern Ontario. What it has really done is make sure that the corporate friends of the government get more than their share and the people who own the resource get less than their share. But I would like to comment a little bit on section 106 of The Mining Act, and this really brings on the chuckles when I start to think about it.

**Mr. Martel:** Do not let that—

**Mr. Jackson:** In dealing with Mr. Mollison and Texas Gulf Sulphur, the good minister has set out a long list of concessions the government would give to the company, with a nice little threat that if they do not build their smelter at Timmins they will invoke the provisions in section 106. Well for a minister who was going to wield a big club! He made sure it was made of marshmallow, anyway. He was not going to hurt anyone with it. He left it. He closed one little loophole and opened up a great big knothole.

He tells us that he is going to use this law to encourage Texas Gulf to locate at Timmins and then he says with the same breath we will allow them to smelt at any place in Canada. Texas Gulf called his bluff, I am sure of that. They said, "Sure, we will smelt in Canada. We will smelt in British Columbia, what are you going to do about that?" Then we start giving away a little more, but maybe that is the way the minister wanted it.

He did not really want a big club because he had already made the concessions to the company. He had already made the deal, but he had to convince the people of northern Ontario he was doing something. Surely, if it was meant to be a club, why did he not say smelt in Ontario or process in Ontario, and then if he found it was necessary, use the powers of exemption that he had; but he did not do that.

What he was trying to do was convince us that he was doing something. In reality, all he was doing was making it easier for Texas Gulf to blackmail us and put us in a position where we would have to pay bribery money to get them to locate in Ontario. It is something I am also sure that

they would have done anyway, with or without the concessions, because it makes good sense to have a smelter in the area.

To go on a little farther, though, when the minister has exempted, through his power of exemption, almost all of the copper smelting in Ontario, the copper ores are shipped out. I have here a report from British Columbia, when the Minister of Mines in that province revealed that since 1967 some 10 million tons of copper concentrates had been produced in British Columbia and out of that \$60 million worth of resource, not one penny had come back to the people.

That is what is happening here. We have given the mining companies so many concessions, so many tax loopholes, that after they get it out and ship out the raw ore, we are left with nothing—\$38 million on behalf of the \$1.3 billion industry in Ontario last year—\$10 million this year if it goes to that; an increase of about \$8 million or a little less.

I am somewhat puzzled as to why he gave those exemptions to all the copper mines. He says to us that he changed section 106 to increase the processing facilities in the province of Ontario. Yet he turns around and exempts an industry from the provisions of the Act. Surely, if his aim is to create more processing facilities, he should have said to them: "You will build a smelter." It does not make sense to exempt them because there is no smelter when the whole purpose of section 106 is to increase the processing facilities. He says: "I hope that over the next two or three years, we might have another smelter. If you have got the club, let us start swinging it."

British Columbia, surely one of the more backward provinces in Canada as far as mining policy is concerned, at least had guts when they brought forth their Act. They say, "When we want ore to be smelted it will be smelted in British Columbia, not in Canada." They looked after the people that are elected to look after, the people of British Columbia. They also said that if an independent person wants to build a smelter, it will make sure the ore goes to that smelter.

It might be a good lesson for this minister to learn. What is wrong with a publicly owned smelter? If private industry will not do it, then surely the government has an obligation to the people to provide jobs; provide income; and to build a smelter if necessary. Quit giving us excuses for sending it out of the country.

**Mr. Chairman,** when I got up in this House and opposed the passing of that bill

tried to amend it to read that ores mined in Ontario would be processed in Ontario, the minister accused me of being parochial. I do not deny that I am parochial. My views are very selfish because the guy who is out of work in this province is the guy who elected me. He is the guy who owns the resource; not British Columbia; not Quebec, or any other province. It is owned here in Ontario and I was elected here in Ontario and that should be my prime consideration. If I am parochial, then it is because I want to be.

Mr. Chairman, there are literally hundreds of examples, if a person wants to dig, of the concessions that this government has given to private industry. He accuses me of being parochial, because I want ore processed in Ontario. When I insist on getting the smelters going now rather than two or three years from now; when I say to him: "Do not listen to Inco, do not listen to any of the rest of them, tell them they do it now"; he accuses me of being parochial. Yet is he not parochial in his thinking when he gives all of these concessions to the mining companies? The same people that provide the slush fund for the party?

I would think that what is really happening is the Tory government do not want northern Ontario development. Because if they get northern Ontario developed, it means the power base of the Tory party is going to move north.

Hon. Mr. Grossman: Good Lord. What a devious way of thinking.

Mr. Martel: Better watch the faces in the crowd, Al.

Mr. Jackson: It means that the favours they have passed out to their corporate friends over the many years are going to start to show up.

Mr. S. Lewis (Scarborough West): It will not make any difference to you, Allan. Wherever you go — south, north — people follow.

Hon. Mr. Grossman: We will only accept campaign contributions of up to \$350 like the NDP.

Mr. Lewis: The crowds will be there for you, Allan. Same faces in Timiskaming as in St. Andrew-St. Patrick.

Hon. Mr. Grossman: We will only sin to the extent of \$350—

Mr. Jackson: Any time the Minister of Correctional Services wants it, he can come

to the New Democratic Party and we put our books in front of him, if he will do the same thing with us. We can show where we get our campaign funds. And not from Texas Gulf or Inco.

Hon. Mr. Grossman: You do not know where it comes from, so long as it is no more than \$350.

Mr. Jackson: Mr. Chairman, I have more, but I would not be able to finish before 1 o'clock. I would think that I could bring it up in the first vote, and I will keep going until then. However, I would say to the Minister that it is about time he got off his seat of his pants and instead of letting the Premier say, "it is northern affairs," let us have some northern development. Let us have a department that is really interested in doing something up there. You have shown us where you are thinking that you are going to do it yet.

One of the things that becomes very clear, and more clear as the days go by, is that there is absolutely no co-operation between the departments of this government. There is absolutely no dialogue between different departments. The Minister of Transport gets up and says: "This is The Department of Highways." The Department of Highways says: "Well, we are building highways, are we not? We do not care where you go, as long as there is a need for a highway."

Hon. Mr. Grossman: Is that what you want to say?

Mr. Jackson: Why are they? That is what you have to find out. I urge you to do it without too much more delay.

Mr. T. Reid (Scarborough East): Mr. Chairman, I just wonder if I could introduce some students from my riding who are in the gallery with us today?

Hon. Mr. Grossman moves that the committee rise and report.

Motion agreed to.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and to ask for leave to sit again.

Report agreed to.

Hon. R. Welch (Provincial Secretary): Mr. Speaker, before moving the adjournment, may I indicate the programme for next week. The House will sit on Monday and Tuesday evenings. There are, of course,



no sessions on Thursday or Friday because of the conference.

On Monday we will carry on with these estimates. Tuesday we will consider legislation, then carry on with estimates; and as far as I know estimates on Wednesday as well.

**Mr. J. E. Stokes** (Thunder Bay): Full day on Wednesday?

**Hon. Mr. Welch:** As far as I know.

**Mr. S. Lewis** (Scarborough West): By way of a question: the invitations that were sent to members asked that they appear for cocktails or other such amenities at six o'clock on Wednesday. Are we to assume that the House will adjourn earlier?

**Hon. Mr. Welch:** Under those circumstances, we will have to consider the implications of that type of—

**Mr. Lewis:** I hope so!

**Hon. Mr. Welch:** If the members want to vote that six o'clock matter, I will consider that.

**Hon. A. Grossman** (Minister of Correctional Services): The member wants to be there and complain we are spending too much money on booze!

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

House adjourned at 1.00 o'clock, p.m.





# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Monday, April 20, 1970  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 20, 1953

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today we have as our guests in the east gallery students from Port Credit Secondary School in Port Credit and in both galleries from Bishop Ryan High School in Hamilton. This evening the 71st Toronto Group Boy Scouts will be with us.

Statements by the ministry.

Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, with the absence of ministers, the target gets narrower every day; however, the bull's-eye is here, and I would like to ask the Premier if he is going to undertake a change in the legislation controlling the representation of Indian bands on school boards, in light of the statement made by members of the Kent county board of education and the fact that they are not prepared to vote to invite an Indian representative.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, the only changes in legislation that the government could make would be to make it mandatory, I suppose, for the boards to appoint an Indian representative under certain circumstances and, to my knowledge, this is the only case where the refusal to appoint an Indian has occurred. I believe the Minister of Education (Mr. Davis) said that some consideration was being given to such an amendment, but I am unable to stand in my place as the bull's-eye today and tell you that we are proposing to do it immediately. But this situation has arisen and it is the only alternative open, I suppose, if we wish to do so. It is being considered.

**Mr. Nixon:** I have a question of the Minister of Lands and Forests. It actually leads from his statement made on Friday concerning the extension of loans to fishermen who are deprived of their livelihood because of the pollution situation in Lake St. Clair.

Does the repayment of the loan depend exclusively on the success the fishermen may or may not have in suing the industrial polluters, specifically Dow Chemical? If, in fact,

they are not successful, is it the understanding of the government has put forward that the loan would be cancelled?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, I would say at the time that we—when I say we, I mean the federal and provincial governments—are making advances in the form of loans to the fishermen. If, at some time in the future, as I hope, the fishermen will recover, these are just advances to tide them over until they have been able to obtain full compensation through civil action from the industries. I think at this stage we have not come to a decision as to how these will be repaid.

My understanding is that the loans are being made and the only provision will be that the loans will be repaid at some future time. But I think, referring to your question when the time comes, if it is not possible, we are hopeful that it will be possible—if it is not possible, I am sure the governments will certainly take this into consideration.

**Mr. Nixon:** A supplementary question. Because of this particular involvement, has the minister met with his colleague, the Attorney General (Mr. Wishart), and, probably even more important his opposite numbers in the government of Canada, to undertake assistance to the fishermen to bring these suits alternatively, to bring the suits themselves under the name of the government?

**Hon. Mr. Brunelle:** Mr. Speaker, the Leader of the Opposition knows that the Attorney General is looking into this matter, and I believe the federal government is also looking into it. As far as I know, we have not heard the results of their investigations, but it is being looked into.

**Mr. Nixon:** Mr. Speaker, another question for the Premier. In view of the reports over the weekend that the Premier was meeting with and consulting municipal people in Toronto and Metropolitan Toronto on the future of the harbour and waterfront development, is he now in a position to report on these developments, particularly the possibility

of centralizing the responsibility under some single jurisdiction?

**Hon. Mr. Robarts:** These meetings are continuing, Mr. Speaker, and I do not think it advisable for me to make any comment at this time. When our consultations are complete, I would hope to be able to tell the House what we have been able to achieve.

**Mr. Nixon:** In fact they are secret meetings.

**Hon. Mr. Robarts:** They are not secret meetings, but—

**Mr. Nixon:** No one knows anything about them.

**Hon. Mr. Robarts:** It is a process of negotiation. Now, you cannot talk about the result until the negotiation has taken place, can you?

**Mr. Nixon:** Well, I think you could, but you will not.

**Hon. Mr. Robarts:** Well, I do not think I can.

**Mr. Speaker:** The member for York South.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I have a question of the Prime Minister. Is Metro chairman Ab Campbell correct in his statement to the Oak-Vaughan rate-payers association last week, that the provincial government's internal review of Metro structure will give close examination to a four-city concept, involving the possible elimination of the whole borough of York?

**Hon. Mr. Robarts:** Mr. Speaker, I read that report. I do not know where Mr. Campbell got his information. No doubt, in the review of the whole situation of Metro, as I have asked, this might be considered, but certainly it is not set out as a specific objective. There would be an assumption, I suppose, if what he says is correct, that you were aiming at that as an objective. We are starting with no objectives, other than to see how it is, in fact, working under the legislation as it stands today.

That examination has to be done before any conclusions can be drawn as to what might be proper changes to make. I would say Mr. Campbell's conclusions, if these are his conclusions—I have not discussed it with him personally, I only read what was in the paper—but certainly that is not one of our objectives.

**Mr. MacDonald:** By way of supplementary question. Would the Prime Minister indicate,

is Mr. Campbell or any other ministerial official, or any outside official other than within the government, involved in the review?

**Hon. Mr. Robarts:** No, we wanted to make it clear in our announcement—it to be an internal review done by people within the government. If they were to consult for purposes of information other people, they are free to do so, but I must make it clear, I really want to do a sort of Goldenberg inquiry again, and we would have meetings open to the public and briefs from all and sundry. It is an examination—and I think I use the term “hard-nosed” examination—of the system as it is functioning today.

**Mr. MacDonald:** For obvious reasons, the Prime Minister would appreciate my constituents are rather concerned by the speculation.

**Hon. Mr. Robarts:** Yes, I would.

**Mr. Nixon:** We could do away with the constituency, too.

**Mr. MacDonald:** Pardon?

**Mr. Nixon:** We can do away with the constituency.

**Mr. MacDonald:** It would still be a one no matter what other riding it went into. I have a question of the Minister of Lands and Forests. Was Dr. Robert J. MacDonell, the professor of chemical engineering and applied chemistry at the University of Toronto and his department, involved in testing of fish with regard to the mercury content? If so, why was the involvement of that department right on our doorstep not made public, instead of leaving the image of California and Winnipeg and other places being the only areas to which we could go to get some information on mercury pollution?

**Hon. Mr. Brunelle:** Mr. Speaker, my understanding was that we requested—The Department of Lands and Forests requested the services of Dr. Jervis last fall when the releases came out about the mercury contamination in the prairies with reference to the ruffed grouse. We asked Dr. Jervis to conduct studies in southern Ontario at the same time, as he is an expert in this field, we also asked him to extend his studies to include the fishes.

My understanding is that we had the facilities. The only facilities available

testing fish were in the laboratory in southern California. This was last summer. Then the federal Department of Fisheries established one at Winnipeg and afterwards our fish analyses were being conducted in Winnipeg. But originally, the only place available was in southern California.

**Mr. MacDonald:** Mr. Speaker, I am puzzled. Is the minister not aware of the fact that some months ago, publications in Alberta indicated that testing had been done in the University of Toronto as well as California and that there was an area of agreement in the results? Is the minister suggesting that the University of Toronto is not in the position to do this kind of testing?

**Hon. Mr. Brunelle:** I believe they are now. And at the present time, the OWRC, as the members know, are doing about 20 to 30 samplings per day. They are increasing this, and there are samplings that may be done at Wheatley, again using part of the federal equipment which is at present in Winnipeg. I would be pleased, Mr. Speaker, to try to obtain more detailed information with regard to the member's question on, exactly, the reference to Dr. Jarvis' investigation.

**Mr. MacDonald:** Mr. Speaker, by way of a final supplementary question to the minister. When he does get that information, would he make a statement to the House with regard to the observations of Dr. Jarvis as contained in the *Star* of April 11, in which he expresses a deep worry with regard to the whole intake of mercury from all kinds of food and indicates that if you add fish to the normal intake, that it is away beyond the safety standards?

**Mr. T. Reid (Scarborough East):** I have a question of the Minister of Correctional Services.

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

**Mr. T. Reid:** Do the minister's correctional training or reform schools receive the high school records of teenagers who are sent there? If so, do the correctional schools keep these school records after the young people leave, thereby necessitating such young people to give a reform school or a correctional school as a reference for his school records which could, in turn, prejudice employers against hiring such young people? If this is correct, should not the school records be sent back to the high schools so that a

young person could then give a high school as a reference point for his school records?

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, I am not too sure about the first part of the question. At the moment I cannot recall what the procedure is in respect of the transfer of the records from outside schools to our training schools.

I can assure the hon. member and this House however, that no records come out of the training schools which speak about the records of any of the youngsters in the training schools. Any records which show they have passed certain grades only show the certificate from the school and referring to an euphemistic name—if you will have it that way—of the school. It merely shows so-and-so has received his course at St. Euphrasie school, or Glendale school, and so on. That was one of the reasons, Mr. Speaker, why we gave them "euphemistic" names about two or three years ago.

I can assure the hon. member that educational training they have had in the training schools has not, as far as we have been able to ascertain, stood in the way of any youngster making headway after leaving the training schools.

**Mr. T. Reid:** A supplementary question, Mr. Speaker.

Do the training schools send a young person's high school record, which is received from the high school when that young person goes to the training school, back to the high school so that the young person can then give the name of the high school as a reference for the amount of education he has had at that high school?

**Hon. Mr. Grossman:** I am sorry, Mr. Speaker, I cannot answer that question at this particular time. I would be glad to give the information for the hon. member.

**Mr. T. Reid:** Right!

A final supplementary, Mr. Speaker: I correct in saying that not all young persons sent to the training schools, in fact, have a court record or criminal record?

**Hon. Mr. Grossman:** There is no one in the training schools who ever has any kind of record which is available to anyone outside our department.

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

**Mr. R. S. Smith (Nipissing):** Mr. Speaker, a question of the—

**Mr. Speaker:** The members for the third party were not on their feet; the member for Nipissing has the floor.

**Mr. R. S. Smith:** A question of the Minister of Financial and Commercial Affairs. Is the minister aware that some municipalities in the province are using the licensing of lotteries and bingo under his new regulations as the means of raising new taxes, rather than as implementation of a licence fee to cover the cost of administration?

**Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs):** No, I am not, Mr. Speaker. But I think it would be broadly against our policy to have them do so.

**Mr. R. S. Smith:** As a supplementary, Mr. Speaker: if this becomes apparent, will the minister change the regulations to govern municipalities more tightly as to the amount they can charge for the issuance of licences?

**Hon. A. B. R. Lawrence:** I think my first answer pretty well covers that. It is to my knowledge hypothetical at the moment.

**Mr. Speaker:** Does the member for Thunder Bay have a question?

**Mr. J. E. Stokes (Thunder Bay):** A question of the Minister of Lands and Forests: have the fish that are going to be eaten tonight by the members of the Legislature been checked for mercury content?

**Hon. Mr. Brunelle:** Mr. Speaker, the fish that will be served tonight is very delicious Lake Erie perch. The only warning that I would give is that if a person is ill, it will be as a result of overeating.

**Mr. Speaker:** Supplementary question; the member for Brantford?

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, by way of supplementary, could the minister give some assurance to the American authorities that this particular fish has no mercury in it, as they are refusing entry into the United States of Lake Erie fish?

**Hon. Mr. Brunelle:** Mr. Speaker, I do not know if I am replying to the member's question; but these fish are inspected by the federal Department of Fisheries—by their inspectors. This fish is certainly of a good quality.

I am sorry, I missed his question. I do not know if I am replying—

**Mr. Speaker:** The member for Rainy River.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, I have a question of the Minister of Municipal Affairs. Can the minister indicate what action his department has made as to the licensing of a townsite at Shebandowan? There seems to be some uneasiness.

**Hon. W. D. McKeough (Minister of Municipal Affairs):** I do not think there should be any action, Mr. Speaker. It has been the position of the department that a townsite was not necessary. Probably there will be accommodation, I recall, for 20 families as well as bunk houses at this mine site. There will be no townsite *per se*.

**Mr. Speaker:** The member for High Park.

**Mr. M. Shulman (High Park):** A question of the Minister of Commercial and Financial Affairs: in view of the serious financial situation which many large brokers have gotten into both here and in the United States in recent months, has the minister given consideration to setting up a provincial insurance corporation to protect customers of brokers operating in this province in case of an insolvency, as has been suggested by Senator Muskoka in the United States?

**Hon. A. B. R. Lawrence:** Broadly speaking, this question has been canvassed, but I cannot go into any further detail. As I understand it, the Toronto Stock Exchange has a system of protective pooling of funds. Whether this should be augmented or brought under provincial aegis, I am not prepared to say at the moment.

**Mr. Shulman:** Would the minister give some further consideration, in view of the fact that the Toronto Stock Exchange is a section that is relatively small in terms of millions of dollars that could be involved in a major bankruptcy?

**Mr. Speaker:** Order! That is not a proper question. The member for York Centre has a supplementary?

**Mr. D. M. Deacon (York Centre):** A supplementary to that question. Since the last time that have been experienced in recent years have entirely involved brokers who are members of either the investment dealers' association or the Toronto Stock Exchange rather than the broker-dealers' association, are they therefore only subject to licence and control by your department, would it not seem appropriate that your department take action to cover this area that does not have a protective association and a strong association supporting the brokers?



**Hon. A. B. R. Lawrence:** Mr. Speaker, I do not know whether we should move, from the government's point of view, specifically into this area until we canvass the ability of the broker-dealers or others to protect themselves at an adequate level.

**Mr. Deacon:** Does the minister not consider it imperative that the government take over in this case where there is no association supporting it and where already, for example, the Ord Wellington insolvency last year or the year before caused great losses on the part of their customers? If you are licensing—

**Mr. Speaker:** The hon. member is now making a statement.

If he wishes to make a supplementary question, he may do so, otherwise the floor belongs to the member for Parkdale.

**Mr. Deacon:** If the government is licensing these brokers, does the minister think it is part of his duty to see that they are in a fit solvent state to carry out the affairs for which they are licensed?

**Hon. A. B. R. Lawrence:** I do not know if my reply will be completely accurate, but I understand that these associations, at least one of them, was moving toward the establishment of a fund. Whether it was adequate, in the light of the earlier question, would be something I could not answer.

**Mr. Speaker:** I think we have explored that sufficiently. The member for Parkdale has the floor.

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, I have a question of the Premier.

I was wondering if the Premier would consider having an environment week in the province of Ontario, similar to what they are doing in the United States at the present time?

**Hon. Mr. Robarts:** Well Mr. Speaker, the hon. member wrote me a letter about this, which I answered. He may not have my reply as yet, but we have been approached over the years by many different organizations for different purposes, asking us to declare a week commemorating or marking this or that occasion, and so on. As a matter of government principle, we decided some years ago that we would not declare such weeks; if they are declared on a national basis, that of course is done by the federal government. This request we have treated in the same way, according to the policy we have. As I say, we get requests for a variety of types of weeks. There are people wanting weeks to mark

various events, and frankly they vary in the degree of importance to the public generally, although I suppose they are all very important to the group that is supporting them. That is the basis of our policy.

**Mr. Trotter:** Mr. Speaker, by way of supplementary question. I was wondering would the Premier not consider the problem of fouled air and fouled water of major concern and make an exception to the policy that he has?

**Hon. Mr. Roberts:** Mr. Speaker, the hon. member would have to make an exception to either one. Certainly I suppose an attempt would be made now to draw conclusions that the government is not interested in pollution because we will not declare a pollution week, but I can give the member a list of speeches that I have made on this subject and debates that have taken place in this House. Of course we are very interested in the whole problem, but there is the matter of government policy and certainly we do not want weeks of the year, each one devoted to some purpose or another. And, of course, the question of overlap would occur, because once you breach a policy of this type, then you have to decide who warrants it and who does not warrant it, and the requests far exceed the number of weeks that are available. So I would point out that this does not indicate any lack of interest of the government in the question of pollution. It simply is, as I say, a matter of government policy.

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

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have a question of the Prime Minister. I wonder if the Prime Minister would indicate whether in his cabinet has the responsibility of meeting with the federal government in order that a joint programme might be worked out to combat the unemployment in the province of Ontario?

**Hon. Mr. Robarts:** Mr. Speaker, on the whole area of unemployment, The Department of Labour of this province works with the Canada Manpower people on a continuing, day-to-day basis, and so there is co-operation.

If the federal government have any proposals that they want to discuss with us, we would arrange a meeting with whatever department might be involved. It might be The Department of Labour, it might be The Department of Education, it might be The Department of Trade and Development—but these arrangements are not at all difficult to make.

**Mr. Deans:** May I ask a supplementary question? Could the Prime Minister indicate whether there has been any action initiated by the provincial government in trying to bring about such meetings to meet this particularly difficult problem?

**Hon. Mr. Robarts:** Mr. Speaker, there are continuing, on-going programmes to deal with the problems of unemployment, as I have pointed out in this House before. Whether there has been any particular communication recently, I would have to check, but I would point out to the hon. member that there is a continuing, day-by-day liaison.

This does not just depend on these present circumstances, it goes on continuously and these communications between the two levels of government are on a permanent exchange basis.

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

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Justice and Attorney General. What action does the minister plan, in view of the fact that provincial court Judge Joseph McMahon, in a decision last Friday, ruled that drivers suspected of impaired driving are not obliged to take the breathalyser test?

**Hon. A. A. Wishart** (Minister of Justice): Mr. Speaker, I think we shall await the decision of the court of appeal; for this matter has been appealed.

As I indicated before in this House, the judges have a discretion as to how they will treat these cases, but we will probably continue to lay the charges for impaired driving. The question as to whether it is an offence to refuse to take the breathalyser test in the present unsettled state of the law is a matter for the judge in his discretion to determine.

I trust the matter will soon be decided by the court of appeal.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Agriculture and Food concerning the methyl mercury fungicide called panogen.

In view of the banning of this in Sweden and in view of the tragedy in Texas, as a result of the eating of pork which had been raised accidentally on panogen, will the minister consider changing to some other fungicide in Ontario for seed grain?

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, this matter is under consideration now. As I indicated in the House last week in reply to the question that had been asked, our interdepartmental committee on pesticides is considering a substitute for panogen and for one other ceratan I believe it is. We expect that we will have substitutes very shortly. My guess is that there will be little or none of the product used after this current season. As for most of the grain that is treated for planting, some of which is in the ground now, there will be very little more trouble with those products this year.

I doubt very much if any wheat will be treated with those products this coming year; that is, for the planting season next year. The matter is under very active consideration. I should think there is no possibility of anything like this happening unless, of course, an accident occurs whereby some animal or bird might get hold of some of this grain. This has not been the experience in the past. We are very much aware of the problem and it is under control.

**Mr. Nixon:** As a supplementary question, Mr. Speaker, can the Minister of Agriculture and Food say to the House that there are suitable alternatives available to panogen that have been tested in Ontario?

**Hon. Mr. Stewart:** Yes, I can say that, but I cannot name the products; my memory fails me as to the specific names of the products. I believe there are some that have been tested; not as widely, certainly, as others have been, but they would appear to be suitable substitutes. We hope they will be acceptable and ready for use next fall.

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

**Mr. J. R. Breithaupt** (Kitchener): A question of the Attorney General: Is the government preparing for consideration, legislation to abolish the civil jury system in Ontario?

**Hon. Mr. Wishart:** This is a matter of public policy, Mr. Speaker, which I am not required to answer this way. But I will tell the member and members of the House that we do have a bill, The Judicature Act, which I will be recommending to my colleagues shortly. Provisions of this nature will probably be contained in it.

**Mr. Speaker:** The member for Hamilton East.

**Mr. R. Gisborn** (Hamilton East): My question is of the Prime Minister, Mr. Spe-

Appearing in the Toronto *Daily Star* on April 10 was an advertisement making available, free to anyone who wrote in, a copy of the budget of the hon. Treasurer (Mr. MacNaughton). I wonder if the Prime Minister would consider making the public moneys available to the Leader of the Opposition and the leader of the New Democratic Party to use the same facilities and have their reply added?

**Hon. Mr. McKeough:** Where was the member the other day when the question came up?

**Mr. MacDonald:** It is still a good question though, because of the answer we got.

**Mr. Gisborn:** Now, there is some inference—

**Hon. Mr. Robarts:** Has the member not a copy of the budget statement? Mr. Speaker, I want to get the import of the question so I can answer it.

**Mr. Nixon:** He wants the government to send out our speeches for nothing.

**Mr. Gisborn:** I thought the interjection from the government benches was that the question had been asked.

**Mr. Speaker:** Order! The hon. member may ask a supplementary question if he wishes to clarify the matter but not make a statement.

**Mr. Gisborn:** My question is, will the Prime Minister make available the same rights, to the Leader of the Opposition and the leader of the New Democratic Party, to advertise in the paper that copies of their budget replies are available, and will the government reproduce them and send them on request?

**Hon. Mr. Robarts:** No, Mr. Speaker, I do not think that would be necessary. If we were to go that far, then what about my contribution to the budget debate when the times comes and every other member of this House?

**Mr. T. P. Reid:** We will send out your speech and pay the cost!

**Hon. Mr. Robarts:** The little children yak, do they not?

**Mr. Nixon:** Uncle John is having more and more trouble keeping order!

**Hon. Mr. Robarts:** I think it is quite reasonable that the budget statement of the Treasurer be delivered to those who want to read it. I think the statements of the Leader of the Opposition and the leader of the third

party were given to the public on television and duly reported in the press.

**Mr. MacDonald:** So was the budget.

**Hon. Mr. Robarts:** I do not think we need to get into a situation where we are going to start distributing, other than *Hansard* through *Hansard*, copies of what members of this House said.

**Hon. Mr. Grossman:** Eight volumes—

**Hon. Mr. Robarts:** The budget statement, I think, can be taken as a very large statement of government position and policy which should be made available to the public generally. They may agree or disagree with it as they see fit. But it should be made available to them in its entirety so that they may make these decisions.

**Mr. Gisborn:** It is political chicanery with public money.

**Mr. Breithaupt:** A supplementary question to that, Mr. Speaker: can the Prime Minister assure us that the copies of the statement of the budget over will not be stored on the fourth floor hallways so as to impede access to our office?

**Hon. Mr. Robarts:** I rather doubt there will be any.

**Mr. Nixon:** Most of the Premier's speeches are—

**Mr. Speaker:** The member for Rainy River—

**Mr. T. P. Reid:** I have a question of the Minister of Agriculture and Food, Mr. Speaker. Is the minister aware of the recent announced ban on the herbicide called 2,4-D in the United States? And is the minister aware that studies have shown that this herbicide contains contaminant dioxins which may produce abnormal development in unborn animals?

**Hon. Mr. Stewart:** No, Mr. Speaker, I am not aware of this.

**Mr. T. P. Reid:** Will the minister bring this particular one to the attention of the interdepartmental committee on herbicides?

**Hon. Mr. Stewart:** Yes, I would be very pleased to.

**Mr. Speaker:** The member for Lakeshore—

**Mr. P. D. Lawlor (Lakeshore):** A question of the Attorney General: does the Attorney General intend to take any action to investigate the proceedings of Provincial

Judge Robert Taylor, as criticized by the supreme court in the Bethawakawa case recently?

**Hon. Mr. Wishart:** Mr. Speaker, I am not aware of this; I have not read the criticism. I shall look into it and then perhaps give an answer to the hon. member.

**Mr. Lawlor:** A supplementary, Mr. Speaker. Does the Attorney General not think it is high time to set down guidelines from his department to provincial judges about their deportment on the bench?

**Hon. Mr. Wishart:** Mr. Speaker, we have in The Provincial Courts Act—he is talking about provincial judges—we have a section there which sets up a judicial council, as the hon. member, I am sure, is aware, of the chief justice of Ontario, the chief justice of the high court, the chief judge of the provincial courts, the treasurer of the law society and other persons, to review the conduct of judges.

Anyone may complain to that council and I have certain amendments to their powers which I am bringing forward to the House. But there is that provision. I think it is the only Act which contains such provisions for review of the conduct of judges. We have nothing of that sort in The County Courts Act or The Supreme Court Act. Although I think my colleague in government, if I might call him so—my opposite number at Ottawa—is contemplating doing something now of that nature.

There are provisions where the conduct of judges, on complaint of any person, may be reviewed *in camera*. Then there is a provision that if a recommendation is so made, the matter may be reviewed before a commission of inquiry. We have had that experience in two or three instances. There is a wide area of supervision and review. Many of these things, I may say to the hon. member, are not made public because certain complaints that come in are rather ridiculous; some are unwarranted; some are unfounded. Some of those which have some serious basis may not certainly warrant a public inquiry. These are dealt with *in camera*. The judges are brought forward; the matter is discussed; their conduct is reviewed before that judicial council and they are informed of the views of the members of the council.

There is also, Mr. Speaker, a chief judge who, on occasion on some of the very minor matters, may move directly on our direction

to speak to the judge involved. There is a wide area of review.

**Mr. Speaker:** The member for Essex S

**Mr. D. A. Paterson (Essex South):** Speaker, a question of the Minister of Lands and Forests: is the minister's department initiating or assisting any other department of government in the promotional effort to counteract the adverse publicity on Lake Ontario perch, to set at ease the minds of the consumers of that product, and to emphasize the fact that these are quite edible, 100 per cent quality proof?

**Hon. Mr. Brunelle:** Mr. Speaker, my department is very interested in assisting the commercial fishermen in selling their fish. As the hon. member knows, the bulk of the fish I believe about 95 per cent of the fish, to 60 million pounds a year—taken by commercial fishermen is sold to the United States and abroad. The main responsibility for it is the federal Department of Fisheries which has quite a programme and the expertise in this field. However, our department along with Trade and Development, cooperate very closely to supplement this programme. Also, Ontario is part of the federal fish council, which is looking into the promotion of domestic fish at the present time. For instance, coarse fish like alewives, as the hon. member knows, are delicious fish, and the council is trying to promote their sale and use in, say, hors d'oeuvres. So, we are working very closely with the federal government in trying to promote fish sales to help commercial fishermen.

**Mr. Paterson:** As a supplementary, the minister urged the federal agencies to initiate a special programme on Lake Ontario perch, or is he aware that such an advertising programme is going to take place?

**Hon. Mr. Brunelle:** I am not aware of it but it is a good suggestion. I will certainly follow it through to make sure that there is such a programme in progress.

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

**Mrs. M. Renwick (Scarborough Centre):** A question of the Prime Minister: I would like the Prime Minister would be in a position to answer any questions related to the new regulations that were gazetted over the weekend regarding the dealings between Treasury and the Department of Social and Family Services, and the Minister of Social and Family Ser

(Mr. Yaremko) and the Treasurer are not here. I am just looking for an actual figure, Mr. Speaker, of the share that the province is bearing in the increases under the new regulations that were gazetted over the weekend.

**Hon. Mr. Robarts:** I am afraid I cannot answer that. The member will have to wait, I would think, for the Minister of Social and Family Services. I believe he was in the House earlier this afternoon.

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

**Mr. Trotter:** Mr. Speaker, I have a question of the Attorney General. I was wondering if the Attorney General would consider amending The Wills Act, so that an individual under the age of 21, say from 18 and up, could make a will?

**Hon. Mr. Wishart:** Yes, I will, Mr. Speaker. I have it under consideration.

**Mr. Trotter:** By way of a supplementary: is there any indication that such an Act will be before the House in the immediate future?

**Hon. Mr. Wishart:** I think I will have to ask the hon. member to compose himself in patience for a little while longer.

**Mr. Trotter:** It is a long wait.

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

**Hon. A. F. Lawrence (Minister of Mines):** Feeling old are you, Jim?

**Mr. Trotter:** Yes.

**Mr. E. W. Martel (Sudbury East):** A question of the Minister of Lands and Forests: is the minister aware that Goulard Lumber of Sturgeon Falls has at present stripped all of the trees to the east of Lake Chiniguchi right to shoreline? Also, that he has put a road right to the shoreline, filling in part of the lake as he has gone along? At the present time, there are three 1,000-gallon fuel tanks right in the creek, leading right into Lake Chiniguchi.

**Hon. Mr. Brunelle:** Mr. Speaker, I have been made aware of this just this morning, and I have asked the district office in Sudbury to get a full report. The preliminary information has been given to me that this road was built last fall to extract timber from that area, and that the location was the only one suitable. This was the information given to me. However, the district forester in Sudbury is looking into this, and I hope to have a full

report that I can give to the member in very near future.

**Mr. Martel:** A supplementary: is the minister aware that this company did the same thing some four years ago in respect to other lakes in the area, and that at the present time he has gone beyond this and cut right to the shoreline on other lakes as well this winter?

**Hon. Mr. Brunelle:** Mr. Speaker, I will be pleased to look into this additional information.

**Mr. Speaker:** The member for York South

**Mr. MacDonald:** I have a supplementary question on this. When this kind of thing happens, is the violation of the regulations the department done with the approval of the department? Because, as the minister knows, cutting down to the shoreline is not in conformity with the regulations.

**Hon. Mr. Brunelle:** As a general rule, there are some regulations laid down, Mr. Speaker, and generally speaking no road construction is allowed within a certain minimum. I believe it is a minimum of 500 feet, and usually it is more. As a rule, all road construction programmes have to be submitted to the department, through the district office, to be approved. I will have a full report on this inquiry.

**Mr. MacDonald:** My question, Mr. Speaker, is to the Minister of Health, if I may capture his attention for a moment.

May I ask the minister what the department's response is to the borough of Etobicoke's protest against the sale of 15 acres of the grounds of the Thistletown Hospital for Emotionally Disturbed Children to a private developer?

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, I think that this matter really should be directed to my colleague, the Minister of Public Works (Mr. Simonett). It is my impression that this land was declared needed for our purposes in this regard; it is surplus land, and what is done with it does not come under our jurisdiction.

**Mr. MacDonald:** May I address the question, then, to the Minister of Public Works as to what the response of the department was to the protest of the borough of Etobicoke of the sale of 15 acres of the grounds of the Thistletown Hospital for emotionally disturbed children?

**Hon. J. R. Simonett** (Minister of Public Works): Mr. Speaker, I knew that it had been declared surplus by The Department of Health, and cannot recall having any opposition directed to our department from any residents in the area regarding the sale of the property.

**Mr. MacDonald:** Mr. Speaker, I wonder if I might draw the minister's attention to and ask for his comment on the observations of the planning director of the borough of Etobicoke, who said "When senior levels of government sell public property to private developers without consulting municipal authorities, it undermines the whole basis of municipal planning." He said he has made representations to the government. Has the minister not heard about them?

**Hon. Mr. Simonett:** No, Mr. Speaker, I have not, although I read this article in the paper.

**Mr. MacDonald:** Would the minister investigate it, and report as to what is going to happen?

**Hon. Mr. Simonett:** Yes, I will.

**Mr. Speaker:** The member for Rainy River.

**Mr. T. P. Reid:** Mr. Speaker, I have a question for the Minister of Health. Is the minister aware that the armed services pest control service will be spraying insecticide in the Camp Borden area from April 22 to May 6? May I ask at the same time if any of these groups or organizations in the province have to get clearance through the minister's office before they carry out such spraying?

**Hon. Mr. Wells:** Mr. Speaker, the answer to that, of course, depends on what pesticides they are spraying. Certain pesticides are classed in certain categories and some require permits and some do not. I am not sure whether the armed services, being a branch of the federal government, are covered under our legislation. But I would certainly hope they would not be doing any spraying that did not conform to our standards in this province. I am not aware that they were going to carry out this spraying.

**Mr. T. P. Reid:** By way of supplementary, Mr. Speaker. Is the minister aware that this herbicide they are going to use, apparently may stain clothing and automobiles? I would think that it is a rather dangerous one under those circumstances.

**Hon. Mr. Wells:** If the hon. member send me the details, I will have our pest section find out. They probably are aware of this, but I will have them find out.

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

**Mr. T. Reid:** I have a question for Attorney General, Mr. Speaker. Could the Attorney General how much money has been spent advertising to tenants the provisions of the new Landlord and Tenant Act since that bill became law in this province?

**Hon. Mr. Wishart:** Mr. Speaker, perhaps this question should be directed to the Attorney General, Mr. Speaker. Could the Attorney General how much money has been spent advertising to tenants the provisions of the new Landlord and Tenant Act since that bill became law in this province?

**Hon. Mr. Wishart:** Mr. Speaker, perhaps this question should be directed to the Attorney General, Mr. Speaker. Could the Attorney General how much money has been spent advertising to tenants the provisions of the new Landlord and Tenant Act since that bill became law in this province?

A particular official in my office, of the rank of assistant deputy attorney general, has been dealing with the requests for answering letters almost exclusively. I think that it has become his work, he is sending out copies of the Act.

That is not, in a sense, advertising, it is making known the provisions of the Act. We have not conducted an advertising campaign; nor have we got out a brochure or a pamphlet or a compendium of the Act. The Act contains very definite and specific provisions about such things as security deposits, inability of a landlord to evict a tenant, the prohibition of the right of disrepair and the obligation of the landlord to repair. There are various things which are very important. I think perhaps the hon. member's question, Mr. Speaker, comes prompted somewhat by the article which appeared in the *Toronto Daily Star* on Saturday. I have read it and have discussed with the authors and editors that statement of the article.

We have not advertised the Act. The suggestion, I note, was made in the article in an editorial that something of this nature might be done. I have indicated that I will take the suggestion under consideration, as to a campaign of advertising carried out by my department, this we have not done. I have in mind the Act has been in force only a year and a half months, so it takes a little while for its provisions to become known actual

**Mr. T. Reid:** A supplementary question: in view of the fact that the budget has been out less than that and that the Prime Minister is advertising his budget, would not the Attorney General think that the tenants of this province are entitled to be made aware that—

**Mr. Speaker:** That is not a proper supplementary question.

**Mr. T. Reid:** I think it is.

**Mr. Speaker:** Well, it is not. The Speaker has ruled it is not. The member for High Park has the floor.

**Mr. Shulman:** A question of the Attorney General, Mr. Speaker. Will the Attorney General comment on the refusal of certain county court judges to allow Canadians of French-Canadian background to have their trials held in French? Is that the policy of the department?

**Hon. Mr. Wishart:** Mr. Speaker, if the hon. member would be good enough I would ask him to direct this question to the order paper so that I may study it and give a full and complete answer.

**Mr. Speaker:** The member for York Centre.

**Mr. Deacon:** A question of the Minister of Municipal Affairs, Mr. Speaker. Since the minister is satisfied, after his recent discussions in Muskoka, that the proposed plan of re-organization of this municipal government is genuinely acceptable to the people there—and, incidentally, that is a view I share—why would he not comply with the request of 15 of the 25 ridings or municipalities, for a referendum which would show, without question, that the plan has majority support?

**Hon. Mr. McKeough:** Mr. Speaker, I think probably this might be better discussed when the bill itself is introduced, but I think we have had a number of discussions within the chamber and the policy of the government has not changed. We do not think this is an appropriate issue particularly to put to a referendum. I think it is also fair to say that a referendum is not in our Ontario or, indeed, in British tradition. It is something which our American friends perhaps put greater faith in but we do not believe in submitting these matters from time to time to a referendum.

It would be very difficult in that particular instance to know what should be put on the ballot. It is not a yes-or-no proposition. My observation was that most of the municipalities—I would think probably 22 or 23 of the 25—favour a district government. The point

at issue for perhaps seven or eight or 10 of them, would be the need for consolidation or otherwise, so just how you would do that on a ballot I am not sure.

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

**Mr. D. Jackson (Timiskaming):** Mr. Speaker I have a question of the Minister of Lands and Forests. Is The Department of Lands and Forests at present negotiating with a General Corporation to instal a pulp mill at Elk Lake as announced by Ralph Stewart, the MP for Cochrane North?

**Hon. Mr. Brunelle:** Mr. Speaker, I am aware of this. I must say I have heard that this announcement has been made over the radio and I have been trying to obtain more information, but my department is not aware of such discussions.

**Mr. Jackson:** Would the minister check with the Minister of Trade and Development (Mr. Randall) and see if he is aware of it?

**Mr. Speaker:** The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker I have a question of the Minister of Trade and Development. Does the Ontario Development Corporation contact industry that might be affected by a new industry that has applied for assistance under the EIO programme to the possibility of over-production of a product?

**Hon. S. J. Randall (Minister of Trade and Development):** Yes, Mr. Speaker, we analyze the industry which this new company is coming into, to see if it can stand some further competition, and in many instances I would say over the last several years where Ontario has been involved, we have in some cases discouraged industries from coming into that area.

In fact I think I talked to one of my friends the other day with regard to the plastic tile industry in the farm trade. I felt that people putting their money into the plastic tile business right now, which is over-produced, would be making a mistake with their money and the EIO money would be lost also, so we have advised them that perhaps their money would be best invested in some other kind of industry but plastic tile for the farm trade.

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

**Mr. Deans:** Mr. Speaker, I have a question of the Minister of Health. I wonder if the Minister of Health might be able to tell

whether he is prepared to comply with the request of the Ontario Association of Children's Aid Societies and introduce legislation similar to, or that will encompass the intent of, my Bill 35, standing on the order paper, in order that we might have some reduction in child poisoning.

**Mr. Speaker:** Order! The hon. member has asked his question, he is now adding a statement.

**Hon. Mr. Wells:** Mr. Speaker, the matter that the hon. member refers to is under consideration by my department.

**Mr. Speaker:** Supplementary? It is quite proper.

**Mr. Shulman:** Is the minister aware that the one area, Windsor-Essex, which is using the principles enunciated in this bill, there has been a drop of 60 per cent in child poisonings?

**Hon. Mr. Wells:** I am sorry I missed the first part of the hon. member's question.

**Mr. Shulman:** Is the minister aware that in the one area of the province, the Windsor-Essex area, which is using the principles enunciated in this bill, there has been a drop in child poisonings of some 60 per cent, from 1,000 to 400 this year?

**Hon. Mr. Wells:** I was not aware of that, Mr. Speaker, but I am happy to know it.

**Mr. Speaker:** The member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I have a question of the Minister of Health. Is the minister considering a number of changes with respect to OHSIP, one of which would be the 100 per cent coverage of medical services?

**Hon. Mr. Wells:** Mr. Speaker, I have said many times in this House, our legislation is always under review and this is what I reiterated again on the weekend—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Wells:**—and in the fullness of time you will see that we will have the best medical insurance plan in Canada.

Interjections by hon. members.

**Hon. Mr. Wells:** Ask the chiropractors how they feel.

**Mr. Gaunt:** Oh, the chiropractors are happy!

**Mr. Speaker:** Order! Supplementary question.

Interjections by hon. members.

**Mr. Speaker:** Order! The member for Huron-Bruce has the floor.

**Mr. Gaunt:** Mr. Speaker, by way of supplementary question, would the minister be prepared to stand by his statement over the weekend that the government was very serious considering 100 per cent coverage?

**Hon. Mr. Wells:** Well now Mr. Speaker, of course the hon. member is not quoting what was said on the "Let's Discuss It" program. In all, I said that this matter is still under consideration by this department and the government; and it is still under consideration.

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

**Mrs. M. Renwick:** Mr. Speaker, a question of the Minister of Municipal Affairs: by what percentage are the municipal governments expected to increase their welfare budgets in order to meet the new provincial government regulations effective May 1 in The Department of Social and Family Services?

**Hon. Mr. McKeough:** By what percentage?

**Mrs. M. Renwick:** By what percentage?

**Hon. Mr. McKeough:** That would obviously vary from municipality to municipality. I think the question should more directly be asked of the Minister of Social and Family Services rather than myself. There was a question the other day as to whether other grants would be increased so that the municipalities could pick up its somewhat larger share, which I do not think is necessary. I think they are ready to assume this responsibility and obligation, and indeed to my knowledge some of them have been urging higher levels of general welfare assistance, and presumably if they have been so urging they would be willing to pay their share at this time.

**Mr. Gisborn:** Fifty-seven thousand dollars is not a little bit.

**Mrs. M. Renwick:** A supplementary question, Mr. Speaker: would the minister be prepared to state then that all the municipalities in Ontario are in a financial position to go ahead with the new regulations as of May 1?

**Hon. Mr. McKeough:** Well, I could not make any such statement but I think that the municipalities of the province are ready to assume their obligations and will do so.



**Mr. Speaker:** The member for Niagara Falls.

**Mr. G. Bukator** (Niagara Falls): Mr. Speaker, a question of the Minister of Lands and Forests: in view of the large oil spill by an industry in Niagara Falls—the Norton Company—putting oil, either by accident or on purpose into the Welland River have you or your department or the Ontario Water Resources Commission looked into this major pollution of the Welland River or have you not been made acquainted with it?

**Hon. Mr. Brunelle:** Mr. Speaker, I am not aware of the matter the hon. member has referred to but I will be pleased to have it looked into immediately and get a report on it.

**Mr. Bukator:** I would also like to have asked the question of the Minister of Energy and Resources Management (Mr. Kerr) because it is a very serious problem and it was announced in the papers last Friday or Saturday. I would appreciate an answer—

**Mr. Speaker:** The minister has agreed to look into it right away and presumably will report. The member for High Park.

**Mr. Shulman:** I have a question of the Minister of Health, Mr. Speaker.

In view of the warning issued on April 13 last by the food and drug directorate of The Department of National Health and Welfare that some insulin that is being sold is not effective due in part to improper storage, what action has the minister taken in relation to the insulin that is being sold in this province?

**Hon. Mr. Wells:** Mr. Speaker, the people in our department who are concerned with this, are looking into it and I cannot tell the member what action is being taken, but any warnings from the Food and Drug Directorate are properly heeded in this jurisdiction and I am sure that the proper action is being taken.

**Mr. Shulman:** Will the minister find out and let me know?

**Mr. Speaker:** The member for Waterloo North.

**Mr. E. R. Good** (Waterloo North): Mr. Speaker, I have a question of the Minister of Trade and Development. Are the newspaper reports correct that development will start in 1972 on the 3,000 acres of land held by the Ontario Housing Corporation in Waterloo township?

**Hon. Mr. Randall:** I do not know about newspaper reports, Mr. Speaker. I have seen them. I would think that site work being done there now. Much of the research has been carried out and the engineering do not think any definite date has been set as to starts. I will be glad to advise you soon as I get the information.

**Mr. Good:** A supplementary question: definitely the reports are considered to be accurate and I am wondering will services be completed and ready in that area by that time, Mr. Minister?

A further supplementary. Will this development take place whether or not existing municipal changes in the areas as contemplated under the Fyfe report have been completed by that time?

**Hon. Mr. Randall:** Mr. Speaker, all reports in the newspapers are not accurate. This one may be, or it may not be. I will be glad to look into the matters that the member has raised and give him further advice but I do not have that information with me today.

**Mr. Speaker:** Further supplementaries not, the member for High Park.

**Mr. Shulman:** A question of the Minister of Lands and Forests, Mr. Speaker: has the minister taken any action in relation to opening up more land in Longford township to the public? As an explanation, apparently most of it has been tied up by a pre-emption federation charter.

**Hon. Mr. Brunelle.** What township?

**Mr. Shulman:** Longford.

**Hon. Mr. Brunelle:** Mr. Speaker, I am aware of this area but I will certainly look into it and let the member know.

**Mr. Speaker:** The Minister of Health has replied to the question asked by the member for Parkdale.

**Hon. Mr. Wells:** Mr. Speaker, a while ago the member for Parkdale asked me concerning the awarding of tenders at the Queen Street Mental Health Centre. A tender of \$286,022 was awarded on April 6 to I. G. Construction Limited and this was for relocation of services. This is the beginning of the rebuilding of the Queen Street Mental Health Centre.

**Mr. Trotter:** Mr. Speaker, by way of a supplementary question, is that all? Will there be further tenders? That is pear

**Hon. Mr. Wells:** Mr. Speaker, of course, as I explained many times in this House in answer to the hon. member's question, that is the first contract. The next tender is now being prepared by a firm of construction management people. A tender for this is presently out and will be awarded very shortly and that will mark the next stage. The tendering for the more extensive stages is moving ahead on schedule.

**Mr. Speaker:** The oral question period has now expired.

Petitions.

Presenting reports.

I beg to inform the House that the Clerk has received from the Commissioners of Estate Bills, their report respecting Bill Pr25, An Act respecting the Charlotte Eleanor Englehart Hospital in the town of Petrolia.

I think perhaps at this time we might allow the Minister of Lands and Forests to present, not exactly a report, but a booklet which he has and which I think may be necessary to enable the members to enjoy the gathering this evening. The Minister of Lands and Forests.

**Hon. Mr. Brunelle:** Thank you, Mr. Speaker. With spring in the air and with fishing season fast approaching in southern Ontario only a few days away it would be appropriate, Mr. Speaker, to introduce to the House another of the department's leaflets entitled, "Let's Go Fishing".

**Mr. Nixon:** This is the third one of these.

**Hon. Mr. Brunelle:** This 20-page booklet with a most attractive front and back cover is a friendly guide for the novice angler with practical tips on fishing gear and methods and listing the principal fish species in Ontario. Drawings of fish are included to help in the identification of species. For the many persons who only wish to fish occasionally, this booklet may be an ideal introduction to one of the most pleasurable pastimes known to man. It is available free of charge at our department and also at the bookstore on Bay Street.

**Mr. Nixon:** All for a \$3 licence.

**Mr. Speaker:** Motions.

Introduction of bills.

**Hon. Mr. McKeough** moves first reading of bill intitled, An Act to amend The Municipal Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. McKeough:** Mr. Speaker, when the Treasurer brought down his budget on March 31 he announced that the sum of \$2.5 million had been provided to enable universities supported by the province to make tax contributions to municipalities. The bill that I have introduced today authorizes municipalities to levy taxes on universities to \$25 per annum in respect of each student enrolled fulltime at the university. A consultation between officials of my department and The Department of University Affairs this basis was adopted as being the fairest method of distributing the available funds to the municipalities at this time.

As the Treasurer indicated, this is the first step in the government's programme to broaden the tax base of the municipalities by enabling taxation to be imposed by municipalities on properties that were previously exempt. Ultimately, it is hoped these institutions can be taxed in the same way as any other real property throughout the province. This, however, cannot be achieved until substantially increased funds can be made available by the province to these institutions, and of course, is dependent upon the reassessment of the value of the property involved.

A total of 17 local municipalities will benefit from this programme and the proceeds of the tax will, where appropriate, be shared with the metropolitan, regional or county municipality concerned.

#### PROHIBITING USE OF NON-RETURNABLE BOTTLES

**Mr. Gaunt** moves first reading of bill intitled, An Act to prohibit the use of non-returnable bottles.

Motion agreed to; first reading of the bill.

**Mr. Gaunt:** Mr. Speaker, quite simply this bill prohibits the sale of non-returnable bottles in the province of Ontario.

#### THE WORKMEN'S COMPENSATION ACT

**Mr. Jackson** moves first reading of bill intitled, An Act to amend The Workmen's Compensation Act.

Motion agreed to; first reading of the bill.

**Mr. Jackson:** Mr. Speaker, this amendment provides that total disability allowance paid to a workman will not be reduced, where a disability becomes partial, until suitable employment is reasonably available.

**Mr. Speaker:** Before I call the orders of the day, I would like to deal further with a matter which came before the House last week. I do so in the following words:

On Wednesday last, April 15, I delivered a ruling relating to charges of misrepresentation by one member against another. The member for Sudbury had the impression that I was dealing with cases where one member is misquoted by another. This impression was incorrect. The member was quite right in his contention that a member who has been misquoted must have an early opportunity of correcting such misquotation, whether this misquotation is in the press or by another member in the House.

In the first instance, it is quite clear that the member has a right to draw the attention of the House to the improper quotation in the press as a matter of privilege, and if the matter is serious enough, may even move to have the offending publisher or reporter brought before the bar of the House. If a member is misquoted by another member, the matter is specifically covered by one of the provisions of Standing Order 20, which says in part, and I quote:

No member may speak twice to a question except in explanation of a material part of his speech in which he may have been misconceived, but then he is not to introduce new matter.

Moreover, if a member misinterprets the language of another, he may, at least if it appears deliberate, be called to order by Mr. Speaker.

However, my ruling on Wednesday did not deal with this question at all. It dealt solely with allegations made by one member of misrepresentation of facts by another member.

Now I would like to deal with the request of the member for York South relating to my ruling. At the outset, I wish to say that a deliberate attempt was made in my ruling to relax somewhat the strict rule relating to such allegations as it has been prescribed by precedent. This relaxation was, I repeat, deliberate, in an effort to give some recognition to the rather freer procedure which has been prevalent in the last few years.

However, since Mr. MacDonald has a for the authorities, I will now state the of the recorded precedents as follows:

1. It is out of order for one member to accuse another member of a deliberate falsehood, or of misrepresentation. There is at least one case which holds that the action must be of deliberate misrepresentation before it is objectionable, but this is clearly settled. See May, 17th edition, 456.

2. A point of order, to be valid, must be raised the moment the alleged breach of order occurs and dealt with immediately. I refer to the House to May at page 467, where it says and I quote:

Although it is the duty of the Speaker not to interfere in the first instance for the preservation of order when, in his judgment, the occasion demands his interference, it is also the right of any member who conceives that a breach of order has been committed, if the Speaker refuses to direct attention to the point complained of from interfering—either because he does not consider it necessary to do so, or because he does not perceive that a breach of order has been committed—for any member then to rise in his place, interrupt any member who may be speaking, and direct the attention of the chair to the matter, provided he does so the moment the alleged breach of order occurs. When a member speaks to order he must first direct attention to the point complained of and submit it to the decision of the Speaker. When the attention of the Speaker is thus called to a supposed breach of order, he at once gives his decision on it if in his opinion the member whose words or conduct are complained of is disorderly, and calls upon him to conform to the rules of the House.

Examination of the aforementioned two precedents has reinforced my view, as expressed on Wednesday, that a member wishing to bring to the attention of the House his version of facts which he believes to have been misstated by another member must do so during one of the regular debates in the House, or, as previously suggested, by an adjournment question if it can be properly worded to accomplish the purpose.

I am unable to find any authorization in the proposition that a member can rise on a so-called point of order before the order of the day to make an accusation of misrepresentation of facts by another member.

**Mr. G. E. Smith (Simcoe East):** Mr. Speaker, before the orders of the day, ma

draw to your attention, and through you, to the members of this Legislature, that the Orillia Terriers Senior A hockey team has won the eastern Canadian championship and will be playing in the Allan Cup playoffs. The reason I am bringing this to your attention is the fact that the team has brought honour, not only to its municipality, but to this province. I would hope that the members of this Legislature would join with me in wishing the team well in its future endeavours.

**Hon. Mr. Robarts:** Mr. Speaker, before the orders of the day, I would like to inform the House of two donations of outstanding works of art which have been made to the people of this province and to the people of Canada. At the same time, I should like to express our grateful appreciation to the donors of these generous gifts.

The collections are those of Mr. and Mrs. Samuel J. Zacks of Toronto and the late Douglas M. Duncan, also of Toronto. Mr. and Mrs. Zacks have presented to the province their collection of art and antiquities, consisting of paintings by renowned artists of this century, sculptures and artifacts. They will be received by the Art Gallery of Ontario and the Royal Ontario Museum.

This collection has been carefully assembled by Mr. and Mrs. Zacks over a period of more than 20 years. I would say it was a collection of major importance in Canada and in North America. It includes works by Picasso, Gauguin, Epstein and Rodin, artifacts of pre-Columbian, African, Roman, Greek, middle eastern and Eskimo cultures, among others.

To assist the art gallery and the museum to provide accommodation for these treasures, Mr. and Mrs. Zacks have made provision for substantial financial contributions to the building funds for both these institutions.

I very much regret that Mr. Zacks is unable to be here today to hear this expression of appreciation. However, I would express to Mrs. Zacks—and through her, of course, to Mr. Zacks, and Mrs. Zacks is in the Speaker's gallery—our deep appreciation and ask that she convey our gratitude to Mr. Zacks.

During the course of many years, Mr. Douglas M. Duncan developed an outstanding collection of Canadian art through his interest in and assistance to Canadian artists. With the encouragement and support of Mr. Duncan's sister, Mrs. Jack Barwick of Ottawa, who is also in the Speaker's gallery this afternoon, most of this collection of over 2,700 paintings is being donated to galleries,

museums, universities and libraries here in Ontario and in other parts of Canada. This collection will be distributed, as I say, to institutions in all provinces and to the National Gallery of Canada.

The Duncan collection consists of works by Krieghoff, Varley, Jackson, Harris, Lisson, Tom Thomson and many others and will enormously enrich our institutions and our present collections. To Mrs. Barwick, I would like to express our thanks and appreciation very well.

Mr. Speaker, I am confident by the confidence that all members join with me in thanking both the Zacks and the Duncan families for sharing with the people of this province the fruits of their many years of collecting and, of course, the fruits of their particular skills and abilities in this field. These collections of art, really, in their analysis, are priceless and certainly the people of the country are inevitably the beneficiaries of these acts of great kindness.

It is my hope that the thoughtfulness displayed by the Zacks family and the Duncan family will, perhaps, inspire others at appropriate times, to share their collections with the people of our province as has been the case in the past. I am just delighted to have this opportunity to make this announcement this afternoon.

**Mr. Speaker:** Before we enter on the orders of the day, I wonder if the House would advise Mr. Speaker whether, when the Chairman or the Speaker leaves the chair tonight, we would resume at 8 p.m., or later. The last time there was an affair in the evening, Mr. Speaker found it very difficult to find a quorum.

**Hon. Mr. Robarts:** Perhaps I should say to that, Mr. Speaker. I would simply say that we will start at 8 p.m. as usual.

I do not think that we can disturb the business of the people of this province because of social engagements. On the other hand, may I suggest on all our parts, let us be a little elastic in our approach to some of the powers of ruling when we know that, perhaps, some slight recognition of the frailty of human nature might be in order.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 10th order; House in committee of supply, Mr. A. E. Reuter in the chair.

ESTIMATES, THE DEPARTMENT  
OF MINES  
(continued)

**Mr. Chairman:** I do not believe the hon. minister has replied to the comments.

The hon. member for Timiskaming may proceed.

**Mr. D. Jackson (Timiskaming):** Mr. Chairman, I have several questions on the order paper that I was hoping to have the answers to today, so I could—

**Hon. A. F. Lawrence (Minister of Mines):** I did not know whether the hon. member was continuing with his initial remarks or not.

**Mr. Jackson:** No, I was not.

**Hon. A. F. Lawrence:** I can deal with some of the questions that came up, sir, on Friday morning. If I may, I will deal first with a few of the remarks made by the hon. member for Sudbury (Mr. Sopha) in his castigation of my attitude in respect of Mr. Roman and the Denison question and the attitude of the federal government.

I think at one point, sir, the member for Sudbury indicated that the federal government had spent some \$46 million at Elliot Lake at the time the uranium demand fell off in 1962 and 1963. I had my people check with The Department of Municipal Affairs and, according to our records, we cannot find that the federal government at any time advanced any moneys to the municipality of Elliot Lake, although they were intending to get involved, I believe, in the construction of an airstrip which, at that time, was estimated at approximately \$500,000.

The question that I think the hon. member was directing himself to was the fact that the federal government, through Eldorado, which is a crown corporation, did agree to purchase uranium concentrates from Denison, from Rio Algom and from Stanrock at a price equal to the approximate cost per pound of producing uranium oxide content of the concentrates covered by those contracts. The total cost, I am told, to the federal government for the stockpiled  $U_3O_8$  was approximately \$38.5 million. But the probability, sir, is that Eldorado realized, or will realize, almost 75 per cent more than the cost of Eldorado of these concentrates. The Ontario government, on the other hand, did realize a tax loss on this deal, particularly under The Mining Tax Act, since there was no profit on the sales to Eldorado. At the

same time, Eldorado was in a position to realize a profit on the transaction, sooner or later, which would not be taxable under the provincial Mining Tax Act, even though there was a natural resource of this province which had been removed.

At one point the member for Sudbury thought the colorful language was "challenge me—to indicate to the House the companies who have received exemption under the amended section 106. I am groping around in my file here. It has been given to the House, I believe, before, but in any case I can go through the list for the hon. member at this time if he requires it. I think this turn, will also answer in part the question on the order paper from the hon. member for Timiskaming.

First of all, Rio Algom Mines Limited received an exemption. Rio Algom, as I am sure the hon. members are aware, is controlled by the Rio Tinto Zinc Corporation of London, England. First of all they had an exemption in 1968 under section 106 of the Mining Act, as it then existed. This was an exemption with respect to yttrium concentrates during the period January 1, 1968, to December 31, 1971.

Secondly, they received an exemption with respect to uranium concentrates for the period January 1, 1968, to December 31, 1972, with respect to the shipments made in the direction of Eldorado Mining and Refining Limited, pursuant to an existing contract. Thirdly, they received an exemption with respect to uranium concentrates for the period January 1, 1969, to June 30, 1971, with respect to shipments made pursuant to a specified contract with a group of Japanese power companies.

Those three exemptions, all pre-dated, under amended section 106, last year. They have received a further exemption with respect to uranium concentrates for the period January 1, 1972, to December 31, 1980, with respect to a specified contract with the United Kingdom atomic energy authority.

The yttrium oxide is a byproduct in the mining of uranium ore. It has no market in Canada. It is shipped to the United States where it is used as a colour component in picture tubes for television sets.

There is very little refining of uranium in Canada. Some sales are made to Eldorado Mining and Refining Limited, but Eldorado often directs that the concentrates be shipped outside of Canada. In other words, the federal government through the crown agency, directs us to do this.

All shipments of uranium concentrates require export permits from the Atomic Energy Control Board and from The Department of Industry, Trade and Commerce at Ottawa. All exemptions which we grant are subject, of course, to that approval being obtained from the federal authorities.

The second company that has received exemptions is—

**Mr. J. Renwick (Riverdale):** Mr. Chairman, perhaps the minister would allow me to ask a question on the Rio Algom one before he continues. These exemptions which have been granted under the new legislation, not under the old legislation, are they open-ended exemptions? I know they are not open-ended in the sense they do have a specific date. My question is, are they open-ended in the sense that the department has not discussed any conditions that must be fulfilled by a certain date in the future, such as the date on which the exemption runs out. Are they supposed to take specific action in order to begin to comply with the provisions of The Mining Act?

**Hon. A. F. Lawrence:** No. In respect of all of the uranium oxide exemptions that we have granted, it has been our feeling that the economics at the moment and, for that matter, perhaps even in the foreseeable future, in respect of the refining of most uranium products—whether they are uranium oxide or other uranium products—are simply too remote for us to specify any date by which any of these uranium products have to be processed and refined anywhere in Canada. The only refining capability existing within Canada at the moment is Eldorado's at Port Hope. This is an enormously expensive operation.

At the moment, I know of no other refining capability that is even contemplated in Canada or by a Canadian producer. Therefore, in respect of uranium, due to a number of other reasons which I have explained in the House before, respecting ease of transportation of the yellow cake, and certain dangerous conditions in transporting refined uranium oxide and its other more refined stages, we have not stepped into the uranium end of things with what we hope will be long-range plans we have attempted to bring into other mining areas.

**Mr. J. Renwick:** Mr. Chairman, would it therefore be fair to say that as far as Rio Algom Mines Limited is concerned, and as far as uranium and the products related to uranium are concerned, the minister, in fact,

is not at this point in a position to do other than say to that company, let us put a reasonable date on it and it will be reviewed at that time. There is no procedure in the intervening period for compliance by Rio Algom or for an opening for the minister to discuss with Rio Algom, say in 1975, what could not be done in regard to establishing a reasonable period?

**Hon. A. F. Lawrence:** That is correct. What we have done is when an application comes in to us from a uranium producer, have asked for and, of course, received copies of the agreements, the contracts themselves. Our exemptions granted so far have been strictly for the amount of product in the agreement and for the time period of the agreement. So that, as each of these contracts runs out, of course, that is the end of an exemption.

My own hope is that as time goes on there will be the amassing of the technology, the amassing of the finances for, perhaps, private concern to build further uranium processing facilities in Canada. But at the moment, this simply is not possible for a number of reasons.

I should point out, too, that at the present level of nuclear technology, uranium dioxide that is  $UO_2$ , is being used without further processing in the production of natural uranium fuels for the heavy water moderated nuclear reactors. Therefore, for our purposes, it can be considered a refined product within the meaning of section 106. But  $U_3O_8$  is something completely different.

In the terms of this definition, almost 50 per cent of the uranium concentrate derived from Ontario ores were refined in Ontario; you use  $UO_2$  as the product. The remainder, 50 per cent were stockpiled and ore exported as the  $U_3O_8$  concentrate. In other words, the  $UO_2$ , which is the product used in heavy water moderated nuclear reactors, already are producing a refined substance under section 106. Almost 50 per cent of Ontario's uranium production goes for that purpose, so, in effect, 50 per cent is already being used as a refined product. It is only the  $U_3O_8$  concentrate which is being exported. 50.6 per cent of our product goes out for eventual  $U_3O_8$  refining. My further understanding is that Eldorado is going to get into the refining of  $U_3O_8$ . There was an announcement about six months ago from Eldorado about that, and in the light of that increasing refining capacity, we will, of course, take a look at new applications when they come.

along. What I have said here, of course, applies not only to Rio Algom; it applies to all of our uranium producers. Do you want to get onto Denison now?

**Mr. J. Renwick:** No—

**Hon. A. F. Lawrence:** I am sorry.

**Mr. J. Renwick:** —because this is the first company to which the minister has referred, I want to clarify in my own mind the way in which the minister is implementing the policy contained in the statute. I now take it that in deciding whether or not an exemption should be granted, the minister recommends to the cabinet that an exemption should be granted for a specific contract and that the extent of the exemption depends very much on the terms of that specific contract—for example, the one to which the minister referred, the contract between Rio Algom and the United Kingdom Atomic Energy Authority—and that is all that he does and that is the limitation he imposes in implementing the policy.

**Hon. A. F. Lawrence:** No, I wish it were that easy; it is not. We have to relate, really, different standards to almost every product and almost every different producing company, because it is not that simple a matter to lay down that type of guideline.

In respect of uranium—and I do not want to indicate it this bluntly—with federal control being paramount in the uranium field, we have left the real control at the federal level, somewhat reluctantly in some cases. Nevertheless, because they do have the weapon there in The Atomic Energy Control Act, and because of their technology and the fact they know far more about uranium in respect of the refining end of it than we do, due to their knowledge gained through Eldorado, we have left uranium pretty well as a field for them to be restrictive about and we do take our guidance from them.

If you will permit me to get into these other companies and these other products as we get along, you will see that we have had to use different standards and different requirements in almost every product, because it is simply not that simple a matter to require contracts to be produced for us to grant exemptions along that line. In other cases, we have had to simply step in as a matter of public policy and indicate certain things to the producers.

**Mr. J. Renwick:** Mr. Chairman, certainly we will permit the minister to get onto the

other topics. Would it be appropriate, then, for us to put an inquiry on the order paper for a tabling, or a request to the minister to table the letter—I assume it is in letter form which he sent, for example, to a company like Rio Algom, specifying the exemption which has been granted, so that we could examine specifically the actual letter? Or would it be a matter which does not lend itself to even that simple form of available public information?

**Hon. A. F. Lawrence:** No, it is not a letter and there is no secrecy about it. It is an order-in-council and each one is published. They do vary from product to product and from company to company; that is the point.

**Mr. J. Renwick:** Are they all available to the Privy Council office?

**Hon. A. F. Lawrence:** Yes, as far as I know. May I check?

**Mr. J. Renwick:** Yes.

**Hon. A. F. Lawrence:** As far as we know, they are all available.

**Mr. J. Renwick:** They are all available?

**Hon. A. F. Lawrence:** Yes, right.

**Mr. J. Renwick:** May I ask just—

**Hon. A. F. Lawrence:** By the way, I think I make one error in regard to Eldorado. They are getting into a pretty technical subject here. I am now advised that Eldorado is intending to produce  $UF_4$  and  $UF_6$ , which is a further stage from the  $UO_2$  stage;  $U_3O_8$ . I am sorry.

**Mr. J. Renwick:** Well, I have one further question arising out of the minister's remarks. Does the minister have some real question in his mind—I am not talking about the remarks which he has made about the uranium industry before in the House—as to whether or not the uranium industry is legitimately subject to federal control at this point? Is there some way in which Ontario could, if it chooses, exercise jurisdiction in that field, as it does in other areas of mineral production?

**Hon. A. F. Lawrence:** First of all, the mines that we are referring to are physically located within the province of Ontario. The mining rights emanate from the Crown in the right of the province of Ontario, not from the Crown in the right of Canada. The companies, in the main, are Ontario companies, incorporated in Ontario, not federally incorporated companies, although this is

true all the way through. The thing that always impresses itself upon me is that Ontario's uranium is utilized and will be utilized, in the main, for peaceful purposes. The wartime days, when the production of uranium was intimately tied in with the production of H-bombs and A-bombs and similar weapons of war, we all would hope are long since gone. Obviously that is a danger that is still there, but the hope in all of our minds, of course, is that uranium oxide will be used, in the main, as a source of generation of electric power.

Originally the federal government involved itself in the uranium industry because of the nuances respecting belligerency and possible future use of this product in a belligerent way. To me, the production of uranium oxide today is really no more a matter of national defence or national interest than is the production of nickel or the production of copper or the production of iron ore. And sometime, somewhere along the line, someone in the private sector might challenge the constitutionality of the federal government's very tight and strict control over the uranium industry.

It is not our intention to do so, but somebody might at some time or other, and we will have to see what the answer is at that time. But it is my understanding of the constitution of this country—I may be wrong—that, in the main, jurisdiction over mineral and mining matters was given to the province. At the moment, there is very strong intervention in the mining field in relation to two mineral products, namely uranium and copper, by the federal people. I am not arguing the merits or demerits of it at all. You have asked we what doubts exist in my mind about it; those are the doubts. In the national interest, if the federal government is going to control both uranium and copper, then what is to prevent them from doing it to nickel, iron ore or almost anything in the whole mineral field?

There will be some in this House who will argue that is where it should exist. As a matter of fact, the member for Sudbury really was arguing that point on Friday. The point is that we should do it through the front door, not through the back door, as far as constitutional changes are concerned. But at the moment, according to The British North America Act, as I understand it, matters relating to the mining industry are supposed to be provincial in nature. If you want to change it, go ahead and change it. But at the moment it is an out-of-the-back-door approach.

**Mr. J. Renwick:** Mr. Chairman, has the minister or the government raised concerns even in a tentative way, with the federal government—

**Hon. A. F. Lawrence:** Oh yes.

**Mr. Renwick:**—in the field of uranium or the field of copper? I agree with the minister that, regardless of how it may ultimately be sorted out, there is, as he states, an exceptional intervention by the federal government in both those areas relating to both the minerals.

**Hon. A. F. Lawrence:** Yes, and our feeling, of course, is that they have control over the export in any event, and therefore if the ultimate weapon is control over export, it does seem unnecessary and in some ways very wasteful duplication of administrative services to intervene in the domestic field the way in which they are doing. But nevertheless they are doing it, and that is that.

We have certainly complained about it. As a matter of fact, the annual conference of the provincial mines ministers, for at least three or four years anyway, to my knowledge has unanimously—and this is a group of 10 made up of provincial mines ministers of various political stripes, across this country—has unanimously passed resolutions regretting the federal government intervention, certainly in respect of uranium, as far as the domestic concept of their control is concerned.

The copper control is a fairly recent intervention. That has not yet been done, although I am sure it will be in the subject matter of the next meeting of the provincial mines ministers, which will take place in September in Winnipeg. I am sure at that time it will be on the agenda.

So there certainly have been complaints from the provinces right across the country about the federal people about this. One of my first experiences in this portfolio, as a matter of fact, was attending a presentation of resolutions to the federal government, after I was appointed to this post. It was an extremely stormy but private meeting in Ottawa, when I sort of tagged along, brandished the flag in the job, and listened to the tirade going on. In a very forceful way the provincial mines ministers, presumably representing their respective governments, have complained about intervention in this field by the federal government.

Denison Mines; shall I speak about tax exemptions, or do you want to continue as a general discussion?



**Mr. S. Farquhar (Algoma-Manitoulin):** I want to ask the minister something along this same line. What reaction are you getting from the federal government in response to your so-called complaints? In other words, how are you getting along with respect to your suggestions that this mining effort come under provincial control?

**Hon. A. F. Lawrence:** To be blunt about it, we are not getting very far.

Do you want to go on with Denison Mines?

**Mr. S. Lewis (Scarborough West):** Yes.

**Mr. A. F. Lawrence:** Denison Mines has received exemptions by order-in-council, dated January 4, 1968.

One, an exemption with respect to yttrium oxide concentrates was granted during the period January 1, 1968 to December 31, 1970.

Secondly, the same order-in-council granted an exemption with respect to uranium concentrates during the period January 1, 1968 to December 31, 1970, with respect to shipments made at the direction of Eldorado Mining and Refining Limited, pursuant to an existing contract.

So, there again, they have presented us with an existing contract, and exemptions were granted at that time both at the request of Denison and because the shipments were to be made out of the country at the direction of Eldorado.

In 1968 a further order-in-council was granted with respect to uranium concentrates for the period January 1, 1969, to December 31, 1978, concerning shipments made pursuant to a specific contract with a group of Japanese power companies. The most recent exemption was granted on March 12 this year, with respect to uranium concentrates during the period January 1, 1974, to December 31, 1983—again, with respect to shipments made pursuant to a specific contract with a Japanese power company.

That was the list of exemptions granted to Denison. The philosophy behind these which I indicated in respect to the Rio Algom contracts applies in respect to the Denison contracts.

**Mr. J. Renwick:** May I ask the minister on those exemptions which are granted to Denison. Is it open now for Denison or any other company to enter into a contract with a foreign refiner, or a foreign purchaser, and then to come and present that contract to the minister and on the basis of having entered into a contract, to claim an exemption?

Or has the minister indicated to the companies, that, certainly so far as existing contracts are concerned, the exemption should be granted, but that if these companies are going to enter into contracts for future delivery over extended periods of time, he, as the minister responsible, expects them to consult with him before they enter into it? Or has he given a very clear indication to them, that they cannot expect to obtain that as an argument for obtaining a contract exemption?

**Hon. A. F. Lawrence:** No, I have not had that blunt in respect to the uranium oxide. It is solely and simply because we do not have the refining capabilities and I cannot foresee on the horizon for some time those refining capabilities being built.

I have had discussions with a mining company respecting the building of a facility. Certainly, if that type of refining capability was on the horizon anywhere, this would change our whole attitude.

However, I am convinced that at the moment, if we want to have a viable uranium industry in this province, we do have to continue to grant exemptions to them. Certainly, any of the contracts, as far as I know, are all conditional—not only upon our granting an exemption but also conditional upon federal government approval in respect to these matters. They have to be.

But I have not requested them to come to me first, which is really what you are asking, I think. I have not requested, with respect to uranium, that they come to us first and ask our permission, because of the peculiarity and because of uranium transportation and because of the lack of knowledge of the refining processes. This is a very rapidly changing field, I am informed respecting the refining of uranium. Our horizon is that new uses and new methods will be coming along fairly shortly which may change a lot of things in the whole field.

But the international competition in respect to uranium is very intense and certainly we do not want to throw any blocks in the way at the moment, of the production of uranium in this province.

**Mr. Chairman:** For the purposes of clarification I should point out to the committee that while I had not really called vote 13 the hon. minister was replying to comments made by the lead-off speakers and I am wondering if he is finished with the comments.

**Hon. A. F. Lawrence:** Yes, I am sorry

**Mr. Chairman:** Or are we dealing with 1301? All right, we are dealing with vote 1301 now. The hon. member for Timiskaming.

**Mr. E. W. Sopha (Sudbury):** No, no, no! Just a moment. A point of order.

The minister started to give an answer about the number of companies that were exempt. He got as far as Denison because he got bogged down with personal dialogue with the member for Riverdale, which was all very interesting and which I as a spectator followed with keen interest, but he had not got down to the meat of the thing. I thought he was going to deal with Falconbridge.

**Mr. Chairman:** Well, I must say that I thought—

**Mr. Sopha:** Let us hear about Falconbridge.

**Mr. Chairman:**—that the minister was very direct. I thought the minister had replied to all of the points raised by the lead-off speakers before we got to the votes.

**Mr. Sopha:** He had hardly got started.

**Mr. J. Renwick:** Mr. Chairman, on the point of order, I had assumed that when the minister said, and you stated, that we were now proceeding with the first vote, that in fact the minister was going to continue, item by item, to give the specifics that are available to him about these various exemptions and in due course we would arrive at Falconbridge.

**Mr. Chairman:** Well, I must agree with the hon. member for Riverdale. I did in fact call vote 1301. I wonder if I could just—

**Mr. Sopha:** You have really mixed this up today. You are departing from your usual efficiency. May I say to you on a point of order that he was going to say, no doubt, a good many other things by way of reply. He was going to tell us, for example, about the implications of the federal government's policy with respect to Denison Mines, on which I challenged him the other day. But again he has abdicated apparently and he has sunk into his seat at the earliest opportunity and he has no spirit for the fray at all.

**Mr. Chairman:** Well, it appears that we have mixed up the hon. member for Sudbury. I had actually called vote 1301, and then I pointed out that the hon. minister was going to reply and he was not even certain that the

hon. member for Timiskaming had finished his remarks. So the hon. member for Timiskaming said he had, and I presumed the minister would proceed with answering the questions.

**Hon. A. F. Lawrence:** It all comes up one vote anyway, the first vote.

**Mr. Lewis:** Will you promise us a fra

**Hon. A. F. Lawrence:** No, I am perfectly spiritless on Mondays.

**Mr. E. W. Martel (Sudbury East):** How long after only two years?

**Hon. A. F. Lawrence:** Right! The impaction of the federal government—I am sorry I did not deal with that in respect to Denison.

**Mr. Jackson:** Mr. Chairman, a point of clarification. I am not sure whether we are on vote 1301 or not. Are we?

**Mr. Sopha:** It does not matter.

**Mr. Jackson:** If so I would like to ask a question.

**Mr. Chairman:** With great respect it does not matter.

**Mr. Sopha:** How does it matter?

**Mr. Chairman:** It certainly does matter, because when the vote is called we stick to the debate on the items under that particular vote. Now the hon. minister quite normally replies to the points raised by the lead-off speakers. If he still has questions that have not been answered, he should complete them before the vote is called.

**Hon. A. F. Lawrence:** Well my difficulty, Mr. Chairman, is simply this, that I was asked to go through the list of exemptions and I would assume that it would be in everybody's interest for questions to be asked as I go through these various products and the various companies, as the hon. member for Riverdale did, to simplify the whole thing. I really do not see what everybody is—

**Mr. Chairman:** If the minister does not wish to reply to—

**Hon. A. F. Lawrence:** Well, I am.

**Mr. Chairman:**—points raised by the lead-off speakers it is quite all right.

**Hon. A. F. Lawrence:** I am doing better than I hope.

**Mr. Chairman:** All right, then I now call vote 1301. The hon. minister may now reply.

On vote 1301.

**Hon. A. F. Lawrence:** All right, Denison Mines. Now the implications of the—

**Mr. Jackson:** May I ask on a point of clarification at this point?

**Hon. A. F. Lawrence:** I am trying.

**Mr. Jackson:** Is it not reasonable to assume that as long as these companies have no deadline to meet or no restrictions on them that they will not consider building this refinery, or that they will let it go until they are told that there is a deadline that they have to start considering?

**Hon. A. F. Lawrence:** Well, this is a judgement called in respect of uranium which—really again I must be frank about it—I felt that there are more economic possibilities in respect of other mineral products and the refining of those in Canada than in respect of some of these very complex uranium products. With that in mind we have not stepped into the uranium business with the determination, if that is the word, that we have indicated in other fields of the mining industry. I do not want to indicate that we have relegated uranium refining to a back seat by any means, because we have not.

As I say, it has been discussed with one company, but I have been convinced that there simply is not much chance in the near foreseeable future of uranium refining processes being built in Canada, with the exception of the current expansion that is taking place at Eldorado and they have that know-how. They have the finances, of course, to do it and therefore we have left that aspect of it to them.

**Mr. Chairman:** Vote 1301; the hon. member for Riverdale.

**Hon. A. F. Lawrence:** Well, I am still really continuing the long-winded exemptions here, Mr. Chairman, if I may.

**Mr. Sopha:** Why do you want this?

**Mr. J. Renwick:** I wanted to ask about Denison, Mr. Chairman.

**Mr. Chairman:** I do not care, because he did sit down. He sat down and the hon. member—

**Mr. Sopha:** The poor fellow is not being given a chance to speak.

**Mr. Chairman:** Well, when any hon. member takes his seat the next member wishes to speak and who is recognized by the Chairman will gain the floor. The hon. member for Riverdale.

**Mr. J. Renwick:** I am never really concerned about the fact that the Minister of Mines has an opportunity to speak.

**Hon. A. F. Lawrence:** Well, sir, I am sitting down when somebody else stands up.

**Mr. J. Renwick:** If I may speak about Denison Mines. Do I take it that the minister's concern expressed about the constitutional problem extends to his concern as to whether or not in fact the federal government has got any authority or power to procure a transfer of the shares of Denison Mines. And if he does have, what is the position of the minister on the question, because obviously the minister's views and the federal government's views do not coincide?

**Hon. A. F. Lawrence:** No, no. I did not want to imply that at all. My concern regarding the constitutional aspect does not refer strictly to the theoretical constitutional aspect of it at all. I am not that great a lover of the existing constitution, quite frankly. No, I am concerned respecting a duplication of administrative services. The federal people have a whole passel of inspectors out in respect of the uranium business and, of course, we utilize our own staff in respect of certain efforts as well, and it just occurred to me that the taxpayer's dollar is being wasted through a duplication.

If the hon. member wants to go out and prospect for uranium today he has to call to us for a prospector's licence, which requires to prospect any mineral products. If he is going to look for uranium, he has to go to go to Ottawa and get—they do not call it a licence, they do not call it a permit. I have forgotten exactly what they do call it, but in any event under the laws of Canada you cannot go out and prospect for uranium unless you have got one of these things from Ottawa. To me that is a duplication and it happens an unnecessary duplication.

We have our own safety inspectors and our own safety standards in the plants. The general people have their own standards. We have tried to modify ours or to bring our standards in line with theirs. I am not convinced that there has been the other way round, that they have tried to change their standards to make them in line with ours, but it does create a certain duplication and certain confusion on the part of

of the producers. I could go on. There are other duplications along the line which simply could not be happening.

In respect of the implications of the latest policy statement by Mr. Trudeau in the House of Commons regarding the shares of Denison owned by Roman Corporation, my statement in reply to the question asked of me in this House was simply that I did not believe that the federal government really had looked at all of the implications before they came out with their statement, not only as it affects exploration and development in Canada, but particularly in Ontario. In addition, I do not think they looked at some of the implications of attempting to police and administer such a policy respecting the ownership of the equity capital in producing uranium companies.

**Mr. J. Renwick:** If I may just be specific on the question, do I take that to mean that the minister does not dispute the authority of the federal government to prohibit a transfer of shares and a recording of that transfer on the books of Denison Mines Limited, an Ontario company, regardless of whether they are held by Roman Corporation or by anybody else?

**Hon. A. F. Lawrence:** Quite frankly, I have not looked at that aspect of it, simply because I am not too sure yet what means the federal government are going to take to administer the statements of policy they have come out with. I have made a point of speaking to the federal minister to indicate to him that we are in full agreement with their objectives. I have made a point of indicating to him that if this government can help, through the aegis of the Ontario Securities Commission or through our statutes controlling corporations in any way, that we will. If there is any way we can assist or co-operate, in respect of our control over the mining rights, we will certainly attempt to do so. But before we can make any real offers of assistance, any specific offers of assistance, we have to know the methods by which they are going to bring their policy statements about. And so far, as I say, even though I have spoken with the minister about it and there have been conversations on a higher level, I still have no idea how they are going to administer this or police it.

We certainly have indicated to them that we sympathize with their objectives, but I reiterate that it is my own view in any event that some of these implications in respect of the administration and of the future and

existing development, especially in the B. River-Elliott Lake area, were not looked closely enough by the federal government before they came out with their policy. Now, of course, to add fuel to the discrimination charges, we have had indications in the past that a similar operation in the province of Saskatchewan may be completely executed. Even though in that case it is Gulf Minerals Exploration Company, I think it is, which obviously is controlled back in Pittsburgh, it owns a very promising uranium field, and the indications are that the Premier of Saskatchewan has twisted the arm of the Prime Minister of Canada hard enough that somebody is squealing or yelling, and there may be a blanket exemption given in Saskatchewan.

No wonder people in this province are yelling about discrimination, and I can say that I blame them. I am not saying they are. But I am saying there are people who are and do. You have read and I have read these remarks in the press.

**Mr. J. Renwick:** When the minister says that he shares the objectives of the federal government in relation to uranium as a mineral resource, does it extend to all sources, and is the minister engaged in some study which would indicate the way in which they would co-operate, legislatively or otherwise, in ensuring to the extent it is possible that the ownership of mineral resources in Ontario will be maintained in Canadian ownership?

**Hon. A. F. Lawrence:** Perhaps I had better clarify what I consider to be the ultimate objective of this government and the federal government. It is simply this: These are mineral resources—I agree with the hon. member for Sudbury—that belong to the people of Ontario and Canada, and government policy at the provincial level and at the federal level should be directed to ensure as great a return as possible to the people of this country and this province as a result of the ownership in this country of those resources.

We looked very carefully at this question of control of the equity or of the ownership of these corporations some time ago when we finally landed on the processing path. I certainly rejected at that time, on behalf of this government, the thought that the province could control the ownership, because from a provincial point of view I just simply do not believe that it is possible. If it is possible at the federal level, as I said just a few weeks ago, more power to the federal people.

are willing to help and co-operate in any way that we can. But at the provincial level we rejected that path in favour of the processing path, simply because we did not believe that it is possible to administer and police it.

For what it is worth, I have also indicated my personal opinion that, unless they come up with some different mechanical means of administration of a policy statement like that, I really do not believe that the federal people have got the policing powers or the administration to do it either. But, in any event, we have to wait until we know more specifically what their plans are and how they are going to carry them out before coming out and being a wet blanket on what they are trying to do. Because basically our objective and their objective is the same, I hope. All right?

Falconbridge Nickel Mines is 37.5 per cent, I think, owned by McIntyre; McIntyre, in turn, is about 36 per cent owned by Superior Oil and Gas of Houston, Texas. In 1969 we gave Falconbridge an exemption, an order-in-council rather, which had two exemptions in it:

(a) an exemption with respect to iron concentrates during the period of January 1, 1970, to December 31, 1974; this is in respect of a very particular iron product that Falconbridge produces; I will get into the explanation of that in a minute;

(b) an exemption with respect to nickel-copper concentrates and associated minerals during the period of January 1, 1970, to December 31, 1975, a five-year exemption. There is a provision whereby the exemption may be terminated unless the company shows that it has contracted for and/or commenced construction on facilities in Canada by December 31, 1972, for the refining of at least 51 per cent of the contained nickel and byproducts from its Ontario ores. In other words, we have given them a five-year exemption if, and only if, by the end of 1972 they can prove to us that they will have a refinery either contracted for, or under construction by that date, which will end up refining at least 51 per cent of the nickel matter that they are now shipping to Kristiansand, Norway.

In explanation, this company produces nickel-copper concentrate containing other minerals as well, from its mines in the Sudbury area. Iron concentrates are strictly a byproduct; they are in the nickel business but the iron concentrates are a byproduct.

A plant is under construction that will produce a nickel-iron pellet that will contain

90 per cent of iron by weight. This product is sufficiently refined to be used directly steelmaking and therefore comes under standards of qualification for the section amendment.

The production of low-grade pellets will be phased out as the new plant comes into production, but it is anticipated with labour problems and with the construction difficulties they have had, that this now take several years.

The company at present has no facilities in Canada for refining its nickel-copper concentrate. They are now refined, as I say, at the southern tip of Norway at a delightful little town called Kristiansand. Rather than shut the operation down, which is the choice we have, an exemption has been granted, and it contains a provision that the refinery must be built in Canada or else the exemption will be rescinded.

**Mr. Sopha:** What was the date of the order-in-council? Do you have it?

**Hon. A. F. Lawrence:** It was dated December 18, 1969.

**Mr. Sopha:** Thank you.

**Mr. Martel:** It sounds as if they are holding a big stick over the minister's head, though.

**Hon. A. F. Lawrence:** They are holding a big stick over my head?

**Mr. Martel:** Right. We have traced through three companies so far and in each of them there has been some special byproduct reason for not doing it here. We are going to find as we go through all of these that any particular operation there is going to be some reason why. You know, it is going to be easy to find reasons why they cannot do it here.

**Hon. A. F. Lawrence:** Well now, are you going to talk specifically about Falconbridge or do you want to—

**Mr. Martel:** Yes.

**Hon. A. F. Lawrence:**—wait until the matter is over and talk about the whole world. Obviously I have been asked to give a list of the exemptions that have been granted. Of course, if I have not got a reason for granting these exemptions then obviously the exemptions should not have been granted.

Just to clarify it for the hon. member, this is a list of companies and products under which we have granted an exemption; it is a list of the ones under which we have

granted an exemption, or those that required no exemption. It is a list solely, exclusively, of those that have been granted an exemption.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Chairman, if I could ask a specific question with regard to Falconbridge. I am referring to an article that appeared in the April 13 issue of *The Financial Times* where they say: "Falconbridge Nickel Mines plan to triple nickel deliveries and double copper output by 1975, said the president." Are you talking about the 51 per cent on the present production, or 51 per cent of the ultimate production which they will achieve by 1975?

**Hon. A. F. Lawrence:** We think we have cornered them in two respects in relation to that. No. 1, we are speaking only of Ontario ores; No. 2, we have set the deadline of 1978 production. This is true right across the board in relation to all these exemptions. When we talk about percentages of production, we are talking only of Ontario ores. Those are the only ones we have control over, so obviously it is Ontario ores. No. 2, we are talking in the main about 1968 production records.

If you will remember it was a year ago—1969—that we brought in the amendments to section 106, and they were to be applicable as of January 1, 1970. We are using the 1968 production records because we felt that 1968 was a fairly normal year; there were no great stoppages due to strikes, and whatnot. Not only that, we had the records for 1968 so that there could be no tom-fooling around as far as production in 1969 in relation to the 1968 records; not that I am implying that there would be, but in any event it is better to be safe than sorry, and we used 1968 records.

**Mr. Stokes:** In other words, what you are saying then is that in the expected tripling of the nickel deliveries and doubling of copper deliveries by 1975, the actual restriction could amount to only about 25 per cent of their total production?

**Hon. A. F. Lawrence:** Oh yes, we have no control whatsoever of their Dominican Republic production. That is a lateritic ore in any event, and it does not even fit in with their Norwegian operation. I mean we are not putting any controls on that production. Some time over the next decade they have to bring into production a field that they are now developing in northern Quebec. Again we are not trying to overreach beyond the boundaries of this province by putting restrictions

on that, and as well, by that time they be bringing into production the field are now developing in northern Manitoba

**Mr. Stokes:** No, but in this article they the increased output will come mainly from the Sudbury area and from the Manabrig mine in Manitoba. It states specifically the major increase in the production will come from the Sudbury district. This is certainly in Ontario and under your jurisdiction.

**Hon. A. F. Lawrence:** All I can say to you is that we will certainly cover that when it comes. If they do not have the processing facilities they will have to apply to export and the rules as far as I am concerned in the department is concerned and this government and this Legislature are concerned, were laid down in the spring of 1969. The rules are on the table, right there, and any increase in production from that date on from Ontario ores, anybody who gets into that type of increase, does so at his own peril if he thinks this government is going to approve export permits or exemptions in relation to that. Is that what you meant? Right.

**Mr. Jackson:** Before the minister goes to Mr. Chairman, could I just ask a question in relation to pelletizing? He says it will take several years in order to construct the pelletizing plant, and one of the reasons mentioned for this was labour. Would he expect on that a little bit? Labour is one thing that we have lots of.

**Hon. A. F. Lawrence:** I do not know, but I had Marsh Cooper in my office, I think in September or October, complaining to me about one or two things and one of the matters he referred to was that not a single brick had been laid on that new iron plant construction even though it was half finished, I think from about February 1 to March 1 of last year right through to October or November. He was blaming labour problems. That is a factor, but I think it is a small factor in the overall picture. I think the thing has been finished now, has it not?

**Mr. Jackson:** Might I just say to the minister that surely if this is a problem—

**Hon. A. F. Lawrence:** Oh, I am not blaming labour, do not get me wrong.

**Mr. Jackson:** If labour is one of the problems, and they are having labour problems in the form of strikes or work stoppages, whatever you will, rather than extend an exemption would we not be better to solve our labour problems?

**Hon. A. F. Lawrence:** No, I did not mean to emphasize it. If the hon. member implied that the company or the government is blaming its labour problems that it has been having with the construction industry in Sudbury as a further excuse for granting exemptions, this is not true, I did not do that. I indicated that this was only a factor up there.

Now International Nickel—are we finished with Falconbridge?

**Mr. R. S. Smith (Nipissing):** One question: Am I to understand you that the maximum amount of raw material that Falconbridge is going to be able to export is 49 per cent of its 1968 production? That is to put it the other way you know.

**Hon. A. F. Lawrence:** No, 51 per cent—oh 49, yes, I am sorry.

**Mr. R. S. Smith:** No matter what their production is? No matter what their production increase is? The maximum they will be able to export is only 49 per cent of their 1968 production?

**Hon. A. F. Lawrence:** Yes.

**Mr. R. S. Smith:** And you indicated further that if they produced—

**Hon. A. F. Lawrence:** Of their Ontario production.

**Mr. R. S. Smith:** Yes, we just keep within that framework. But what if, as one of the members indicated, their production increases by three times, will they have to apply for permits to export or will the original statement that you made stand and they just will not be allowed to export any more than 49 per cent of the 1968 production?

**Hon. A. F. Lawrence:** When you get into these massive productions, especially a company like Falconbridge, this is our object, this is what we have limited them to. I do not want to hang out any beacon at the back door for anybody to come along with extra problems and attempt to use these as another lever of getting exemptions out of it.

The general principle is there that within five years of 1972, we want refining capacity for 51 per cent of their Ontario ores as of 1968. Anything that has grown in the meantime has got to fit in with the overall picture. That is right. If they are going to increase their Ontario capacity three times over 1968, then obviously the refining capacity in Canada of their production is going to be a lot more than 51 per cent. Does that answer your question?

**Mr. R. S. Smith:** Something like 85 cent!

**Hon. A. F. Lawrence:** However, again part of that production, I gather of the Canadian operation is going to come from northern Quebec and northern Manitoba. Now, we are not turning the screws on them for that. We do not think that is right.

**Mr. Chairman:** The member for Sudbury East?

**Mr. Martel:** With the new mines that came into operation last year in Falconbridge, what was the increased production in the Sudbury area for Falconbridge in 1969 as opposed to 1968? I ask this because the profit went up by something like 84 per cent which must have indicated quite an increase in 1969 because there was a three-and-a-half-month strike. If their profit still managed to go up almost 100 per cent, their production in Ontario must have been considerably greater last year. Maybe we are choosing the wrong year on which to base the figure because they had several new mines come into operation last year, did they not, in the Sudbury area?

**Hon. Mr. A. F. Lawrence:** Yes, I am sure. First of all, the production figures are available in the review; I have not got one here at the moment with me but they are available there. Secondly, the company's fiscal year may not coincide with the calendar year—as a matter of fact, the problem in this case is that I do not think it does. Oh, it does am sorry.

The other thing is that there were several tax allowances or deductions available to them last year in the form of complete write-offs. The real point that I am making to you is that I do not think their profit last year related directly to production. They certainly did bring into production new facilities in the Sudbury basin alone, but their production does not relate completely to production.

**Mr. Stokes:** It was an 84 per cent increase over 1968.

**Hon. A. F. Lawrence:** In 1968-1969, a minute now. Metal deliveries in 1968. Falconbridge's metal deliveries in pounds were for nickel, just over 70,000 pounds; also 71,000 pounds. In 1969, it was just over 80,000 pounds. For copper, it was, in fact, almost 40,000, and in 1969 it was almost 50,000. The production figures would indicate—

**Mr. Martel:** Millions is it not?

**Hon. A. F. Lawrence:** Yes, I am sorry. Those are millions, I guess, are they? Yes, those are millions, I am sorry. They are increases, but they are not that significant in relation to the jump in their earnings. I have not studied their balance sheets and their financial statements that much, but they were also getting more, of course, for their products, do not forget that.

Their increase in earnings was not related in as direct a fashion as you would indicate to their productive—

**Mr. Martel:** No, my only concern is that we know they came in with several new operations within the last year. It would seem to me that if we are really interested in getting close to 51 per cent of their production in Ontario, we should choose a more appropriate year than the year prior to bringing in the new operations.

In fact it might be wise, with no labour unrest in the Sudbury area, to use 1970 as the year from which we start to gauge all of this. Take 51 per cent of the 1970 figure based on the fact that there were new operations coming in, and 1969 not being satisfactory because of the labour unrest which cut down production in Ontario. We might be wise to use 1970. I would hope the minister would consider 1970 as the criterion governing the facts for things which come later on.

**Hon. A. F. Lawrence:** I think you are making it easier for them.

**Mr. Martel:** Pardon?

**Hon. A. F. Lawrence:** I think you are making it easier for them, not harder.

**Mr. Martel:** I am making it harder because of what their production is going to be this year; it will be more significant to Ontario because we are going to produce a lot more. If we are sincerely interested in getting close to 51 per cent of the material processed here in Ontario, we should take into consideration the fact that they brought into production several new operations and, at the same time, that they will have a full year of production with no labour unrest. I think 1970 would probably be the better date to establish the criterion for it.

**Hon. A. F. Lawrence:** I am afraid either the hon. member is not understanding me or I am not understanding him. What we have said is the 1968 production record, and we have said 51 per cent of the 1968 production

record. Any increase since 1968 all has to be refined in Canada.

**Mr. Martel:** My mistake.

**Hon. A. F. Lawrence:** All right?

**Mr. Martel:** All right, I was taking it in reverse.

**Mr. D. C. MacDonald (York South):** Is 51 per cent of 1968 plus an increase?

**Hon. A. F. Lawrence:** Exactly.

**Mr. Lewis:** Plus a new smelter by 1970 the latest.

**Hon. A. F. Lawrence:** That is how it has to be done. It is a refinery by the way, not a smelter.

**Mr. MacDonald:** Mr. Chairman, I had a question I wanted to ask the minister, which has partially been responded to by the information he has just now clarified. But would you limit it to 51 per cent?

**Hon. A. F. Lawrence:** Simply because we have to have an object. I reached into the hat and pulled it out. There is no mysterious great figure at all except that it is still a price competitive business. We are still dealing with a company that does not set international prices. It is small potatoes yet, you know, in comparison to Inco.

**Mr. Sopha:** And you do not want to punish the Norwegians too greatly?

**Hon. A. F. Lawrence:** It is not that. I am sure that Falconbridge can find other sources of sulphuric ore that can be treated in the same way, but it is just that we have to start somewhere. Even as it is, the company's course—if you were in their position or I were in their position, we would do exactly the same—have claimed that we are doing terrible things to them by coming along with it, but we feel that this is a fair start. And it is only a start; from here on in, things will get tougher and rougher with each experimental period.

**Mr. MacDonald:** But if your objective is to have as much as possible of the processing of the province of Ontario, I come back to the question: why the 51 per cent? Now, this 51 per cent is a specific agreement with a specific company, but is this indicative of a kind of policy implementation that the minister is engaging in across the board?

**Hon. A. F. Lawrence:** The next company on my list here is Inco. Our original objective, in the case of those ores and



companies which have been shipping out of the country to facilities that they do not have or are not easily available here, is to start somewhere with an objective. That objective we set at 51 per cent simply because we want to be able to say, I suppose, that the majority of the ores that come from Ontario are refined in Ontario.

**Mr. MacDonald:** It is simply this—that if the companies object to this, to having the majority of the ores processed here, it seems to me that one should say that, unless there are some particular, some peculiarly unique circumstances in any given company, it is going to be processed in the province of Ontario, and right from the beginning. If you stipulate only 51 per cent, and for some reason or other they think it is going to suit their purposes to process elsewhere, they do it elsewhere. But if they are told right from the outset when setting up their processing plants that virtually 100 per cent must be processed they will do so.

**Hon. A. F. Lawrence:** Again, it is strictly a judgement call. We are into very dark woods here and there is not very much light as far as what happens in other jurisdictions is concerned. We did this in the full knowledge that there is going to be an increase in demand and, therefore, an increase in production each year.

As a matter of fact this has been happening and therefore, when we hit that first five-year objective, obviously a great deal more than 51 per cent is going to be done here. Nevertheless, this is the objective that we set and you have got to start somewhere. There are those who have said that we are going to be throwing people out of work and plants will close down and unemployment will be ripe in certain places simply because of the 51 per cent that we set.

**Mr. MacDonald:** What was your reply?

**Hon. A. F. Lawrence:** I am not letting him kid me. At least, I hope not, but nevertheless, as I think I indicated here once before, it is not a black and white proposition by any means. The thing has to be handled fairly sensibly as far as the administration of it is concerned. That is what I am handing out to you here now, to see if you agree that it is being handled sensibly.

**Mr. MacDonald:** In another ramification of this, I understand that when the Prime Minister (Mr. Roberts) took his recent trip to Japan

there quite a number of approaches made him with regard to the difficulties that were going to be created for the Japanese import of Ontario resources if they had to be processed in Ontario. I think we are generally aware of what the Japanese are seeking is to get the material and take it home so that it can be processed in Japan.

I am told that the Prime Minister's response was, "Well, come and visit us. We will be glad to talk about it". I would assume that if the question was asked of him as often as some of the news stories indicated, the minister would have had quite a series of visits from representatives of Japanese importers since then. What is the minister's response in circumstances like that?

**Hon. A. F. Lawrence:** As a matter of fact I have not. I had many of them before the visit, but I have not had any since, so I am not too sure that the press reports were correct.

I have spoken to the Prime Minister about the thought is in my mind that this is a publicized policy of the Japanese that they buy only concentrates is incorrect. As a matter of fact, I have had two, just within the week or so—a couple of inquiries indicate perhaps they are not that set on a concentrate only policy.

Obviously their demand for metal is going to be exactly the same as everybody else's if they cannot get the concentrate, then it will have to come to the refined products. This is our policy and—

**Mr. MacDonald:** You are not weakening

**Hon. A. F. Lawrence:** We are not weakening, no.

On the other hand, let me be fair about it. If I was convinced the only way we could initiate a massive new development in one other particular field would be to permit Japanese, or the Germans, or anybody else to come in to start up a brand new industry would have no feeling of regret at all. I thought the only way at all was to recommend to the government that they permit concentrates to be shipped out for a couple of years only until the thing got going. This on a distinct understanding that processing facilities—refining facilities—would then be built within a short length of time afterward. I think this is why the Legislature gave us the discretion.

**Mr. Martel:** Stanley has been getting to

**Hon. A. F. Lawrence:** Shall we go to

**Mr. Lewis:** Yes.

Hon. A. F. Lawrence: International Nickel—

Mr. Martel: Now there is a good company.

Hon. A. F. Lawrence: —ninety million shares outstanding. I am told that this company is not controlled by any one company or any one individual. The largest holding, according to the information we have been able to ascertain, appears to be about a five per cent holding by a French company on behalf of unknown shareholders in trust. And just let me point this out—it is one of the difficulties the federal people are going to run into when they attempt to get into this ownership of share question.

If you are interested at all, Mr. Sam McLaughlin is one of the largest, if not the largest, individual shareholder. He is a Canadian, as you know, and I find that quite interesting because my assumption has always been that Inco was lock, stock and barrel American controlled and American owned. It may be American controlled but not necessarily American owned.

Anyway, Inco in December, 1969, were given an exemption for two materials—one in respect of iron concentrates during the period January 1, 1970, to December 31, 1974 and, two, an exemption with respect to nickel copper concentrates and associated minerals during the period January 1, 1970, to December 31, 1975. You will notice that most of these exemptions that we have been granting are five-year exemptions. Most but not all.

The explanation for the granting of these exemptions is that the company produces nickel copper concentrates containing other minerals as well, from its mines in the Sudbury area and soon at Shebandowan Lake in the Thunder Bay area. Again, iron concentrates are a byproduct. As a byproduct there is no control over the quantity of the iron pellets produced. They are in the nickel producing business, not iron, but the amount of iron pellets produced is strictly dependent upon the amount of nickel produced.

Some of these iron pellets are sold in Canada, but the overflow, we are informed, must be sold on whatever market is available. At the moment, 72 per cent of Inco's iron pellet market is in the States. There simply is not the market in Canada for it, we are told.

Because it is a byproduct, in any event, we were willing to grant them that exemption. Most of the nickel-copper concentrates are refined here at the company's plants in Ontario. In order to have access to the European market, some concentrates are refined in Wales, but the copper produced is

returned to Canada for final refining. There is a market in Japan for nickel, but that country, apparently, will only accept nickel concentrates.

Mr. Sopha: What percentage goes to Mond Nickel Company in Wales?

Hon. A. F. Lawrence: I think they sell nickel to Wales—my understanding of it is—mainly to get out the more exotic, or rare metals. Certainly this is true of platinum, which is where they do their refining of the platinum group of metals out of that concentrate. My understanding is—

Mr. Sopha: I was under the impression that it was only a small amount.

Hon. A. F. Lawrence: It is under 15 per cent. And, as I say, that is of the total concentrate, that is not of nickel, that is total, and a lot of that is the more exotic metals, I think.

Mr. Stokes: If I might just ask—

Hon. A. F. Lawrence: In 1968 the company refined in Canada 84 per cent of total nickel and copper content of the mined in Ontario. Although Inco is going through a period of expanded production, projection for 1973 is that at least 85 per cent of it will be refined in Canada.

Mr. Stokes: On all future production? The reason I ask is the ore body that the mine speaks of in Shebandowan, I understand contains quite a significant amount of precious metal and that also would have to be refined in Canada. Is that right?

Hon. A. F. Lawrence: Yes. Again, it is not part of the conditions in the order of council, but I have certainly indicated them that we would not look happily on expanded capital projects by the company at their Wales refinery.

Mr. Chairman: Vote 1301?

Hon. A. F. Lawrence: No, wait a minute we are still going here. We have about more here to go, Mr. Chairman. You want a list of them; you are getting them.

Consolidated Faraday Limited is not controlled by any single corporation; about 70 per cent of the shares are Canadian-owned, we believe. They received an order-in-council on January 8, 1970, which grants an exemption in respect of nickel-copper concentrates and associated minerals during the period January 1, 1970 to December 31, 1975; a five-year exemption. This company operates

nickel-copper mine in the Werner Lake area, northwest of Kenora. This is the one where they have to take it out—

**Mr. Stokes:** They have no road into it from Ontario.

**Hon. A. F. Lawrence:** That is right. I have gone on the other road through Manitoba; it is not that bad, really. The concentrates are shipped to Sudbury and are refined by Inco. As 16 per cent of Inco's concentrates are refined abroad, it follows that 16 per cent of the products of this company are refined abroad. That is really one of the smaller companies that we—

**Mr. J. Renwick:** Mr. Chairman, is that exemption related to a contract?

**Hon. A. F. Lawrence:** No, it is related only to their deal with Inco, that they ship their products to Inco. Because it all gets melted or blended in the one production, if we grant an exemption to Inco we obviously have to do it for Werner Lake.

Ectall Mining; the parent company is Texas Gulf Sulphur, a United States corporation. By order-in-council dated November 6, 1969, we granted an exemption with respect to lead and zinc concentrates and any containing silver during the period of January 1, 1970, to December 31, 1972. You will note that this is a two-year exemption only. This company, a subsidiary of Texas Gulf Sulphur Company, operates the Kidd Creek Mine near Timmins. The principal minerals produced are copper, lead and zinc. The copper concentrates are already refined in Canada at Noranda.

**Mr. Sopha:** Now, where do they ship to?

**Hon. A. F. Lawrence:** Their copper?

**Mr. Sopha:** No, the concentrate.

**Hon. A. F. Lawrence:** Well, now, just a minute. The copper concentrates are refined in Canada at Noranda. The company has agreed to have a zinc smelter and refinery complex in operation in the Timmins area by the expiry date of their present exemption; it will be capable of handling 51 per cent of the zinc. The copper already goes to Noranda.

**Mr. Sopha:** Well, where does the lead and zinc concentrate go?

**Hon. A. F. Lawrence:** Where does the zinc go?

**Mr. Sopha:** Yes.

**Hon. A. F. Lawrence:** It goes down to New Jersey, I believe, and a little bit goes to Europe and a smaller amount to Japan.

**Mr. Sopha:** Excuse me, surely that is inexcusable. I am told that Noranda has a high zinc concentrator or smelter—whatever it is called—in Quebec, which they built as a result of their interest in the Matagami Lake development. Surely Noranda is able to handle these concentrates!

**Hon. A. F. Lawrence:** No, I am informed that there are very extreme metallurgical problems involved, and they cannot. There is a zinc plant already operating in New Brunswick, for instance, but as a matter of fact a few years it has been incapable of handling its own. We have looked at that and been informed by people who should know that this is impossible. So, in any event, please do not upset the apple-cart; we want them to build their zinc refinery in Timmins. Is that right? Anything more on Texas Gulf?

Zenmac Metal Mines Limited: This mine is closing very shortly, so we granted them an exemption in November of last year with respect to the zinc concentrate for one year only, that is the calendar year of 1970. It is a small zinc mine near Schreiber and Thurston Bay. It is closing down permanently about July. Shipments beyond July will merely be a cleanup operation. It has, in the past, shipped its concentrate to Hudson Bay Mining and Smelting at Flin Flon, but that company will not take material during the winter months and shipments between November and March each year normally go to the United States. So, for what was involved, I thought we might as well let them continue for one year only.

**Mr. Sopha:** Now, are there any silver concentrates going abroad?

**Hon. A. F. Lawrence:** Well, let me get this, will you? You asked for a complete exemption. Now do not try to cut me off when I am only one third of the way through.

**Mr. Sopha:** Well, I thought you were going to sit down.

**Hon. A. F. Lawrence:** Willroy Mines Limited, controlled by Little Long Lac Mines Limited, and Willecho Mines Limited, controlled by Willroy, and Big Nama Creeks Mines Limited, lands leased to Willroy: This was an order-in-council dated back in 1962 under the old section 106. They were granted an exemption with respect to lead and zinc concentrates for the period July 1 1962.

July 1, 1970. Additional lands were added to that exemption in August of last year. This company operates a copper mine at Manitowadge and also mills ore from the adjoining companies of Willecho Mines and Big Nama Creek Mines. The copper concentrates already go to Noranda. Zinc and lead concentrates are produced as a byproduct and—you are going to hear this refrain in respect of a number of these smaller mines from now on—the zinc and lead concentrates are produced as a byproduct, and at present there is no Canadian refinery to which they can be economically sent. So, in respect of these, we have granted them an exemption on it.

**Mr. Stokes:** Will this change when Ecstall gets its refinery built? Will they have the ability to handle all of these custom orders that you speak of?

**Hon. A. F. Lawrence:** No, I understand they are not going to be able to do any custom work at all.

**Mr. MacDonald:** Does the aggregate of these smaller companies that have production that cannot be processed here add up to a viable economic project that somebody could undertake?

**Hon. A. F. Lawrence:** No. They are scattered all over the place. I appreciate what is in the back of the hon. member's mind; it is also in the back of my mind. I have been doing my utmost to convince anybody and everybody that there really is the possibility of somebody coming in, using new processes and setting up a copper refinery, a small one, and perhaps a zinc refinery, to handle the custom work. The only problem is you look at these things on the map and they are scattered all over the place; there really is a question whether they can economically be joined together. There are very grave metallurgical problems involved too, because each one of these ores and each one of these concentrates—

**Mr. Lewis:** They ship to the States. Is it economic to do that?

**Hon. A. F. Lawrence:** They ship to various centres in the States.

**Mr. Lewis:** Well, why can they not?

**Hon. A. F. Lawrence:** But, in total, there is really not that much, in any event. If you take a look at the overall chart of copper production in this province, the total figures here for copper of the province mean that

only 14 per cent—using the 1968 figure—the copper produced in this province leaving the province, in any event.

**Mr. Stokes:** You cannot say that for though?

**Hon. A. F. Lawrence:** For zinc? No. It is why I was so concerned about Texas. Of zinc, 86 per cent was leaving the province in 1968.

**Mr. Stokes:** And lead is even higher, not?

**Hon. A. F. Lawrence:** Well, lead was leaving the province, 100 per cent of it, there is still no indication that we are going to get any lead refining.

**Mr. Lewis:** Why do you not build it?

**Hon. A. F. Lawrence:** In any event we have put the heat on at least one of the producers of lead in the province, and now shipping out to B.C. to have the concentrate smelted in B.C.

**Mr. Lewis:** Why does the government build the appropriate process?

**Hon. A. F. Lawrence:** Well, we have been through this the other day. I have a basic philosophical approach to matters which is different from my hon. friend. I do not believe that in the light that there is no demonstrable indication to me that the people of this province are suffering in any great respect because there is no single plant—

**Mr. Lewis:** Secondary development in the north! There is no indication to you of the requirement—not with the requirement of other refining and smelting processes?

**Hon. A. F. Lawrence:** We are talking about 13 per cent of the copper production.

**Mr. Lewis:** Well, we are talking about copper; we are talking about lead, we are talking about uranium.

**Hon. A. F. Lawrence:** Which comes from a number of different sources. There are several sources. There are no crown corporations in respect of uranium.

**Mr. Lewis:** Well a federal corporation, Eldorado, but what about provincial?

**Hon. A. F. Lawrence:** But in respect of 14 per cent of the copper, which comes from very many sources and which I am informed has no single smelter or refinery could have it would be idiotic in the extreme for us to get into it.

**Mr. Lewis:** Mr. Chairman, with respect, why is the minister suddenly informed now that it could not handle it when five minutes ago he was asking everybody in sight whether they might handle it, and he was not five minutes ago certain of the outcome, and now he is categorical?

**Hon. A. F. Lawrence:** This is the answer I have been getting back. You did not wait for me to reply.

**Mr. Lewis:** Well, you had already indicated.

**Hon. A. F. Lawrence:** That was the answer I was getting back from the people in the industry. I am assured that if it was economically possible to build small custom copper plants, there are three or four corporations that have looked at it and would be delighted to do so if it was economically possible—one of them a completely Canadian corporation. But so far it has not happened, and I have certainly indicated on behalf of this government any encouragement we can to anyone—preferably Canadians—who would want to do it.

There are again very immense technological changes taking place, especially in respect of copper smelting and refining, I am told. Do not ask me what the details are or the technicalities, because I do not know. But I am told there are very great changes taking place right now that may make this possible in the future; I do not know. But at the moment, apparently it is not possible.

**Mr. Martel:** Could I ask the minister how many tons annually would be represented by the 100 per cent of lead and the 84 per cent, I think, of zinc that leaves the province?

**Hon. A. F. Lawrence:** Yes. In 1968, Ecstall—that is Texas Gulf—produced 100,928 tons; Noranda (Geco), 2,521; Willecho, 1,549; and Willroy, 238; which totals 105,236 tons of lead exported in 1968.

In respect of zinc, there was a total of 730,857 tons of zinc concentrate produced, of which 100,618 was refined in Canada.

**Mr. Stokes:** That is a lot of jobs.

**Hon. A. F. Lawrence:** And 630,239 tons was exported to the U.S.A., France, England, Japan, Belgium and Germany, making up the 86.23 per cent.

**Mr. Lewis:** Why do you not—

**Mr. Martel:** Does the minister not think then—

**Hon. A. F. Lawrence:** Wait a minute. at a time. Why does the minister not what?

**Mr. Lewis:** Why do you not set up cesses in that field?

**Hon. A. F. Lawrence:** Well, I have explained to you that fairly intensive negotiations were conducted last year, not on the part of this government but on part of the federal government, to end with the undertaking and commitment Texas Gulf to build their zinc foundry.

**Mr. Lewis:** Texas Gulf! But will they do anything?

**Hon. A. F. Lawrence:** You know, you a year and a half late. No, it will not handle everything.

**Mr. Lewis:** Will that handle everything?

**Mr. Stokes:** No.

**Mr. Lewis:** Just their own?

**Hon. A. F. Lawrence:** Yes, it will handle their own, and my hope is that their capacity will increase. They tell me that they have bitten off a pretty big chunk in respect of initial capacity of this plant as it is, that single plant of this capacity has been built anywhere in the world in one fell swoop. This is a company, face it, that has not been in the metal business before. Not that is any excuse, I suppose, but in any event their hands are going to be pretty full for a couple of years with the problems they are going to have with the plant they are building up there. Only when they get the thing going and rolling, will we start indicating them the increased capacity which they must build in order to continue to utilize Ontario. Alternatively, it is my hope, quite frankly, that there could be other facilities, not necessarily theirs, which could handle the copper work of the rest of the province.

**Mr. Lewis:** What other facilities?

**Mr. Martel:** Mr. Chairman, what the minister is saying is that, besides Texas Gulf, one else is interested. And if private enterprise is not interested in processing this then is there not—

**Hon. A. F. Lawrence:** No. I did not mean that at all.

**Mr. Martel:**—an onus on the government to become involved? Because this is the real problem facing—

**Hon. A. F. Lawrence:** No. I did not say no one else is interested.

**Mr. Martel:**—northern Ontario. Private capital has not attempted to develop the north. It has failed; it has failed miserably, and it is going to continue to fail miserably. And if they are not going to do it, the onus surely must rest then with the only other power large enough to do it, that being the public sector through the government.

When you see that much material leaving the country because it cannot be processed here, even a free-enterpriser like yourself must be rankled a little to see the number of potential jobs, the revenue potential being lost, when we say that if free enterprise does not do it, no one else will. Surely, you must feel some responsibility for this.

**Hon. A. F. Lawrence:** No, I did not say private enterprise was not interested in it, and I am sorry if the hon. member took that connotation at all. As I indicated, there are a number of concerns that are interested and apparently have looked at it very closely, but it is not economically feasible.

**Mr. Jackson:** Well, Mr. Chairman—

**Hon. A. F. Lawrence:** If you want the government to get into an operation like that—and I am convinced it would have to be more than one operation—

**Mr. Lewis:** Right!

**Hon. A. F. Lawrence:**—perhaps all of them very distinct and involving very great losses, then that is your philosophical approach; it is not mine.

**Mr. Lewis:** What is this about losses?

**Mr. Martel:** Look at the great losses in Nova Scotia. They found out they made \$3 million last year!

**Mr. Lewis:** What conceivable basis do you have for losses?

**Mr. Chairman:** The hon. member for Timiskaming.

**Mr. Jackson:** Well, Mr. Chairman, would the minister not agree that Timiskaming testing laboratory is an example of what can be done if we want to do it? It is on a small scale, yes, but it is proving out as a profitable venture and surely we are not going to encourage free enterprise to build us another unless we tell them it has got to end somewhere.

**Hon. A. F. Lawrence:** TTL is run at a loss. This is their policy. The company—

**Mr. Jackson:** That is fine.

**Hon. A. F. Lawrence:**—provides aid and assistance to the small producers in the area who would not otherwise be able to do that type of thing.

**Mr. Jackson:** Is this not the same situation we are running into with small mines now with lead and zinc?

**Hon. A. F. Lawrence:** No, I really do not think it is.

**Mr. Lewis:** Mr. Chairman, can the minister explain what is the economic risk which supposes loss? What have you been talking about which suggests there would be a loss contingent on it? Obviously these hundreds of thousands of tons are shipped to other countries all over the world—profitably, in the process, for those who do the refining and the companies themselves that continue to operate the mine. Why do you assume a loss? Why would it not be possible to build the processes and in fact, operate at a profit?

**Hon. A. F. Lawrence:** Well, simply, people we talk to who are in the business making money indicate they cannot make money out of it. You do not just build a smelter and a refinery, I gather. And I would be frank, I do not know more about it than the hon. member does.

**Mr. Lewis:** Perhaps a little more than the hon. member does.

**Hon. A. F. Lawrence:** I am displaying my own ignorance, because these are the questions I raised when I first got into the job. But I gathered these things: each one presents completely different metallurgical problems from the others. In some cases, different methods have to be used for these things.

If all the zinc and lead ores were the same and presented the same problems in the metallurgical processes, I do not think there would be any question that we would have had zinc smelters and zinc refineries and lead smelters and lead refineries long before this. The reason we were able to move and turn the screws on Texas Gulf, of course, is that there is a single deposit there. In that way, we were able to use it.

But these other things are all dribs and drabs. Please do not run away with

impression that this is a massive escape of the province—

**Mr. Lewis:** No.

**Hon. A. F. Lawrence:** —of Ontario's ores because, in the overall picture, it is pretty small potatoes.

**Mr. Lewis:** It is pretty significant in terms of the ore.

**Hon. A. F. Lawrence:** But my hope is that as more deposits of zinc and lead become known, with the byproducts, in due course we will have lead smelters, lead refineries and perhaps other zinc facilities, as well. But even if Texas Gulf had immediately planned, say, for a 110 per cent increase of their production at Timmins—which I am told is impossible—but I think even if they had, in the hope that the surplus zinc ores from other deposits could be shipped there, they would not be able to use them in their processes. That is the information I have. Or if they were able to, they would be able to use them only after very extensive changes take place in some of those concentrates at the source of mining—

**Mr. Lewis:** So it is not—

**Hon. A. F. Lawrence:** A zinc refinery is not just simply a zinc refinery that will handle all zinc.

**Mr. Lewis:** It is not just your philosophic inhibitions which prevent you from building a refinery for lead or zinc processing?

**Hon. A. F. Lawrence:** Well, this is—

**Mr. Lewis:** It is the economics that worry you a little, is it?

**Hon. A. F. Lawrence:** It is the economics—

**Mr. Lewis:** Are you saying to me that if you could sort out the economics you would, of course, as a government like to build the appropriate secondary development in northern Ontario?

**Hon. A. F. Lawrence:** No, no. Then we—

**Mr. Lewis:** You would still leave it to private enterprise for as long as it took?

**Hon. A. F. Lawrence:** No, I would rely on my philosophical approach. I would go to a private developer and I would say, "Buster, you can really make a buck in here and help everybody."

**Mr. Lewis:** Right, and succeed in the way in which you have succeeded for 27 years

in building vast secondary development in northern Ontario.

**Hon. A. F. Lawrence:** No, I have not been here for 27 years.

**Mr. Lewis:** You have not been here for 27 years. Your sojourn is too short in this House.

**Hon. Mr. Grossman** moves the motion of supply rise and report progress, and for leave to sit again.

Motion agreed to.

The House resumed; **Mr. Speaker** in the chair.

**Mr. Chairman:** **Mr. Speaker**, the motion of supply begs to report progress and for leave to sit again.

Report agreed to.

#### ADMINISTERING OF LIE DETECTOR TESTS

**Mr. Trotter** moves second reading of Bill 41, An Act to control the administering of detector tests.

**Mr. J. B. Trotter (Parkdale):** **Mr. Speaker**, I put this bill on the order paper in order to bring to this House what I believe is a very urgent matter in our society. That is that the individual is in the merciless grasp of the electronic age.

Unless we are eternally vigilant and the necessary laws in order to protect the citizens of this province, we are going to find that the average citizen is going to have very little opportunity to enjoy the so-called civil rights that we believe are an inherent part of our society. After all, civil rights have a long history. We can give a very learned discourse on what they are, but basically it is the right to mind one's own business and to see to it that other people leave you alone as long as you are within the law. I think it is what the average person, who may not know the intricacies of the law, believes in. British justice is.

Now we on this side of the House believe in reform, and we know that there are a great many changes that are necessary to take place. Many of the old ways of doing things have gone, and you must find new ways of meeting the new problems that are facing our society. But there are many things in our inheritance which we must preserve and must guard with every bit of vigilance that we have at our command.

When I say that we should preserve our inheritance, I do not mean to preserve it like a pickled onion, or an old fossil, or a building that is old and we keep just because of the memories it has. But I believe that civil rights should be preserved like a growing tree; that if properly nurtured it will grow and expand until every new bud on that tree grows and has something new to give.

For civil rights, Mr. Speaker, are the great temple of British freedom. After all, it is a temple at which we worship to seek inspiration and understanding; to bring increased devotion and dedication to the greatest contribution that the British people have given to all society. That is the rule of law. There is one thing in the history of the British peoples; it is that they have stood for the rights of the individual, and the rights of the individual is the keystone of that temple of British justice.

In my view, Mr. Speaker, the lie detector test, which at first glance may seem to be a very small matter, is, in fact, a small but insidious matter, like the poison from a berry. It is being used more and more. It is really a threat to the freedom of thought, to the freedom of choice of many hundreds of people in the province of Ontario.

It is useless to say, Mr. Speaker, that people, when they are asked to take a lie detector test, may refuse. Many of them take that test because they hope to get a job, or they are going to lose the job they already have; and there are many people who simply do not know or understand their rights. Those people who have the knowledge, who know what to do, have probably enough common sense to say, "No, I will not take a lie detector test." There are many people, and it is usually those who are the least informed, who are at the mercy of those people who are well-organized.

For example, an employer who has got the organization, who has got the know-how, and who knows how to go about intimidating people, if necessary, can easily misuse or abuse an individual who simply does not understand his rights or know what to do. In such circumstances, Mr. Speaker, where are the civil rights? Where is the dignity of the individual?

For example, just to give you the kind of questions that are asked of a person who wants to find employment or, in some instances, who wants to keep his job, here are the type of questions asked. Their name, and age, and address. All right, there is nothing wrong with that. Is the information on the

application form true? Incidentally, I interject, Mr. Speaker, that I got these questions one way or another from someone who has actually been through a test. There were 36 questions in all, 20 of which the person could recall.

Have you ever been in trouble with police? Do you have a police record? If so, what for? Do you smoke? Do you drink? Have you ever had a drinking problem? Have you ever taken drugs? Are you married? Do you have any debts? If so, how much are they for? How long have they been outstanding and to whom is the money owed? Do you own your own home? If not, is it mortgaged? How much money do you owe on it? Do you have a car? Do you rent an apartment or home? If so, how much rent do you pay?

Now here is a thorough, personal examination, given to an individual, who in the place might be looking for a job. Some people who have applied, I know, at one particular firm, have been told to go to an investigation company, listed in the yellow pages, for an examination. They are not told what kind of an examination. They get down there and they are strapped to one of these lie detector machines and they are asked the various questions.

A few weeks ago I brought before the House a question to the Attorney General (Mr. Wishart) asking if he would investigate the matter of Cadet Cleaners, a company in the city of Toronto, who were using the lie detector test in a very broad way. He said, no, that a company, of course, has the right to do this.

As a result of what took place in the House, the owner of Cadet Cleaners claimed that only those people who handled money were asked such a question. Then, fortunately when this appeared in the press, other people phoned me who were mostly ex-employees of that firm. They told me that whether you were a supervisor or whether you swept floors, you were given the lie detector test and in some cases even the cases of supervisors were examined every three or four months.

Mr. Speaker, suppose a person was working for a firm for a year, or a year and a half and they were asked to take lie detector test. Their choice is this—you either take the test or you are out of a job. I know that one man whose wife had worked for Cadet Cleaners phoned and told me that the questions that were asked were extremely personal questions. They had nothing to do with stealing or taking money or any type of property.



One person informed me they were even asked if they went out with a certain person. In other words, they had been investigated and it had been found out with whom they went out in the evening. This is the type of thing that individuals can be subjected to if we permit the lie detector to be used by private individuals. If you turn to page 501 in the yellow pages of the Toronto telephone directory you will see firms advertise that they will do this type of work for you.

I believe, Mr. Speaker, the whole spirit of this bill that I have before the House is that this should be stopped absolutely, with the two exceptions. In the case if a private citizen and a private company had agreed that that person would be examined, the individual to be examined would sign a consent form and the consent of the Attorney General's office would be found. In other words, the Attorney General must consent to such examination.

The only exception where the Attorney General would have to give his consent would be in the event of a police investigation. But even in that case—even when the police want to give an individual a lie detector test—that individual should sign a consent form so that at least he has had some opportunity in protecting himself, even if that form has been part of the bill.

I feel, Mr. Speaker, that we in this province must make every effort to protect the individual—and I also keep in mind the many newcomers to this province who have had a full background of fears because of the governments and the type of administration in which they had in their home country. They have come to this province and to this country because they believed that there would not need to be the fear of such things that the electronic age has forced upon our society.

I was really appalled, Mr. Speaker, the other day when the Minister of Labour (Mr. Bales) defended the right of employers to give the lie detector test. He said in some cases it is all right. I do not see how a Minister of Labour today can protect the worker when he allows such examinations to take place.

In all fairness to the Ontario Human Rights Commission, when they learned what Cadet Cleaners were trying to do, they at least made one improvement. On the Cadet Cleaners application form the individual had to sign the consent that he would agree to take the lie detector tests. But when the Ontario Human Rights Commission tried to stop the lie detector tests, or tried to dissuade

Cadet Cleaners, they found they had no power whatsoever. Now I have found the questions asked in this House that the Minister of Labour does not want the Ontario Human Rights Commission, nor the government, to have the power to stop Cadet Cleaners or any other private organization from what is, in fact, intimidating the workers that are employed by that firm.

I believe, Mr. Speaker, that the whole theory and the whole principle behind this bill is simply that we in this province and this country must take the action to preserve what has been ancient rights handed down to us. It is true we need new laws to meet the modern problem, but in essence the electronic devices are the same old problem of the rights of the individuals being infringed. It is utterly important for us to be eternally vigilant to see to it that people have the right to be themselves.

You know, we talk about the rights of people to have counsel; we have the right. A person need not go into court and give evidence against himself if he does not want to, although I know one judge at least on the supreme court who thinks that is a bit out of fashion now too and is not too interested in that. In fact, I believe Mr. Justice Hain was quoted in a speech of recent date that he thought this should be stopped. Now I believe that the same justice has carried it one step further. In a recent case before the court in Ontario—it was a civil matter—he said that, "If the plaintiff was in court and did not go into the witness box, it should be held against the credibility of that person." At least, if the defendant was in court and would not go into the witness box it should be held against his credibility.

You know, if you look into the history of English common law and British institutions insofar as the law is concerned, it is completely contrary to everything that we have been taught and to what has really been the really, the pillar of our society. There is a sickness that is upon us and it is unfortunate that it seems to be on the bench. The Minister of Labour is not interested; even in this House today we have learned now that the Attorney General is considering doing away with the jury in civil cases. Soon, if we sit back and let this government sort of drowse away and permit these changes that are upon us to eat away at the foundation of our society, we are going to find that we have lost a tremendous inheritance.

Again I want to emphasize, Mr. Speaker, that the one thing that the English-speaking society has given to the world is the rule of law. The right of the individual to be himself. This is the one great crowning star of our race and we are permitting it to be destroyed. This in essence is what I see around me today, and this is why I was moved to bring this bill before this House in order to express my great concern. This government does not seem to care one bit whatsoever for ancient civil rights that must be preserved. Nay, they must be expanded, or we will not have a free society in this province or in this country in the years that lie ahead.

I would urge the members of this House to support this bill and to say to every person in this province that they need not take a lie detector test. We do not believe in snooping; we do not believe in eavesdropping. What we do believe in are the rights of the individual; essentially, the right of the individual within the law to be himself, to mind his own business and to see to it that both private enterprise and governments keep their noses out of his business.

**Mr. P. D. Lawlor (Lakeshore):** Thank you, James.

**Mr. Speaker:** Is there not a change in the order, because my list calls for the member for York North (Mr. W. Hodgson) now—the member for Lakeshore then!

**Mr. Lawlor:** Mr. Speaker, on the whole, we throw our weight behind this legislation. It may be, as I shall point out in a moment or two, defective in some regard, in my opinion.

When lie detector tests were first brought into being, they were used largely by the police, by highly classified people in defence industries and by various kinds of security guards, particularly Brinks Incorporated. Three-quarters of all testing is done for private agencies in the way of employment contracts, hiring people and retesting them in the course of their employment. Some American firms retest their people every six months; it is like some kind of health examination. This has crept into Ontario, as has been pointed out a few moments ago, in the case of Cadet Cleaners, which I think is presently before the courts.

I have before me, Mr. Speaker, a document I picked up from nowhere—in other words, I do not know where it came from—but I thought I would make mention of it. John E. Reed and Associates of Chicago,

Illinois, apparently were testing in Ontario some time; the document has a heading “Toronto, Ontario,” and it reads as follows:

I hereby voluntarily consent to be examined by the polygraph detection of deception technique for the mutual benefit of myself and Canadian Laboratories Supply Limited. I agree that the reactions of said examination may be made known to Canadian Laboratories Supplies Limited, American Hospital Supply Corporation, Lumbermen's Mutual Insurance Company or any other persons designated by Canadian Laboratories Supplies Limited.

It has to be signed by the individual who is undergoing the testing, and in effect is a consent form for so doing. The very requirement of the consent form, either by way of application to get the job initially or to retest the job after it is obtained, is intimidating enough. But the hon. member has sought to put in clauses to preclude the weighing of the issue against the employee. It has become extremely widespread in the United States. There were 5,000 firms in Texas in the year 1964 that required their employees to take a periodic test.

In Ontario, it is very difficult to discern exactly to what extent it is operative. As I understand it, the Ontario Provincial Police have no testing equipment of their own. Forensic clinics have not; I phoned them a few minutes ago. The Metro police have no equipment of their own; they do use a private agency in Toronto—Trans-World, I believe is its name—for such testing as they require. Trans-World also does private contracts in Ontario. But there are outfits that come from the United States, because there is no law for fending against it. They come in for fly-by-night operations, in order to have their tests taken of employees at various places. The chief voice raised against it at this point—not only on the basis of job security but on the basis of basic human dignity—has been that of the labour unions. There have been rulings by the National Labour Relations Board of the United States, under the Taft-Hartley Act, saying that these are illegitimate coercive and illegal devices to be used by companies, and they are more and more being incorporated in labour contracts as to the protection of the individual.

There are five or six purposes for which testing takes place. Basically, for honest work the trend is to investigate into previous crimes; that is another area in privacy which after a period in time of good behaviour a man ought not to be pilloried for the rest

his life. His record, at least in certain kinds of crimes, ought to be placed under seal and not utilized against him in seeking employment of various kinds. They look for subconscious actions, latent tendencies that they try to bring to the surface.

The testing technique itself of course is under severe fire by most scientific agencies. One could quote at length from the major work on the subject, Allan Westin's "Privacy and Freedom," where the unscientific and unpredictable nature of this machine is subject to testing. It goes so far, in this particular regard, that at 237 he states that in Europe, by contrast, the courts, legal codes and authoritative commentators have long rejected the lie detector as an impermissible police technique, not on the grounds of error ratio, but because it is felt to violate the essential dignity, human personality and individuality of the citizen. It was this formulation of the issue that led Pope Pius XII, in 1958, to condemn the lie detector, along with narco-analysis, for investigative purposes as an intrusion into man's interior domain, invalid morally even when used for governmental purposes.

So, on the basis of that sort of statement, weighing in the scale, even present legislation before us may be questionable. Perhaps the police ought not to be able to utilize so variable and so weak an instrument. It can be beaten if a man is a pathological liar; he does not sweat at the palms, you know. Also, they can dream up fantasies when you are using the machine to escape its influence. With people that are obese, they cannot get the proper pulse rate from the individual's cardio-vasculars analysis that is necessary in the test.

There are many ways of escaping it. The test, with respect to the training of the operators, is a very suspect thing. Again, Westin sets out at length the non-training of many people performing these tests in the United States; but they have pretensions of having quite a skill. At least, the legislation ought to go one step further in that a licensing procedure ought to be incorporated for people utilizing polygraph machines, whether they are private investigators or not.

The other grounds upon which the tests are taken is to cut down employee turnover. They ask questions like do you intend to stay on this job for a number of years? When an employer hires an employee he has, in advance, some indication which employee will be rooted to the organization. They go into moral habits of the individual; they try to

detect whether he is a secret lush or whether he has a mistress or an odd girl friend hanging around here and there. How that affects the job qualifications quite puzzles me. Such is the nature of the beast.

They investigate unrevealed debts, hidden obligations, whether they are relevant or not, or pertinent to the employment. Then at the end of examination, the favourite question is asked—did you falsify anything during the course of the examination? Or have you ever done anything during your life for which you are ashamed?

You can imagine what happens to the machine in that circumstance. Of course, the favourite directive, whether or not it has pertinence or not is whether a man or woman happens to be a homosexual. The machine rattles in many instances in this regard, through nervousness and through reactions of various kinds induced by our particular cultural climate.

These are the faults and defects in the use of this instrument. I am, on the whole, very suspicious of its use but if it has any value—and it may, in the case of, say a rape man—it will be where a great deal of time and money is taken up by the police investigation of complaints of this kind, and they may be simplified and cut short if the machine is used in this context.

But the man must be an exquisitely trained operator, a psychologist, a physiologist; he must have qualifications in many fields in order to ask the right questions. In a comment cited by Vance Packard, in his book called "The Naked Society", he points out that the bases of the reports were not made at what was elicited from the machine at the time of testing but from a preliminary inquiry made by the investigator prior to ever applying the electrical apparatus across the chest. This is a vicious use of the interrogative process.

In Ontario, the one man I know who does utilize the machine is a man who has been properly licensed by the Ontario Provincial Police and the Attorney General's department in this regard, as a private investigator. When in that licensing, he operates the polygraph machine. This individual has indicated to me that he would in no way be opposed to being licensed as a polygraph operator because he thinks his qualifications are in good line. He has practised here 15 to 18 years and from what I could discover seems to be quite well qualified in this regard.

Mr. W. Hodgson (York North): Mr. Speaker, I am, of course, very happy to take part

this debate this afternoon. However, I must say that one must wonder whether the hon. members of the opposition are not somewhat confused.

The opposition would have you believe, sir, that a lie detector is an instrument solely designed to take away the rights of the individual. And this is specifically, sir, what I want to question. First let us take a close look at subsection 1 of the proposed bill. It reads as follows:

In this Act, "lie-detector" means a devised means of recording by polygraph or otherwise, chemical or biological reaction of a person uttering an intentional falsehood.

I believe that the crux of the entire matter falls on those last several words—"a person uttering an intentional falsehood."

Mr. Speaker, let us face the facts; a man has gone to great lengths in an effort to find out if his fellow being is uttering an intentional falsehood. Surely the members of the opposition must admit that any person who is applying for work anywhere is subject to a great deal of scrutiny and on the average must take tests of various types. There are typing tests, IQ tests, shorthand tests. Actually there are all types of tests in various shapes and forms designed to bring out the ability and integrity of that person.

Then we come to the actual interview. Many long hours are spent interviewing with the intention of finding out as much as possible about the person. We try to find out his business background, type of education, personality and so on. Then after spending quite a long time with the person we turn to yet another means of attempting to find out even more. We check his references. We check his schools. We check everything that is humanly possible to check.

Let us have a look at what we do to a person already in our employ. We check their books, we check what time they come in and what time they leave, we check their work. In fact, it is a constant check that is being kept in order to maintain an honest and sincere employee. I believe the hon. Attorney General covered the subject nicely when he said this:

Both the employer and the employee have a legitimate interest which they will naturally and properly seek to protect. The employer is interested in acquiring from unknown applicants an employee who will be truthful and honest and responsible in the discharge of his duties as they are related to the handling of cash. Similarly, the employee is interested in his own rights and privileges with respect to his prospective employment.

In the resolution of the mutual interests of these two people, it becomes incumbent upon each other to de-

cide to what extent he is willing to vary his requirements and principles in the interest of his objective—whether it be the gaining of a position or the gaining of an efficient employee.

While I believe that this is the answer to the entire situation, I believe it is the right of the prospective employee or the long-term employee to refuse to take the test as it is the right of the employer to give it if he so desires. The choice is up to the individual.

**Mr. Trotter:** This must have been wrong about 1880.

**Mr. E. W. Sopha (Sudbury):** Is that the downtown office of the Conservative Party?

**Mr. W. Hodgson:** It is merely a matter of opinion as to whether it is in good taste for an employer to make such a request of an employee. Since, in my opinion it is a matter entirely between an employer and an employee, I feel it is not in the best interests of this time to support such a bill.

Mr. Speaker, I have no intention of forcing Peter to pay Paul, particularly since no one is being broken, not even the Ontario Human Rights Code.

**Mr. Trotter:** Pretty feeble!

**Mr. D. M. De Monte (Dovercourt):** Speaker, that is a typical reactionary speech from a very reactionary party. I think with respect, firstly, Mr. Speaker, that we have not yet got to the crucial aspect of this situation which is the right to privacy of the individual. The right to privacy really, Mr. Speaker, tells many things—the right to walk down the street, the right to go into a house without being interfered with, the right that my conversation stay with me and not the person I am talking to.

**Mr. R. Gisborn (Hamilton East):** The right to take a job without being persecuted by you, too.

**Mr. De Monte:** The NDP simply cannot keep still. It simply cannot keep still here.

But the main thing is that it is a shock and really a very emotional issue that we are involved in today. We have to try to look at it in a dispassionate sense, Mr. Speaker, if we are to get to the heart of the matter.

Many documents have been produced and more are now being produced in connection with the special conference to be held at Queen's University in May on "Computers and Privacy". It is my intention to quote from some of those documents to back up what a member for Parkdale has said regarding

individual's right to privacy in all circumstances. We have very famous papers on this; one is by Warren Brandeis called "The Right to Privacy", which is found in *4 Harvard Law Review*, and the second reference is found in "The Interests of Personality", *28 Harvard Law Review*.

In the legislative library here we have a book called "Criminal Science Monographs—Pathological Lying, Accusations and Swindling" by William Healy and Mary Penney Healy, published in 1915. Then, with real determination to avoid being merely emotional on this problem, I went to the microfilm and found a reference to the *New York Times* for Friday, February 3, 1967, datelined Washington, February 2, and it said:

A White House panel reported today that the individual's inalienable rights to privacy have been undermined in recent years by electronic and other kinds of snooping.

The panel members said they have been dismayed to observe the disregard for human values manifested by those in government and industry who employ eavesdropping and lie detection devices without clear justification.

It must be remembered, Mr. Speaker, that the White House appointed this panel and it was headed by Kenneth E. Clark of the University of Rochester.

There is another very interesting article, Mr. Speaker, and I am only citing these articles to build up my thesis without having to quote from the articles later on. There is also one very important article and that is "Privacy and Behavioral Research" which was received here on April 8 in the library. There is also a very important paper by David A. Cornfield. It is in the faculty of law review of the University of Toronto. It is being republished for the seminar to be held at Queen's University on computers and privacy.

There is a very interesting report that was commissioned of Edward F. Ryan by none other than the Attorney General for the law reform commission, and it is interesting to read what Mr. Ryan said in view of the position taken by the Attorney General in connection with this very critical issue. With the very small amount of time at my disposal I would just like to give you the concepts that came out of these very learned articles:

In Canada from its earliest days our legal and political systems have been devoted to placing limits on the powers of surveillance that authorities could conduct over the lives

of individuals and private groups. The tradition of limiting this surveillance goes even further in western society—at least as far back as the democratic Greek city-st

In the early days physical surveillance of individuals and groups was possible only in terms of actual entry, eavesdropping, or conversations by ear and overlooking individuals. To place limits on these forms of surveillance, our laws have required that searches and seizures by government and police authorities be reasonable and be not made without search warrants which describe specifically the place to be searched and the persons or things to be seized.

Reasonableness was determined by judicial inquiry in which law enforcement officials had to establish probable cause and was examined by a judge about the scope and content of the inquiry.

We have to go back long before the beginnings of Canada to discover that psychological surveillance over individuals began with torture and inquisitions to extract information or beliefs, and star chamber type of proceedings to compel individuals to testify against themselves.

I would interject that that is what they were doing with the lie detector test.

Civilized nations have always taken legal steps to forbid torture—

Interjection by an hon. member.

**Mr. De Monte:** And you could hear comment from over there.

**Mr. Lawlor:** That was not a comment.

**Mr. De Monte:** That is the type of comment that comes from over there.

**Mr. Sophia:** That was not a comment was a grunt.

**Mr. De Monte:** Up to now we have taken steps to avoid an individual incriminating himself.

Well, that is the type of comment that comes from over there, the grunt.

Now I do not want to get distracted by ideas of surveillance and bugging on the one hand and the keeping of personal dossiers on the other, although both of these things are important invasions of privacy. I want to stick with the matter in hand, which is the lie detector test and I think we can relate its widespread corporate use quite closely to the development of personal selection techniques in the Second World War after.

However, the polygraph itself was developed in the 1920s and it provided a means of measuring the physical state and emotional response of the individual under stress. It was immediately picked up by both law enforcement agencies for questioning suspects and by private employers for investigating business employees and business crimes.

Alongside this polygraph development we saw the spread of deeply probing psychological tests of personality, using a variety of approaches from sentence completion and multiple choice tests, projected tests of situation and picture interpretation and also psychology. They supplied measures of emotional adjustment and personality traits to the selection of individuals for a variety of purposes in government and in corporate life.

On the whole, our law drew a simple line in these areas. In general, it forbade the use of polygraph or personality test results as legal evidence in the courts of law, but up to now it has not interfered in any way in the use of such tests for personnel selection and other non-judicial decision-making by authorities.

As the years have gone by, Mr. Speaker, polygraphs have become more and more subtle. Now the chair in which you sit for your interview may be itself a lie detector, measuring the voltages which are running through your body under stress. What was once science-fiction is now current engineering and is used on a wide scale. This is the character of the situation we are facing today. An enormous leap has been made in the power of public and private authorities to place individuals and private groups under close surveillance. Only now are we reacting in alarm to this fear of Big Brother 1984's concept, and the prospects presented by these developments are horrifying. Perhaps we are a little ahead of the government in this, Mr. Speaker, in mounting an energetic campaign to either outlaw or control the techniques that are out of step with classic, legal and social restraints. This is the situation in which we find ourselves in Ontario in 1970.

That is why among the thoughtful segments of our public and the law-making community of Parliament and the Legislatures the search is now on for a whole new framework for defining privacy in a technological age. A host of interventions, from statutes and judicial decisions to administrative rules and professional standards, must somehow be devised to replace the current restraints which originated and serviced an

earlier period in our nation's history, which are outmoded today.

Mr. Speaker, those are the gist of the that are being put forward by Mr. W. Turning to the study conducted by Ken E. Clark of the University of Rochester points out that the prevailing community consensus, even if it could be measured quantitatively, is often at variance with long-run community ideas and ultimate values. One of the elements of our core is the paramount right of the individual to hold out against the community consensus. For this reason, no matter how useful measurements of community opinion may be in balancing a judgement, they cannot be a whole basis for resolving conflicts of values.

This is particularly true in the case of Cadet Cleaners' use of the polygraph, where the community which is using the service for the laundry and dry-cleaning custom might on a referendum or a survey feel that it was quite in order. In this case, this polygraph with its vested interest in its personal property of suits and dresses, and the like, would be the wrong public to ask, because it would tend to discount or ignore the basic human rights involved, which go much deeper than the personal convenience of the users of a dry-cleaning service.

Mr. Speaker: The hon. member is now on another member's time.

Mr. De Monte: I would just like to point out that the Attorney General in *Hansard* March 10, 1970, page 403, said that another member who insists that prospective—

Mr. Speaker: The hon. member is 15 minutes over. We still have two other speakers. Would he please wind up his remarks?

Mr. De Monte: Well, I would just like to say, Mr. Speaker, that this is a good bill, we recommend it to the government and that it will be adopted.

Mr. P. J. Yakabuski (Renfrew South): Mr. Speaker, this afternoon here we are debating the second reading of Bill 41, a bill to deal with polygraphs or lie detectors—or in some instances, a device known as the truth verifier. The member for Parkdale who introduced this bill said that the hon. member for York North was talking way back in the eighteenth century. Personally, I thought he had a common sense approach to the whole matter.

Mr. Lawlor: Well, we thought you would

**Mr. Yakabuski:** I might mention, though, that someone—

**Mr. Lawlor:** Every once in a while the old Tory blue comes to the fore.

**Mr. Yakabuski:**—someone who is more of an authority than the member for Parkdale—

**Mr. Lawlor:** You should be defending bills of this kind!

**Mr. Yakabuski:**—or perhaps yourself.

**Mr. Lawlor:** You should be on the side of liberty.

**Mr. Yakabuski:** Mr. Alfred J. Moser, who is a professional polygraph examiner, mentioned that the hon. member for Parkdale was away back into the 1920s, or at least he implied that, when he talked about lie detectors, because this device is very useful and perhaps a very necessary instrument in our society. As a matter of fact, they are well over 90 per cent accurate.

**Mr. De Monte:** How about the other 10 per cent?

**Mr. Lawlor:** Where did you get that stuff?

**Mr. Yakabuski:** The hon. member for Parkdale has introduced Bill 41, An Act to control the administering of lie detector tests. I certainly am not in favour of this bill for the most part. The only section that I subscribe to is section 2, subsection 1(a). The choice certainly should be up to the individual. The truth verifier or polygraph is not a truth serum; it is not a drug or a chemical used in brainwashing. It is perhaps the best instrument we have in the process called screening.

Again, I mention Mr. Alfred J. Moser, who wrote a letter to the Toronto *Daily Star* which the *Star* printed on April 8. As a matter of fact, he summed up the whole question pretty fully, and he mentioned all sides of this question. I think if perhaps the member for Parkdale had read it, and read it intently, he probably would have withdrawn this motion. I am sure he would.

But anyway, there are areas where this is a useful and perhaps an essential instrument. One is the area of drugs, when employees are being screened for employment probably in that trade. Security matters of course are of great concern to us all and also law enforcement, and even some branch of the government might find need for this very very useful device at one time or another. Industry manufacturers and distributors are competing

and they of course, do not want their employees divulging to their opposition or their competition some of their methods, some of their processes. And, of course, think the employer has some rights. You talking about the rights of the individual. all recognize his rights, and we are saying that the choice is up to the individual, certainly the employer has some rights too.

I will give you a good example of that. Not so long ago in this very Legislature somebody over in the opposition read a letter— a former member of this Legislature wrote Dow Chemical when he was a member. The letter, or a copy of it, came up in this Legislature. I am sure, Mr. Speaker, that the president, the vice-president, the general manager of Dow Chemical never gave authority for that letter to be reproduced, copied, passed on to anyone else. Therefore, this is the very thing we are talking about.

Now if we have a political party that would use means like that, or go to that end to gain power, what would they do if they lost power? They would not become what we now know as the New Democratic Party. The party of New Democrats would become the party of old tyrants. That is what they would be.

That very letter that your leader read when the pollution debate was on a couple of weeks ago points up the strongest case I have seen yet for the need for the device that we are talking about today. One of the strongest cases, if a political party such as that one over there will stoop to these methods to gain or improve their position in this province, God help this province if they ever did take power, Mr. Speaker.

Now we talk about—

**Mr. Lawlor:** If you have got any of these letters floating around, just send them over.

**Mr. Yakabuski:** No, you know, Mr. Speaker, you can always carry this freedom bit as far as you want. You can get carried away. There is a fine line between rightful freedom and excessive freedoms—excessive freedoms lead to chaos or lawlessness.

Sometimes I am concerned that we are blinded by the term freedom and, by enlarging and dealing with it in a high, wide and handsome fashion we are creating a monster, Mr. Speaker—a monster, or an octopus that will in the end destroy us.

So, Mr. Speaker, today I want to say that I am not at all in favour in this truth veri-

bill and I hereby voice my disapproval most emphatically.

**Mr. Lawlor:** Unbelievable. Two Tories in one afternoon.

**Mr. Sopha:** Is Joe McCarthy dead? No, he is alive and living in Barrys Bay.

**Mr. Lawlor:** Oswald Mosely is not dead!

**Mr. J. Renwick (Riverdale):** Mr. Speaker, I do not really intend to deal with any of the comments made by the last speaker on this bill. I want to try and deal with it in the light of the motivation that led the member for Parkdale to introduce it to the assembly.

I take it, from what he has said, he was shocked, as indeed all of us on this side of the House were, when he discovered that the Cadet Cleaners company were using as part of their application form the requirement that a person consent to and, as a condition of employment, take a lie detector test. I do not accept the euphemism that the last member used when he referred to it as a "truth verifier."

The first thing I think that one must know, Mr. Speaker, is that it is a repressive obligation or requirement imposed by a company which is engaged in an industry notorious for the low wages and the hours which are worked by persons in those establishments. It is persons in that kind of an industry, who require the protection of laws setting hours of work and vacations with pay, and minimum wages. You will find that it is only in that kind of industry that there is the effrontery on any employer to suggest that an employee must be faced with a choice of whether or not he will take a lie detector test.

Such a choice is, of course, not a choice. The choice is, does he get his employment without it, or is it a condition of getting employment which that persons meets only if he complies with the requirements of taking the lie detector test? So in any way it is a specious statement to say that it is at the choice of the employee, whether or not he takes the particular test, because it determines whether in fact he would get his employment.

It would seem to me, Mr. Speaker, that if it is true that under the laws of Canada—under the Criminal Code in the jurisdiction of the government of Canada—there was a requirement imposed as a procedural matter that the police were able to administer a lie detector test to anyone who is apprehended or suspected of having committed a crime, then I am convinced in the light of the

resuscitation of the Canadian Bill of Rights that such a provision in the Criminal Code would be struck down.

And if it would be struck down, if the position is correct that it would be struck down, then it seems to me to be even more so in logic, that in no way could an employer make use of any such test for his purpose. Mr. Speaker, my guess is that under the Charter of Rights of Canada, in fact the lie detector test would be inadmissible either for police investigative purposes or for any probative use in any of the courts.

I take that to be so, for one thing, in the general language of the declaration of the liberties of all the citizens which we are deemed to have from time immemorial, the right of the individual to, and I quote, a pertinent clause, "security of the person." Then it goes on to state that:

No law of Canada shall in fact deny any person of the right to a fair hearing in accordance with the principles of fundamental justice for the determination of his rights and obligations and, similarly, authorize a court tribunal, commission, board or other authority to compel a person to give evidence if he is denied counsel, the right of protection against self-incrimination or other constitutional safeguards.

I simply make the point that if in fact that would be unconstitutional because of the Bill of Rights for any such permission to be given to the police, then I would say it is open to any employer to impose as a condition of employment that an employee consent to taking a lie detector test, either on his initial application or during the course of his employment.

Perhaps, Mr. Speaker, this is one point which has not been emphasized, that in many instances lie detector tests are used in the case of a group of employees charged with responsibility for money, on all whom suspicion is cast because there has been a loss of funds. It is quite customary for companies to create the atmosphere that says, "Oh, yes, you are all under suspicion because money is missing and therefore all of you, to clear yourselves should submit to a lie detector test." The result, of course, is that those persons in employment who submit to the lie detector test are in some way exonerated, and that person in such circumstances who refuses to take the lie detector test in one way or another has incriminated himself in the eyes of his employer.

It would seem to me then, Mr. Speaker, that for all the arguments which have been



put by the members of the Liberal Party and by my colleague on behalf of this party, we would certainly support the blanket declaration of illegality of any lie detector test. I myself am not prepared to accept the exceptions which the member for Parkdale has put into the bill.

I think it should be a flat prohibition; it is not a real choice, therefore I do not think a person should be placed in the position where he can in some way or other consent to have a lie detector test administered to him, whether it is in connection with his employment, either on initial application or during the course of his employment; nor do I think that a person should be liable, as is inherent in the bill drawn by the member for Parkdale,

so that in some way or other the police—such can administer, with consent, a lie detector test.

We, therefore, Mr. Speaker for these reasons support the bill; we disagree, I disagree with any suggestion that it should be used by the police for any investigative or other purpose.

**Mr. Speaker:** This completes the private members' hour.

**Clerk of the House:** The 10th order; House in committee of supply Mr. A. E. Reuter at the chair.

It being 6 o'clock, p.m., the House to recess.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Monday, April 20, 1970

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 20, 1970

The House resumed at 8 o'clock, p.m.

## ESTIMATES, THE DEPARTMENT OF MINES (continued)

On vote 1301:

**Mr. Chairman:** The hon. minister.

**Hon. A. F. Lawrence** (Minister of Mines): We were halfway through our list of exemptions, Mr. Chairman, if the House is still interested.

**Mr. J. Renwick** (Riverdale): We certainly are.

**Hon. A. F. Lawrence:** All right. I just thought I would ask.

McIntyre Porcupine Mines: this one is the one that controls Falconbridge and it, in turn, is controlled by Superior Oil, I think, of Houston, Texas. In December of last year we granted an exemption with respect to copper concentrates for the period of January 1, 1970 to December 31, 1971; a two-year exemption.

This company operates a gold mine in the Timmins area and refines its own gold and copper as a byproduct. The exemption is for the balance of a term of an existing contract, entered into with a refinery in the U.S.A. before the amendment to the legislation. The company, in the interval, is to investigate the possibility of having its concentrates processed in Canada. I have taken the opportunity of making sure that they appreciate that there is no undertaking at all by us that their current exemption will be renewed.

**Mr. J. Renwick:** But no intermediate condition is imposed?

**Hon. A. F. Lawrence:** No. They had the contract before the legislation came into effect, so it is only fair not to conflict with that contract.

**Mr. E. W. Sopha** (Sudbury): Let me ask you a question. Why do you say, "They will investigate the possibility of refining it in Canada?" My understanding is, and I would like to be corrected if I am wrong, that

Noranda Mines, at Noranda, has a capacity to do custom refining all the time, and I have never heard that that capacity is exhausted.

**Hon. A. F. Lawrence:** My understanding is that they are going full blast. Noranda now gets about 40 per cent of the flow going through that plant from the province of Ontario alone.

**Mr. Sopha:** They are doing Kam-Kotia!

**Hon. Mr. Lawrence:** Yes, but if they are not up to capacity, they are very close to capacity. They do a lot of custom work well.

There is another question here and that is the question of whether we really want to insist upon, in effect, a monopoly centred on one firm. That enters into it.

I feel it does no harm for a few small producers to be seeking refining facilities elsewhere, as long as they are small producers. The happy solution, of course, would be for other copper refining and smelting facilities to be opened up in Canada.

Kam-Kotia Porcupine Mines Limited, Dickenson Mines, holds about a 47 per cent interest and about January 16, 1969, that before our amendment became effective, a two-year exemption was granted with respect to zinc concentration during the period January 1, 1969, to December 31, 1974. The company operated the copper mines in the Timmins area and copper concentrate was sent to Noranda.

Zinc concentrates are a byproduct, and the company has been unable to find a Canadian refinery to which they could be economically sent. The exemption is only for the term of an existing contact with a refinery in the United States.

**Mr. D. Jackson** (Timiskaming): Can you tell us what the tonnage is coming out of Kam-Kotia in zinc right at the moment?

**Hon. A. F. Lawrence:** Tonnage? Yes. Well, I can only give you 1968, I think. Maybe 1969 could be 1969. From Kam-Kotia: in 1968 they produced 40,846 tons of copper, all

which went to Noranda. And zinc, they produced 31,558 tons, all of which went to the U.S.A. All right?

**Canadian Jamieson Mines Limited:** Control here is apparently held by many Canadian individuals, many from the Timmins area. And again—an old order-in-council dated December, 1965, which was amended a few weeks later—an exemption was granted with respect to copper and zinc concentrate during the period January 1, 1966, to September 30, 1970.

This company operates a copper mine in the Timmins area. It is a small property. The operators, in their application, informed us they were unable to arrange senior financing in Canada for plant and other pre-production expenses. The Bolidens Mining Company of Sweden was prepared to advance the necessary funds, in exchange for the contract for the copper and zinc concentrate.

An exemption was granted in 1965 in order to permit the mine to be brought into production—all of these copper exporters, of course, also require a permit from the federal Department of Industries, Trade and Commerce—so that exemption ends September 30 this year.

**Hermina Copper Limited:** is a private Canadian company owned by the G. H. Babcock family. An order-in-council dated August, 1969, which was later amended, granted an exemption with respect to copper concentrates produced during the period August 1, 1969, to December 31, 1972.

This is a small marginal copper mine in the Sudbury area. It only mills about 75 tons a day and employs about a dozen men. The concentrate is not of interest to Canadian smelters because of the small and uncertain volume. There is a provision whereby the exemption can be rescinded if the minister becomes aware of a refinery in Canada to which the concentrate could be economically shipped. This is another one of the very small marginal producers.

**North Canadian Enterprises Ltd.** is a private company controlled by Mr. Pat Sheridan. An order-in-council dated February 12, 1970, granted an exemption with respect to copper concentrates produced during the period January 1, 1970, to December 31, 1971, a two-year exemption. The company operates the Coppercorp property north of Sault Ste. Marie and produces copper concentrate. Again, when the new legislation came into effect the company was part-way through a contract which extends until the end of 1971 and which requires shipment of concentrate

to Spain. The exemption runs to the end of the current contract only.

**Spanish River Mines Limited:** Control of the company apparently is held by the Exploration and Mining Company Limited and Sheridan Geophysics of Toronto. An order-in-council dated August, 1969, granted an exemption, again with respect to copper concentrates during a period from August 1, 1969, to December 31, 1972. Again, there is a small copper operation in the Sudbury area. The operators apparently could not raise the Canadian capital required for financing. **Beni Oeida Limited** of Japan offered to advance funds in exchange for a contract to produce the concentrate. An exemption was granted for the period of the contract, to enable the property to be brought into production. The company had been advised to dilute its shares in a Canadian market by the expiry date, which is December 31, 1972.

**Mr. J. Renwick:** Mr. Chairman, on a previous occasion this is the second time that the minister mentioned the fact that financing was not available in Canada. The first one I mentioned because it related, as I understand it, to an order-in-council which predated by some time the amendment to The Mining Act. In the last statement the minister made—that financing was not available—was subsequent to the amendment which was passed by the Legislature?

**Hon. A. F. Lawrence:** No. The order-in-council, of course, was subsequent to the amendment by the Legislature, but the contract predated the amendment. There was a need for an exemption prior to the amendment. The contract, upon which the exemption was applied for, predated the legislation in this House.

**Mr. J. Renwick:** I was simply pointing out that this was the situation where the order-in-council was subsequent to the amendment. In the other case, it was prior to the amendment. I recognize that there was an exemption contract which predated the amendment and the minister granted it.

In listening to the minister, this is the first time I have had any indication from him that he imposed a condition—that may be a very strong a term. He expressed a view, in the event, on what was required. Now, is it a condition or expression of view by the minister about what they must do between the time the exemption expires, expires in the order-in-council; or is it expressed in some other way to the company?

**Hon. A. F. Lawrence:** No, it has been expressed in some other way to the company. The order-in-council merely refers, I believe, to the contract, and the exemption expires on the date the contract expires. The company has been informed they should diligently seek a Canadian market by that date. In other words we are not bound, nor committed in any way, to renew the exemption for that company.

**Mr. J. Renwick:** Perhaps there is going to be an example in other companies when the minister continues with his list, but in this kind of a situation, and this is hypothetical—the minister may not be in a position to answer it—had there been a contract entered into subsequently and had the company come forward and said it had difficulty in getting financing in Canada but was able to arrange with a Japanese concern or a concern elsewhere to provide the financing in exchange for a contract, is the minister in a position to say that there would be some effort made by him to ascertain whether or not financing was available in Canada for that kind of operation?

**Hon. A. F. Lawrence:** Well, as the hon. member has indicated, it is a hypothetical question relating to a hypothetical set of facts. I do not want to be difficult about it. If we were really convinced that it was a worthwhile operation, that it would gain employment or provide employment and would be of limited duration until there was some indication that the refining and smelting facilities were on the horizon somewhere, and if we were convinced that this was the only way to go about it, I would think that we would grant an exemption. We do have people on our staff now who can look at these things and give us pretty good advice. Also, some of the other agencies of the government can also give us indications of whether somebody is really trying to pull the wool over our eyes or not on this sort of thing.

**Mr. Jackson:** Mr. Minister, was The Department of Trade and Development consulted before this exemption was made as to whether financing was available or whether there may have been another company that would have jumped into the void in Canada?

**Hon. A. F. Lawrence:** Some of the officials of The Department of Trade and Development are consulted in respect of these applications where our exemption committee feels they should be consulted. If something like this came up, with a brand new application,

and we were told that financing was the difficulty, we would certainly consult with officials of The Department of Trade and Development. Is that what you mean?

**Mr. Jackson:** Yes.

**Hon. A. F. Lawrence:** In the Spanish River case, I am not so sure that it was, because it predated our legislation. In other words there was no application originally, there was no need for it, because The Mining Act does not require an application at the time.

**Mr. Jackson:** In the second case, if the amendment had come forward?

**Hon. A. F. Lawrence:** No, not in respect of the contract. They said they originally had not entered into the contract because they could not get financing anywhere else. Well, this was some time after the event. The legislation had been passed here last year. But this contract predated the legislation. After the legislation they had to get an exemption to fulfil the terms of the contract. When their contract was originally entered into—well, I do not know whether we had any knowledge of it or not, there was no need for an application for an exemption under section 106, because the predecessor to 106 was not applicable.

**Mr. Jackson:** Mr. Chairman, would it be the minister's care to tell who is on the committee?

**Hon. A. F. Lawrence:** I beg your pardon?

**Mr. Jackson:** Would you care to tell us who is on the committee?

**Hon. A. F. Lawrence:** Who is on the committee? All right, I will get my people to write that out for me while I go on further with the list, if you do not mind.

Interjection by an hon. member.

**Hon. A. F. Lawrence:** Copperfield Mining Corporation Limited is controlled by The Corporation of Toronto, which has about 22.4 per cent interest. An order-in-council dated February 12, 1970, granted an exemption to two copper fields with respect to copper concentrates produced during the period January 1, 1970, to December 31, 1970. Again, this is a two-year contract.

You will find a repetition of this tendency for a two-year exemption only in respect of copper. Again, this is a small copper mine on Temagami Island. It has an existing contract which calls for shipment of its concentrates to Japan. The exemption will permit completion of the existing contract.

Regarding the committee on section 106, the chairman is Mr. Brady Lee, the gentleman sitting right in front of me, who is the comptroller for the department and the mine assessor for the department. We have also Mr. J. M. Hughes, who is an engineer with the department; Mr. Ralph Scott, the chief of the mining lands branch of the department; Mr. E. E. Matten, who is a mining economist with our department; Mr. D. A. Moddle, director of the laboratory branch; Mr. F. Ismail, who is with The Department of the Treasury and Economics; and Mr. R. T. Cooper of The Department of Trade and Development.

We have alternates or observers for other departments as well, but the others are the actual members of the exemption committee.

All right, to continue with the list:

Canada Talc Industries Limited is apparently controlled by Canadian shareholders. The information we have would lead us to believe that there is no significant percentage held by fewer than three individuals. By an order-in-council dated January of this year an exemption with respect to crude talc ore, limited again to the 1968 figures, was granted during the period January 1, 1970, to December 31, 1972. This one obviously is a little different. This company operates mines and a grinding plant near Madoc; the products are ground talc, dolomite talc chips and crude talc ore.

The ground talc is used in the arts, and the dolomite talc chips are sold all over Canada. The crude talc ore is shipped to the Metropolitan Talc Company Incorporated of South Plainsfield, N.J. This company has a plant to beneficiate the ore to make No. 1 grade cosmetic talc. Canada Talc has represented to us that the cost of duplicating this plant in Canada and the risk of operating it, is far beyond the means of the company. They also feel that they would have some very real marketing problems. As I gather, we are not the only source of talc in the North American continent.

Superior Acid and Iron Limited is the one which came up for discussion last year. This one is not in production. It claims not to be affiliated or associated with other companies, except for a subsidiary in Ohio. According to recent press reports, Kirkland Townsite Gold Mines Limited is planning a takeover offer to shareholders. An order-in-council dated November of last year granting an exemption for the period January 1, 1970, to December 31, 1979, with respect to mining

pyrite from lands in the Goudreau area east of Wawa. This is a 10-year exemption. There is a provision that the exemption may be rescinded unless there is a concern in operation at the mine site by January 1, 1972.

This one is a special case which came up for discussion last year. The explanation given during the discussion of these matters last year. The explanation is that operators hoped to make sulphuric acid, very pure sulphuric acid, in the United States for use in the textile industry in Ohio for this purpose the acid must be of high purity and therefore must be manufactured close to the market to lessen the possibility of contamination.

Under the best of conditions, obviously sulphuric acid is not an easy commodity to ship over great distances, and over the next few months is not an easy commodity to ship while shipping. It is not available. At that time, we took a look at the whole operation and we thought that, with sulphuric acid quite frankly coming out of our ears, there is no harm to anyone to ship the pyrites there—glad to get rid of them.

However, it has not gone into production. It has not worked out yet.

National Steel Corporation of Canada Limited is a subsidiary of the Hanna Ore Division of National Steel Corporation, a United States company. We are now going into the iron ore companies and this is a different ball of wax completely. An order-in-council dated December 18, 1969, granting an exemption with respect to iron concentrates produced during the period January 1, 1970, to December 31, 1974. This is a small open-pit iron operation in the township of Hanna north of Sudbury. This is a captive mine as most of the iron ore operations are in Ontario. This is a captive mine in that the company is a subsidiary of the Hanna Ore Division of National Steel Corporation.

It exists for the sole purpose of supplying feed to the steel plants of the parent company in the United States. The present arrangement made to us was that this source of ore was likely close, and concentrate would be obtained by the company elsewhere. The exemption was not granted. The exemption provides that the 1968 export figures could not be exceeded without the written consent of the Minister of Mines.

If you want, let us go right through these iron ore things and then we will bring into a discussion if you wish.



Steep Rock Iron Ore Mines Limited is apparently not controlled by any other company. About 66 per cent of its shares are held in Canada. An order-in-council dated December, 1969, granted an exemption with respect to iron concentrate produced during the period January 1, 1970 to December 31, 1974; a five-year exemption.

This is an iron mine at Steep Rock Lake in the district of Rainy River. Approximately 1.1 million tons of pellets are shipped annually to Algoma Steel, in Sault Ste. Marie, while the balance of about 250,000 tons goes to the Detroit Steel Corporation in the United States. Prior to 1966, the entire production went to the United States. The exports again are limited to the 1968 figures except with the written consent of the minister.

**Mr. Sopha:** The people of Canada were very good to that company. Very good. Do you know we built them a dock at Port Arthur? That was Cyrus Eaton of course. The history of that should be told some day—the great benevolence of the people of Canada.

I make one comment, that all these iron ore exemptions you are listing point up the need for the erection of a steel mill in northern Ontario. That is the solution, instead of allowing our iron ore to be shipped to the States to provide jobs. One of these companies should be encouraged—I think Inco most of all—to erect another steel complex in northern Ontario to use that iron ore. I just want to dwell for a moment on this statement the minister made about, “They can find sources elsewhere.”

**Hon. A. F. Lawrence:** I was hoping, Mr. Chairman, that actually the hon. member would permit me to run through all the iron ore matters because, as I said—

**Mr. Sopha:** That is the only comment I want to make.

**Hon. A. F. Lawrence:** —the conditions and the stipulations in respect of iron ore are a great deal different than our requirements and our method of dealing with the rest of the industry.

**Mr. T. P. Reid (Rainy River):** May I ask the minister just one short question? Is Steep Rock Iron Mines not one of the very few mines, especially iron ore mines, that is owned primarily by Canadians?

**Hon. A. F. Lawrence:** No, Steep Rock is one of the very few that is not what we call a captive mine. It is not a wholly owned subsidiary of an existing steel plant. Let us

get into that discussion—give me 30 seconds will you?—and I will run through these iron ore ones.

Caland Ore Company Limited, a subsidiary of Inland Steel Company of Chicago—i.e. captive mine. By an order-in-council dated December of last year, an exemption was granted with respect to iron concentrate produced during period January 1, 1970, to December 31, 1974. This mine is on lease from Steep Rock Iron Mines. It is a captive mine, a wholly owned subsidiary of Inland Steel. The entire product goes to plants of the parent company in the United States. Again the exemption provides that the 1968 export figures cannot be exceeded except with the written consent of the minister.

Jones and Laughlin Mining Corporation is a wholly owned subsidiary of Jones and Laughlin Steel Corporation of the United States.

All of these orders-in-council were dated December 18, 1969. They were given an exemption with respect to iron concentrate during the period January 1, 1970, to December 31, 1974. This is a captive mine near Kirkland Lake—

**Mr. P. D. Lawlor (Lakeshore):** That is two years. That is not a two-year period.

**Hon. A. F. Lawrence:** Five. All of the iron ore ones are five. It is a subsidiary of Jones and Laughlin Steel Corporation. Its entire production goes to plants of the parent company in the United States and again provision with respect to the 1968 tonnage is included in the exemption.

Marmoration Mining Company is a subsidiary of Bethlehem Steel of the United States; same date as far as the order-in-council is concerned—December 18, 1969, with respect to iron concentrates produced during the period of January 1, 1970, to December 31, 1974. This is a captive mine near Marmorata in the county of Hastings. Its production goes to plants of the parent company, Bethlehem Steel Corporation in the United States. All of it goes to Tonawanda, I think. The 1968 tonnage provision is included.

The product of all of these iron mines far listed is not raw ore but is a milled and improved product in the form of iron pellets. These usually run between 60 to 70 per cent iron content by weight, but may be richer in some cases. In deciding the refinement stage at which concentrates of iron can be used

directly in steelmaking, and therefore outside the provisions of our section 106, a minimum of 90 per cent contained iron by weight is used.

**Algoma Steel Corporation:** the Mannesmann International Corporation Limited of Toronto holds about 25 per cent of the shares and the estate of Sir James Dunn holds approximately one per cent. The foreign beneficiary ownership at December 31, 1968, was approximately 5.3 per cent. An order-in-council was granted Algoma on December 18, 1969, again for the five-year period January 1, 1970, to December 31, 1974. This company is the oldest, continuous producer of iron ore in Ontario. It operates three mines in the Wawa area north of the Soo, and it reduces the ore to a sinter, which is a low-grade concentrate which looks like coke in appearance.

Algoma consumes approximately 93 per cent of its concentrates in its own steel plant in Sault Ste. Marie; the remaining seven per cent is exported to the U.S. To compensate for its exports, the company imports about the same tonnage of concentrates from the U.S. That sounded queer to me as well, but I gather it is just like making beer. You need a little bit of this and a little bit of that, and what the export of their sinter they import in other forms of concentrates or pellets for their steel mills.

Most of the pellets produced by Steep Rock, by the way, are also utilized by this company. Algoma also has a plant at Port Colborne where the specialty steels are produced for some of these concentrates, and again the provision with respect to the 1968 tonnage applies to this exemption.

That is the final list of all of the exemptions issued under section 106 as amended.

**Mr. Sopha:** None for precious metals at all?

**Hon. A. F. Lawrence:** No, none of them go out. We did have one silver producer but they were prevailed upon to withdraw their application. They were shipping down in New Jersey and we pointed out to them that there were ample processing facilities here in Ontario for them and their application was therefore withdrawn.

In respect of iron ore, the House, Mr. Chairman, will appreciate that we use different standards and different requirements. The reason for this is again that this province is blessed with very many undeveloped areas of low-grade iron ore. In total, the iron ore tonnage that leaves this province is not quite

matched by the iron ore tonnage that comes in so that, in total, we have a fair balance between exports and imports of iron ore.

It was felt that we have no money whatsoever on low-grade iron ore in this province and that to be too harsh in our requirements would simply be cutting off our nose to spite our face because these companies set up these mines in the first place solely and simply to produce the type of pellet or the type of iron ore they wanted. I was convinced that if we did attempt to indicate to them that the iron ore had to go to Canadian steel plants, many of them would simply cut them off and that would be the end of it, and this would simply be defeating the purpose of this legislation which was primarily to provide more employment potential in our own north.

At the moment we have several very large undeveloped iron ore fields. We hope that as time goes on, the need for increasing iron ore in our own Ontario steel mills, the Dofasco, Stelco and Algoma, will increase and that these companies will obtain their feed from Ontario mines. Therefore, it would be ridiculous to say the least to attempt now to force some of these companies to put their feed into Canadian blast furnaces. It was as simple as that.

**Mr. Sopha:** Would the minister tell me where this steel plant—the one that the government should never have permitted to be built in the first place, the one on the north shore of Lake Erie—is going to get its iron ore pellets?

**Hon. A. F. Lawrence:** I would not want to admit that there are steelmaking—

**Mr. Sopha:** No, this—

**Hon. A. F. Lawrence:** All right! When Stelco going to get their feed? We hope they are going to get it in northern Ontario.

**Mr. Sopha:** Where?

**Hon. A. F. Lawrence:** Well, there are three or four different—

**Mr. Sopha:** Sherman mines?

**Hon. A. F. Lawrence:** Oh no, no, no. If you feed a plant of that capacity they will need to develop a new mine, at least one new mine.

**Mr. Sopha:** Will it be in Ontario?

**Hon. A. F. Lawrence:** I would hope so.

**Mr. Sopha:** Where?

**Hon. A. F. Lawrence:** Well, do you want me to run out a map for you of northern Ontario and show where the potentials are? There are three or four of them.

**Mr. Sopha:** Surely to goodness when they start to smelt they know where they are going to get the raw material? Have they not told you?

**Hon. A. F. Lawrence:** No, they have not told us. The only thing they have told us—the latest word coming out of Stelco, is that due to Mr. Benson and his tax threat they may not even proceed with it.

**Mr. Sopha:** You do not believe that yourself?

**Hon. A. F. Lawrence:** No, I do not believe that.

**Mr. Lawlor:** Maple Leaf Gardens is closing down too.

**Hon. A. F. Lawrence:** I am telling you what they are telling us. They will get a lot of feed from Labrador and northern Quebec but they are interested as well in at least one ore field in northern Ontario. The Dofasco expansion, we hope, will be fed from northern Ontario mines as well, but they have not told us these matters for sure as yet.

**Mr. Sopha:** I wanted to make my earlier statement clear. We have taken the position over here that we would not have permitted that steel mill to be built on Lake Erie. That steel mill ought to have been in northern Ontario and, indeed, on Lake Superior, close to sources of supply, not only of iron ore, but of hydro, work force, natural gas, and railway transportation, which make northern Ontario an ideal site for it. I am going to leave it with the comment on how the government could sit idly by and see the further ruination of Lake Erie. It passes understanding, it really passes understanding how they can be so heartless as to ring the death knell of that lake.

Now the other thought I wanted to express was that I am saddened when the minister recounts the tremendous quantities of iron ore that are shipped out of this province to create jobs elsewhere, but completely of a piece with the donkey economy in which we have resided, is that our raw materials go abroad to create jobs. I have said many times—and the statement has never been challenged, that probably for every man who is employed in the mining of iron ore in Canada, 15 are employed in Pittsburgh,

Cleveland and other centres, in fabricating our raw materials into finished products.

The one commodity for which the Minister of Trade and Development (Mr. Randall) he cut short his trips to Japan a little more—could find a market for in the world would be steel products. There must be a tremendous market among developing nations in Africa and elsewhere for fabricated steel products as they try to emerge into something that mature economies, and with our science and expertise and our sources of raw materials we could be a tremendous help to those nations as well, of course, as providing employment for our people in a sophisticated economy. It is said by those schooled in the law of economics that no economy is mature unless it has a sophisticated steel complex; that is the very basis. That explains the frantic activity of the government of Quebec in recent years, in trying to develop one, when in 1950 years before they have not had any sort of steel fabricating industry at all.

I just want to conclude by saying that I am a bit saddened about the precious metal situation, because the minister says no exemptions have been granted and yet the Cobalt refinery is losing money. It must be taking the bulk of production of concentrates in that province.

I am told that the Cobalt refinery is presently scouring the globe to find silver coins. They are refining or smelting a tremendous quantity of silver coins that they are picking up in various places in the world—Mexico and elsewhere, where these are available. They are rendering them down into a fine silver, because there simply is not enough concentrate available.

I looked at the balance sheet a few days ago, and memory tells me that they had something like a loss of \$100,000 last year on the operating side of the ledger. That really grounds for one to be discouraged, because it has been a very exciting development. The initiative and courage of those people in that place where a person can give a little credit. Viola MacMillan was one of the initiators of the project; she has been out of it quite a while, and it has been taken over by the Kama-Kotia-Dickenson group. They have provided a good deal of employment in the Cobalt area.

I am just wondering whether perhaps the Department of Mines cannot exercise some initiative here, in some way that would enable them to get sufficient concentrates put the thing at least on a paying basis. The company, of course, will not face a loss

many years, until they close down the operation, and we are left without silver for the refinery smelting process at all.

Before I sit down I want to take the opportunity to commend the minister for the initiatives he has exercised. There has been an encouraging change in the attitude of this department since this minister assumed the responsibility. I have listened with some fascination to the emphasis which the minister put on these continued exemptions. I want him to know—

**Mr. Lawlor:** The area of taxation is still a giveaway programme.

**Mr. Sopha:** What is a giveaway programme?

**Mr. Lawlor:** The area of taxation.

**Mr. Sopha:** What?

**Mr. Lawlor:** The taxation of mines; we do not tax them.

**Mr. Sopha:** Oh well, we will get around to that. The trouble about this department, if you want me to make a comment—well, I will not. I do not want to intersperse what I was saying by getting into another area. So, Patrick, please do not distract me.

**Hon. A. F. Lawrence:** Do not be complaining; he may punch you in the nose.

**Mr. D. C. MacDonald (York South):** He will change his mind tomorrow. Do not get your hopes too high.

**Mr. Sopha:** Well, I am not a pugilist.

**Mr. Lawlor:** You had better not try.

**Mr. Sopha:** I am out of action anyway. But, notwithstanding what I said to the minister, I would think that our ultimate aim must be that, so far as is practicable, in the next half decade or so we must ensure that we approach the 10 per cent figure of refining and concentrating our ores in Ontario. That is only the first step, as far as I am concerned. Beyond that, we must take some giant strides toward the utilization of these ores, these minerals, in Canada, and the fabrication into finished products. I do not care how many speeches that fellow made—what was his name, the fellow who made the speech in Oregon? Hayes; somebody told me that today. He was the American who made the speech about the dependence of the American economy on other people's resources. You must have noted that recently? An official of the American government said that the American economy was at a critical state because

of that dependence upon resources. And sure he meant us.

Notwithstanding that and the insatiable appetite of the American eagle, we owe ourselves and our people to get on with the business of using these ores. I cannot really, why International Nickel Company which has waxed so rich from the exploitation of our natural resources, are not engaged to look into the feasibility of establishment of a steel mill somewhere in northern Ontario.

The production of iron pellets is a minor part of their business. They found it to be extremely profitable with their pilot plant and then invested another \$50 million in the expansion of that plant. Those people are looking which side of a dollar to look at.

**Mr. MacDonald:** They look at both sides.

**Mr. Sopha:** They know their way to the bank and 67 Wall Street should be engaged, I would think, toward the development of that company. It bothers me that that company has not developed a single fabricating industry in Ontario. They have one have they got, in spite of the tremendous profits they have made out of our natural resources. Frankly, I am bothered and I am willing to say in a public place that I am not willing with quite a bit of despondency upon the accelerated mining activity in the Sudbury basin. They are opening something like six or eight new mines, which means that one ore body will be exploited at an increasing rate. Realizing that it is a finite ore body that reduces, in terms of finite life, the life of the Sudbury basin—

**Mr. MacDonald:** In 30 years from now there will be heading for a ghost town.

**Mr. Sopha:** —as a viable community, day, every moment of the day runs again with the expendability of that ore body. On my own initiative, and I am sure I can speak for this party, I say that this minister ought to have a talk with those people some early date to ask what plans they will be able to develop toward the establishment of some kind of a secondary industry.

I have mentioned many a time a copper wire drawing plant. I am told, by those who are knowledgeable, that it is a relatively sophisticated type of operation. One bears in mind the tremendous amount of copper that is used in the world, and it would be surprising to me that the Sudbury area would not be a natural location for at least that type of secondary industry.

Let it be said, Mr. Chairman, that failure to establish industries of that type, using our natural resources, means that the northern part of the province continues to be a raw material producing area. That is a fate we neither invited nor do we enjoy the prospect of being restricted to that basic sort of economy. Our friend the Minister of Trade and Development there makes a great flap all the time, of course, about a new brassiere factory that he is opening. No, I do not exaggerate.

**An hon. member:** No, no.

**Mr. Sopha:** No, I do not exaggerate. That is the type of secondary industry that he invites here in southern Ontario.

**Mr. T. P. Reid:** Do you suppose you have got a fetish?

**Mr. Sopha:** His eyes are restricted to the area up to the French River only. He never seems to look beyond it; you never hear of anything occurring up there. Have you ever heard of anything occurring in the way of secondary industry from that department? Not a thing! He is taken up by the elaborate, sophisticated type of branch plant economy in the southern part of the province.

I do not speak idly, because the Minister of Mines was not long in this portfolio—he was not dry behind the ears, it might be said to coin a phrase—when he made reference to the difficulties of comprehension of his cabinet colleagues, and he was quoted in the press as saying these things—

**Mr. MacDonald:** I heard him.

**Mr. Sopha:** You heard him!

**Mr. MacDonald:** Well, is it any wonder it happened? His first problem was to prove it to the cabinet.

**Mr. Sopha:** That is right. That is what he said when he was talking about the development of a more sophisticated economy in northern Ontario. He said his first problem was to prove it to his colleagues in the cabinet and—

**Hon. A. F. Lawrence:** You have three problems.

**Mr. Sopha:** And he meant "Osaka Stan". That is who he meant.

**Mr. MacDonald:** The first is the biggest and toughest.

**Mr. Sopha:** That is right. That is the one that it is toughest to prove it to. Are you having some success?

**Hon. A. F. Lawrence:** I am saying there are three stages. The first is the cabinet, second is the caucus and the third and by means the least are the members of Legislature.

**Mr. Sopha:** Well, I have said many times in the past year—and at least I cannot be accused of departing from a consistent philosophy that I have always expressed—that is with great misgiving that I look on the Lake Erie area and see four fifths of the land mass of this province is north and west of the French River where the great wealth of the province is produced from its natural resources. And in that area, in the mining industry and relative to our ore bodies, there is only one industry that utilizes the products that we have in abundance in the Canadian Shield and that one is at Sault Ste. Marie. We are entitled, as a matter of right, to have that steel plant that is going to contribute to the desecration of Lake Erie.

Now, before I sit down, just so the record will be complete. What I was advertising is to be found in this article that a colleague has kindly handed me. Paul Haise Doyle, United States assistant secretary of the Interior for mineral resources, this week sounds a warning to his countrymen.

The outlook for this nation to gain its energy resources and minerals it will increasingly need is bleak and growing more serious.

He told an audience in Oregon.

Two conclusions are inescapable. First, our requirements for raw materials and energy will mount rapidly over the next three decades. Second, throughout the world competition for the resources to supply these basic necessities will increase enormously.

Mr. Doyle admitted the Nixon administration and his country are looking more and more northward to the resources of Canada, Alaska and the Arctic. Canada is a major source and supplier of minerals, such as nickel, asbestos, copper, platinum and silver, to the United States.

None of that is news to me. They have developed the continental concept and I may say that some of my Liberal brethren in Ottawa are much captivated by that. But they goes well back into the history of the federal Liberal Party. The continental concept started with Mackenzie King, who hated the British and everything colonial with a fury. And because of his hatred for the British, which was well documented in Pickersgill's diary,

turned longingly toward the United States, which indeed gave him succour and homeland for a good many years. Douglas Abbott, now in the supreme court, was a great continentalist, and I suppose Mitchell Sharp might be called the leader of the band in the present cabinet. But those are men who have shown little concern about the appetite of the American eagle.

Of course, what the Americans are saying to us in this continental doctrine they preach is only an offshoot of "54-40 or fight" and the doctrine of manifest destiny. What they are saying to us is what the elephant says to the rabbit: "That is a fine clover patch; let us go in and eat it together." And if we, of course, are the rabbit in that parable, and that is the part of the action we would come out with. Well, we have to be on guard against that at this critical juncture in our history. The time is now and today to straighten our spines a little bit—

**Mr. Lawlor:** Is Trudeau a continentalist?

**Mr. Sopha:** Is he? It is difficult to tell what he is. I do not know the man well enough to be able to tell. Few prime ministers, other than Laurier and Borden—now, Sir Robert Borden; there was the great nationalist—have taken such forthright action as Pierre Elliott Trudeau has taken on the Arctic. Did you see him on television last night? That was a great presentation to his fellow Canadians. Good television, good theatre, I thought.

**Mr. MacDonald:** Is it good politics, though?

**Hon. A. F. Lawrence:** This has nothing to do with The Department of Mines estimates.

**Mr. Sopha:** That has nothing to do with it, of course, but what has to do with The Department of Mines estimates is the use of our mineral resources for the benefit of our own people. I have been heard on this subject many times but that will not deter me, because I will continue to talk on this subject until the last breath—now, nobody say three cheers—or we get some action. Because I am not content to be resident with those other 140,000 people in the Sudbury basin and daily get up and look at the desecration of the landscape, the tremendously horrendous damage that they do to the area, and to receive little in the way of benefit for it. We get nothing back for it other than the contemporary asset of large numbers of people in the industry; but beyond that we have no legacy or reward at all to us—

**Mr. Lawlor:** Have you started your yet?

**Mr. Sopha:** Pardon?

**Mr. Lawlor:** Have you started your for an injunction?

**Mr. Sopha:** Yes, I cannot discuss it *sub judice* as the Speaker would say. All I can talk on this at great length but not going to, except to utter some words of encouragement to this minister to continue on the way he is going, and notwithstanding our friends'—

**Mr. MacDonald:** Like Trudeau; which he is going?

**Mr. Sopha:** —our friends' imprecation of him. I want him to know that I realize there are difficulties inherent in this and progress cannot be beaten over the head. They need to be educated slowly and this is real evolutionary and gradual process.

**Mr. Chairman:** The member for Lake

**Mr. Lawlor:** Where do we discuss the minister's taxation policies?

**Hon. A. F. Lawrence:** Just before we discuss the iron ore situation, though, if I may raise a question in respect of the continued export from these captive mines is one that I am sure I have explained readily enough. It is really, in the northeastern part of this continent, on both sides of the Great Lakes there apparently is a very massive amount of low grade—in some parts, south of the Great Lakes a very massive amount of high grade iron ore still available for exploitation.

We, by no means, have anywhere near a monopoly in respect of iron ore that we are at the time thought we had in respect of nickel, as we say. Believing that whole purpose, in saying, of this policy was to provide employment potential, we came to the conclusion that certainly in respect of those captive mines we had to continue to permit the export of that particular commodity. I must say that on all sides of the House there have been representations made in respect of the product of some of these mines. Certainly a pretty strong indication from all sources was made that that many of them would simply shut down and shut down pretty hard and fast—if they were not permitted to continue to export.

It does us no harm, in any event. At the current rate of consumption in this country of the low grade ore that we do have, and the fact that our deposits are low grade with the exception of Steep Rock, the latest testamen

have is even if they mine it to a depth of 1,000 feet only we have a reserve of something like 211 years ahead of us, of the known, block-out reserves at the moment; so there is no lack of this material here.

Obviously, our own domestic consumption is going to increase, but every year further deposits are found in North America, massive amounts in Labrador, north Quebec; still great untapped deposits in Minnesota. We thought it would be extra-foolhardy and absolutely ridiculous to attempt to wield a big stick over these completely captive mines who really would simply shut down.

I do not think the member in whose riding the Marmoration Mine exists would appreciate that. I do not think the member for Rainy River would appreciate it. I do not think the member for Kirkland Lake would appreciate it if Adams had to close down. Our information is that simply because of the setup—the integration in the steel industry today, in which the company that has the blast furnaces and has the rolling mills, also has the mines—these people would simply close them down. It is as simple as that. Certainly that is not the purpose of the legislation. I doubt if that type of representation is the type that members of this Legislature would support here tonight, either.

**Mr. MacDonald:** Mr. Chairman, I think perhaps the House feels that we have discussed this long enough. I do not wish to prolong it, but I have one final question that I would like to ask the minister.

In all this collaboration and the exemptions for 25 companies, my question to him is: what impact has this basic policy decision of a year or so ago had on the province of Ontario? Because the net result of what you have spelled out to us is that all of the captive mines, they continue to operate.

**Hon. A. F. Lawrence:** No, no; just iron ore!

**Mr. MacDonald:** Yes, I mean iron ore. The iron ore captive mines continue to operate, and the exemptions all mean continued non-processing in the province of Ontario.

So let me put my question. What effect has it had up until now? And how significant will be the impact, for example, in the next five years?

**Hon. A. F. Lawrence:** Obviously it has had an impact, even though it may be disputed in this House. I do not believe that Texas Gulf, for instance, would have been involved as early as they were, with their zinc refinery and smelter complex, if it had not been for the pressures from this government.

**Mr. S. Lewis (Scarborough West):** That's not very funny.

**Hon. A. F. Lawrence:** Let us talk about something realistic, shall we? There was at least one other precious metal producer that withdrew its application. As I say, probably smaller copper producers I hope, are rooted around and some of them, I know, are very actively looking at the feasibility of trying to establish some sort of copper refining processes here. Whether this will come within three years, four years, five years, or six years—

**Mr. Jackson:** You do not care.

**Hon. A. F. Lawrence:**—I cannot say. We are attempting to put the pressures on them as much as we can, but—

**Mr. MacDonald:** Do you think it will amount to 500 or 1,000 jobs in the next five years?

**Hon. A. F. Lawrence:** I do not know. That is another fallacy that exists, especially throughout the north. They feel that with a processing facility in their community it is going to be manna from heaven and all their problems are going to be solved. Well—

**Mr. Jackson:** We do not say that. You are saying it.

**Hon. A. F. Lawrence:** Do you want to stand up and make your speech, or are you going to continue to be that rude?

**Mr. Lewis:** Oh what is rude about it?

**Mr. Chairman:** Order, please! One person speaking at a time would be more proper.

**Hon. A. F. Lawrence:** You see, these large modern processing facilities are completely automated and some of them, working around the clock, do not employ any more than 200 to 350 people directly. It is the service industries—

**Mr. Jackson:** Which means about 1,500 families—or 1,500 people.

**Hon. A. F. Lawrence:**—and it is the service industries, especially in connection with the highly automated processes, that are the real benefit in the area. From these skills, of course, come subsidiary skills, or allied skills and in this way, I hope, the diversity of employment and of knowledge and of experience is built up in the area.

But I mean, many communities feel that if they do have a smelter or refinery, they are going to be directly employing thousands of people in them. This is simply not true.

Nevertheless, this is what we are pushing for. We have made that the path of this government's endeavour, one of them anyway, in respect of the mining industry.

I think some people had the rather idiotic view that, come January 1, 1970, by some magic wand of government, everybody shipping exports of concentrates out of the country would immediately cease to do so as of midnight and the very next day these processing facilities would be there.

Obviously, it takes three or four years just to plan these complexes. They are highly complicated things. I would not know one end of them from the other, but it certainly takes that long, in some cases, just to do the metallurgical research alone to try to find the proper process.

It is going to take a long time. I said that I really do not think the thing will start bearing measurable fruit, as far as the economy of the north is concerned, for 20 years. But at least the cards are on the table; the rules are out where they all can see them and read them. People who are making investments in this country now know what the rules of the game are.

The rules are simply that we want more and more of this processing to be done here. The sooner the better, but certainly more and more of it as the years go by. But it is obviously going to take a long time before the thing is completed.

Before you reach anything you have to have an objective and I have set out, I hope today, what our objective does.

**Mr. Chairman:** The member for Lakeshore now, please.

**Mr. Jackson:** Mr. Chairman?

**Mr. Chairman:** The member for Timiskaming?

**Mr. Jackson:** The minister says the cards and the rules are out, but surely he does not really mean that there are any rules? What he is saying is that the rules are out according to the minister, because he changes them at will and according to the situation that he runs into. He had two pages of exemptions—three pages of exemptions—most of them strictly up to the minister. He made up his mind that we are going to exempt and we exempt, right or wrong.

I am not going to say anything about that at the moment, but then he says that domestic consumption is enough for 211 years. But how did the Japanese build a steel complex

over a few number of years when we, Canada, cannot do it? We did not suffer the way the Japanese did after the war and we find ourselves suffering now, in peace.

Surely, there is something wrong with thinking that we say we must export our ore for someone else to make a profit out of it. What is wrong with your department? The Department of Trade and Development is that you do not get together and start importing steel for a change.

One of the criticisms I have had of government, and I think it is quite valid, is that there does not seem to be any co-ordination or operation between the different departments. You are trying to export ores. You are trying to mine. As for the Minister of Trade and Development, well, heaven only knows what he is trying to do, because he is not trying to sell the products that we can produce. I am spending more time trying to bring in big plants from the United States and from Japan and Germany and all the rest of the countries and very little time trying to get people here to develop an industry, a steel industry. Surely that is the ultimate aim we should have, and continued exemptions are not going to lead us into that.

**Hon. A. F. Lawrence:** All right, let me turn it about a minute! Just one more now. We have exempted copper.

**Mr. Jackson:** You are exempting copper?

**Hon. A. F. Lawrence:** No; on small producers only!

**Mr. Jackson:** But without any restriction without any end to all of these—

Interjection by an hon. member.

**Mr. Jackson:** —exemptions. You have told them when it is going to end.

You have said that the contracts are tight and we will let you work out those contracts but you have not told them that at the end of those contracts we are going to cut it.

You have threatened a little bit. Go back to Texas Gulf. You say that the change in section 106 were instrumental in convincing Texas Gulf to locate at Timmins. I do not believe that; and most of the people of northern Ontario do not believe that, I am sure of that. They believe that they would not have located there because it made no economic sense to locate in Timmins.

Surely you do not transport train a train of zinc ore to the United States with



you can build a smelter right on the property to process, and to keep a smelter busy on that property processing the ores that come out of it.

No, it does not make good sense to transport to the United States; that is why they built the smelter there.

And even if something did convince them, it was not section 106. It was more than likely the \$6.8 million they got from the federal government, and all of the other concessions they got from this government. You know, the extra profit that was involved!

And that is the only thing, it seems to me that this government seems to think about. How much can we give to these companies to convince them, rather than tell them in no uncertain terms that we want a little back for a change.

And as far as people in northern Ontario saying that it is going to be "manna out of the sky" just because a plant locates there, we did not say it. This government has tried to ram that down our throats; that they will locate one plant in Timmins and tell the people of northern Ontario they get great things from the Tory government.

Surely what we have said is that we want the whole north developed; and we are not going to do it with one smelter in Timmins, the minister knows that.

As long as we have the idea that we build as we are forced to build, then Japan will walk away from us all of the time. When we get the idea that we can sell our own products, and we get the idea that we are going to go out and work for that; then maybe we will get something.

From what I have seen tonight, and surely this bears it out, all we are doing is saying to these companies, "Give us a good reason and we will back away."

Well if that is all the change in section 106 meant, so that we could back away from it, then it was a waste of time. And the minister is wasting his time trying to convince me otherwise; if indeed he is trying to convince me, and I do not know whether he is or not.

**Hon. A. F. Lawrence:** Well as with a lot of the things that I find the hon. member saying, I think he is being absolutely contradictory. If anything, he is trying to suck and whistle at the same time—to coin a phrase of a predecessor in office here.

**Mr. Lewis:** Say; you are acquiring the trappings of office, are you not.

**Hon. A. F. Lawrence:** I am trying to get the gist of the hon. member's argument. I am saying that the action of the state alone is the answer to these things, or that the action of the state—

**Mr. Jackson:** Just do not keep backing away! Every time you get into a corner you back away.

**Hon. A. F. Lawrence:**—has no factor at all in these things.

Just let me indicate this. We started off with iron ore. The hon. member has the Adams mine in his riding. It is, completely, a Canadian iron ore mine of an American steel producer. Now my understanding is that it is attempted to say to those people: "Now you do not export any more of those products across the border"; they would simply say, "We do not utilize them, no one uses them. Close it down."

Now if that is the ticket you are riding, let me know; and be blunt about it and be honest about it—

**Mr. Jackson:** I will, right now!

**Hon. A. F. Lawrence:**—with your permission.

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

**Mr. Jackson:** Mr. Chairman, I sat on the first negotiating team for the union at Adams mine and Adams mine told us in no uncertain terms that if we pushed too hard they would not proceed with that property; we told them at that time that if they did not want to pay a reasonable wage in Ontario they can go back to the United States any time. That is how I feel right now. If we are not developing the property to the benefit of the people of Ontario let them go back to the United States.

The member for Sudbury made a point; that I mentioned before by the hon. member and Paley pointed out in 1950: the United States is in trouble in this world.

**Mr. Sopha:** I thought I discovered the Paley report!

**Mr. Jackson:** They need the ores that we have. Chile has kicked them out, Peru has kicked them out, the Gold Coast has kicked them out. Any place you want to go in the world, the United States is in trouble.

They are in Canada because they know we are suckers—and we have proved it to them. They do not have to guess at it; we have proved it to them. We keep giving in instead of saying to them we will give it at a price.

But not us; we give it to them and then say what are you offering? And we take what they offer; that is the worst part of it.

So you cannot convince me. No one can convince me that if we get a little tough we are going to be the losers. Maybe we should try it and see just what will happen. Maybe we will lose the Adams mine; but surely the very fact that we have seven per cent unemployment in this province is sufficient indication anyway. You know why? Because we have not got the guts to go out and do something about creating more employment. We are satisfied with the branch plant bit.

**Mr. P. J. Yakabuski (Renfrew South):** Trudeau and Benson!

**Mr. Jackson:** We are not satisfied in northern Ontario, and I am not satisfied with it, and I do not think that you are satisfied with it.

**Hon. A. F. Lawrence:** No, I will never be satisfied.

**Mr. Jackson:** But as long as we get the idea that every time they threaten us we back away from them, we will continue to be nothing more than branch plants for the United States.

**Hon. A. F. Lawrence:** You are talking about a very specific, single, detailed instance—

**Mr. Jackson:** That is just what I am talking about!

**Hon. A. F. Lawrence:**—where we have all sorts of low grade iron ore. So does everybody else; except perhaps the Japanese, who have 110 million people.

**Mr. Jackson:** And so does the United States.

**Hon. A. F. Lawrence:** The United States has plenty of low grade or reserves on tap too.

Now I am talking about the Adams mines in Kirkland Lake. Let us just talk about it.

Supposing you were over here—God forbid that you were sitting.

**Mr. Jackson:** We will be in!

**Hon. A. F. Lawrence:** Suppose the hon. member was sitting at this desk and the question came up, do you permit Adams mines, the Kirkland Lake Adams mine, to continue to ship those pellets across the border when the plant has already been paid for. They have no more capital to worry about,

they have other sources of supply available to them. Do you permit them to continue Kirkland Lake, or do they close down; what is the choice that they have given us.

**Mr. Jackson:** A lot of nonsense!

Well Mr. Chairman, what I am saying the minister is that what I see is that he exempting these people and the rest of government is just ignoring the whole fact

Where is the initiative?

**Hon. A. F. Lawrence:** Oh come on now, not be mealy-mouthed about it!

**Mr. Chairman,** the hon. member is trying to challenge me; he knows my answer.

**Mr. Jackson:** I am challenging you, am

**Hon. A. F. Lawrence:** If it comes to that choice, then it—

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

**Hon. A. F. Lawrence:**—then the mine should stay open because that area badly needs employment.

Now I am saying to him if this was the choice, what would his answer be? A simple yes or no will be sufficient.

**Mr. MacDonald:** Oh, no; no we—

**Mr. Yakabuski:** Put up or shut up!

**Mr. Jackson:** Are you going to get in this? Because if you are I will sit down right now. If you are not then just be quiet.

**Mr. Yakabuski:** He is not going to do anything.

Interjections by hon. members.

**Mr. Chairman:** Order, order please!

Vote 1301, and please do not be repetitive. We are hearing arguments over and over again at this stage. Let us not prolong this—order please, the Chairman is speaking.

**Mr. Jackson:** Thank you very much, sir.

**Mr. Chairman:** There is a great deal of repetition at this stage. If you have no more points to bring up, fine.

The hon. member for Timiskaming.

**Mr. Jackson:** Well Mr. Chairman, what I am trying to say to the minister, and he obviously not listening, is that while he is giving these exemptions and justifying it by saying they are going to close down the mine, what the devil are we doing about the steel mill in Canada? We are saying—

**Hon. A. F. Lawrence:** We have the only viable steel mill in Canada.

**Mr. Jackson:** We are saying to the people they are going to close down Adams mine if we cut off the pellets there. But if Jones and Laughlin opened up another mine tomorrow morning you would have the same justification for shipping the pellets out.

And you would use it too! You have done it with the whole iron industry in Ontario almost, except for the ones that are already shipping that you did not have to worry about.

Where is the government? What are they doing to promote the sale of steel throughout the world? Japan did it. They built a steel industry from nothing—with our iron ore.

**Hon. A. F. Lawrence:** Do you really believe that? I do not believe that you do.

**Mr. M. Makarchuk (Brantford):** Where did they get the ore? You tell us, okay?

**Mr. Jackson:** Well Mr. Chairman, I will sit down because it is obvious that the minister has made up his mind. It is the Tory philosophy; give it away!

**An hon. member:** Where did they get their steel industry?

**Mr. Makarchuk:** Mr. Chairman, I would like to get into this a bit. What the minister is really saying is that if we put taxation on International Nickel, or we put the screws to International Nickel, that they are going to pack up; you know, take the ore on their back and move out of northern Ontario. Now this is what you are getting at.

But to get away from—

**Hon. A. F. Lawrence:** I have never said that. I refuse to permit that to go unchallenged.

Interjections by hon. members.

**Mr. Makarchuk:** Mr. Minister—

**Hon. A. F. Lawrence:** That statement is not true.

**Mr. Chairman:** The hon. minister is attempting to correct a statement.

**Hon. A. F. Lawrence:** I am attempting to correct the hon. member. I never said that.

**Mr. Chairman:** The member for Brantford will take his seat.

**Hon. A. F. Lawrence:** A point of order, Chairman. The hon. member says if we—actual words, I think, were, "If we put screws to International Nickel and up taxation" that the argument we have swallowed is that they will pack up the mine and take it away with them. I have never indicated that with respect to International Nickel or any other company; and I ask the hon. member in all fairness not to do that I said it, because I have not said that I do not think that he is that dense that he does not appreciate that I have not said either.

**Mr. Makarchuk:** Mr. Minister, I was up International Nickel as an example, but the point is that something the minister could not get through his head is the fact that we have the iron ore in this country and the other places in the world do not have the iron ore, nor do they have the nickel.

But I would like to get back to the discussion earlier today where the minister said that private enterprises told him that it is not feasible to build a smelter in Ontario to process the zinc and the copper. If we carry out this argument and we look at the example of Nova Scotia in the iron and steel industry, naturally private enterprise told them that if they went into the steel-making business they would lose the money and this thing would not be a viable industry and so on. Well, they did not really believe private enterprise. They did some studies. What I want to know is, is the minister prepared right now to do some feasibility studies, to find out in black and white whether it is possible to build a smelter here in Ontario, whether it will be economical and how many jobs will it provide. The minister sort of retires, in his philosophy he says that we should not get ourselves involved in this thing. But the minister out there who is unemployed or unemployed does not give a damn about your philosophy; he is looking for a job and your responsibility, as you sit there, is to provide jobs for these people and not take refuge in your rather odious philosophy.

**Hon. A. F. Lawrence:** Did you say a zinc smelter?

**Mr. Makarchuk:** I would like to know if the minister prepared to do a feasibility study to show that a smelter or a refinery for zinc for copper or lead is uneconomical in Ontario?

**Hon. A. F. Lawrence:** First of all, we are getting a zinc smelter.

**Mr. Makarchuk:** Well, one.

**Hon. A. F. Lawrence:** We are getting a zinc smelter in the Timmins area.

**Mr. Makarchuk:** This is not my question, Mr. Chairman. I asked the minister, excluding Ecstall Mining; we are discussing the other little mines all over, which are shipping ore out of the country.

**Mr. Chairman:** Order!

This topic was fairly well discussed this afternoon, with the same questions, and I am sure the same answers coming up, so we are repeating ourselves.

**Mr. Makarchuk:** Well if the Chairman was listening—

**Mr. Chairman:** I was listening very carefully.

**Mr. Makarchuk:** What we are talking about is a feasibility study in this case and we want the minister's views on this. Is he prepared to do a feasibility study? Is he prepared to tell the people of Ontario that a smelter to refine the ore from all these mines in the various places is uneconomical, that it could not operate and it would be, shall we say, an albatross around the taxpayers' necks in Ontario? I mean have you looked at it, have you evaluated it from the point of view of the number of jobs it would provide, the possibility of the income or the revenue that these people will earn in comparison to the subsidies that you may have to pay to the industry? Have you examined these things?

**Hon. A. F. Lawrence:** As I say, in respect of a zinc smelter, there is already one being built. In respect of copper, certainly discussions have gone on about this and studies have gone on in respect of a combined electrolytic copper refinery and smelter. What I have seen so far would convince me that so far this has not reached the economic stage.

The other one that worries me is lead, and again, lead production in this province is not that much of a factor. What again I have seen of it would lead me to believe that we cannot do it as far as governmental enterprise is concerned. This is one that really would be an albatross around the taxpayers' necks, to use the member's phrase.

However, these things are changing. These things are changing almost daily—not only in the reserves and the deposits that we are

finding out about but also the technological advances that are being made. I can assure the hon. member that my philosophy would not stand in the way if we believed that was economically viable from every point of view—not just the balance sheet point of view, but from everybody's point of view if we felt that there was an economically viable project that was worth undertaking and a competitive enterprise in itself was unwilling for some reason or other to take up that endeavour. But, philosophically speaking, I do not believe that there is a field that government should get into.

**Mr. Makarchuk:** Well this is the minister's feeling.

Getting back to the Nova Scotia experience, if the government there listened to private enterprise, they would not be in the business right now and there would be hundreds and hundreds of jobs lost and a community wiped out because they listened to private enterprise. The minister has said what he has seen has convinced him that that is not an economically feasible thing. Would the minister like to table what he has seen so that we can make the judgement, because from what I can gather, what the minister has seen is what private enterprise has told him?

Again, getting back to Nova Scotia, if the government there listened to what private enterprise has told them, they would not be where they are today. What we would like to know is, is the minister doing any feasibility studies? I mean practical, economic, scientific feasibility studies to find out whether this is happening? After all, this is your responsibility. What is this department if it is not providing leadership for the development of either mining or smelting in Ontario? This is your responsibility and it rests on your shoulders and if you are not doing this, you might as well get out of there.

**Hon. A. F. Lawrence:** I do not rely on advice just from the industry alone. I rely on the advice from my own officials, and the advice I am getting from both sources is that in both lead and copper, this is not something at the moment that we could possibly get into.

**Mr. Makarchuk:** Well how do you know?

**Mr. Lewis:** Mr. Chairman, can the minister give us some concrete evidence as to what is fairly important. Social philosophy aside, what do you mean when you say, "What I am hearing tells me that it is not possible for us to get into it now?"

**Hon. A. F. Lawrence:** I am sorry if the hon. member does not believe me. I can assure the hon. member that this is advice being confirmed again by my officials right in front of me at the moment, that this is something that is, in respect to copper—the refining and smelting you are talking about—I mean it is great for the hon. member for Brantford to talk about the near bankrupt steel complex in Nova Scotia but—

**Mr. Makarchuk:** It was not bankrupt.

**Hon. A. F. Lawrence:** It was nearly bankrupt.

**Mr. Makarchuk:** And how many jobs?

**Hon. A. F. Lawrence:** Certainly the conditions under which it is now operating—in my understanding of the matter—are nowhere like the conditions it was operating under before, in respect of the tax situation and a lot of other matters. But in any event, for each instance that you can come forward with like that, just in the same province I can come forward with all sorts of deuterium plants and whatnot in which governments are involved in a very major way and which are turning out to be very great failures. So that there are different factors, and for each argument that the hon. member can bring forward, I can bring forward another one.

I do not think, quite frankly—and this is my opinion, and I am the Minister of Mines, and if you do not like my opinion then you turf me out—but I do not think that all of the people of this province are looking to government alone to be the wet nurse for everything they do, say, think or want to do in the future. I think there are a number of people in this province who can stand on their own two feet without government intervention or without that much government help, and the people in the main in northern Ontario are in that group as well.

**Mr. Lewis:** Well with great respect, Mr. Chairman, what a pack of bravado that is. "Turf me out." You will go to the polls and there will be a judgement, I suppose, but the fact of the matter is, Mr. Chairman—

**Hon. A. F. Lawrence:** The hon. member may not like it, but that is the system we run in the northern ridings.

**Mr. Lewis:** I may say that it is your good fortune, Mr. Minister, you are running in St. George, not in northern Ontario. You would not say it with such bravura if you were running in the north.

**Hon. A. F. Lawrence:** You are an expert on the north, eh?

**Mr. Lewis:** Not at all. I share with a certain concern about the north and a certain interest in the way any analysis is made. What we have heard, and it has only been for a couple of hours, Mr. Chairman, only

Interjection by an hon. member.

**Mr. Lawlor:** We heard you on lie detector that was enough.

**Mr. Lewis:** —fairly important subject—

**Hon. A. F. Lawrence:** Very important

**Mr. Lewis:** Very important subject, right?

I know the minister concedes that. What we have heard from the minister is that he has fixed his objective. All right. I assume that the fixing of the objective is the problem in Ontario or in Canada, as he sees it.

**Hon. A. F. Lawrence:** It is an objective.

**Mr. Lewis:** It is an objective. Well, with the greatest of respect, it is not the bravest of objectives that has ever occurred to me. That things that are mined in the province should be processed in the province. That is not some great novelty, a revelation of the future or 1970. Other countries have practised this premise for 50 or 60 years. It is not something which is endemic to the province of Ontario, or to a Tory government which suddenly happend upon it.

The second thing you said is that the cards are now on the table. But you admit that cards on the table constitute, for the government, the possibility that the package may change in 20 years' time. That is your own figure. You said you hoped in 20 years that the processing situation in northern Ontario might alter. Well, northern Ontario I understand it, is not willing to wait another 20 years, as it has waited 27 years under a Tory regime. If I was to look at it in a slightly different way, I think you have achieved something very clever in all of this. Something which is almost devious, certainly clever, and that is—

**Mr. Lawlor:** He did not mean it.

**Mr. Lewis:** Maybe he did not mean it. But as I listened to the exemptions which you have listed, to the law which you have passed, what you have really done is to embody past practice in law. You have changed nothing. You now have plucked legislation; that is what you have achieved.

All the exemptions which you have provided violate the spirit of what you hope to achieve. In the process of providing the exemptions, you have no guarantees written in of any kind that will stand up, which will transform the economy of the north in terms of secondary processing. Absolutely none. In every single instance, when a mining company has said to you, "We will close down if you force us to process the iron ore pellets 'here', or to process the copper 'here' or the lead 'here' or the zinc 'here'," you have backed down; you have refused to call their bluff.

**Hon. A. F. Lawrence:** That is not true.

**Mr. Lewis:** It is what you have said here this evening.

**Hon. A. F. Lawrence:** No it is not.

**Mr. Lewis:** It is what you said this afternoon. You listed all the exemptions. You said the reasons for it were that they offered us "these varieties of problems." You mentioned Rio Algom; you mentioned Denison; you mentioned Falconbridge; you mentioned International Nickel. You ran through an entire litany of smaller mines, some of them captive. Your excuses, frankly, were not found to be very compelling on this side of the House.

If you were serious about it, Mr. Minister, you would call their bluff; that is what is involved. You would face them down because, if you are serious about it, the bodies of mineral resources are here in this province. They have to be mined in Ontario, and if you say to them, "You must process in Ontario, and you damned well will build the smelting or refining process here within the next three years," you are going to see a most extraordinary flurry of activity.

When you also say to us that you have consulted with the private entrepreneurs, or that you have consulted with your officials; frankly, there is a certain vested interest syndrome. You are consulting with people who have absolutely no interest in altering the pattern. If you are asking for a difference in social philosophy, we give you that difference in social philosophy. There is simply no question that if private enterprise would refuse to do it, we would, in fact, build the appropriate smelting and refining process in these appropriate areas immediately. Because that would make sense.

**Hon. A. F. Lawrence:** Immediately?

**Mr. Lewis:** Immediately; sure!

**Hon. A. F. Lawrence:** Just like tomorrow?

**Mr. Lewis:** You are not talking about things that do not have a return. The investment in the smelter in Timmins not only provides a tremendous array of jobs and all the ancillary jobs which support the smelter, it also brings a return. It is not money sent down the drain. You do not have to maintain this persistent fetish about the sacrosanct nature of private enterprise. There are some public enterprises which are extremely useful and nobody finds dependency because of them.

You could re-energize the economy of northern Ontario if you had a moment's drama about it, and attempted, as government, to build a couple of these smelting and refining processes, rather than saying your objective may not be achieved for 20 years. Excuse us for feeling that the vision is limited. Twenty years is a considerable period distant.

We feel it necessary to join forces right down the line. Because with the greatest respect from all of those—

**Hon. A. F. Lawrence:** Do not keep us that phrase. You have no respect.

**Mr. Lewis:** You know, if you do not say "with the greatest of respect", we feel the same—

**Hon. A. F. Lawrence:** It is so hypocritical.

**Mr. Lewis:**—scepticism for the minister always prefaces a sentence by saying, "I think you I would speak frankly about these things. When people tell me they will speak frankly, I know how they are really speaking.

**Hon. A. F. Lawrence:** Sure you do.

**Mr. Lewis:** Sure, right. We all engage in that kind of exchange.

With the greatest of respect, Mr. Minister, what we are saying to you is that the exertions, whether they are in the area of uranium or lead, need not be as flexible, as willing, as capitulatory as they are by your government. Because you are never going to bring the mining companies to heel unless you face them down and give them a series of ultimatums.

What your legislation, section 106, has successfully done is to allow them to do by law in the name of Canadian autonomy, even though they have done before in the name of the parent company. Nothing has changed. That is what is so offensive to this side of the House.

**Hon. A. F. Lawrence:** With the greatest respect, I really feel sorry for the hon. member and, as a matter of fact, his colleague

there. He talks about setting something up on the altar, in the temple, which we all must worship. In his views of those of us on this side of the House, it is a chivalrous and free enterprise that he thinks is always the glory flag shining in the far distance, to which we all salute as the sun goes down.

**Mr. Lewis:** Is it?

**Hon. A. F. Lawrence:** Just look in the mirror for a change in the morning. What a barren, sterile attitude always comes from those people on that side of the House, Mr. Chairman.

**Mr. MacDonald:** It is your side that the barrenness comes from!

**Hon. A. F. Lawrence:** It is the one and only God-given answer to all of their problems. It does not matter whether it is the people on Lake Erie or the people in northern Ontario, or anything, sir. What is the final answer? The final answer must be a crown corporation.

**Mr. Lewis:** Nonsense!

**Hon. A. F. Lawrence:** Or the government taking something over. When they can find no other answer at all, they say, "We look to you, it is your responsibility in government to get in, and own and operate and run these things." That went out with button shoes and these people, sir, really have not faced up to it, yet.

**Hon. J. R. Simonett** (Minister of Public Works): That is the socialist party.

**Mr. MacDonald:** You have not heard of a mixed economy?

**Hon. A. F. Lawrence:** And I feel nothing but pity for them, in that type of—

**Mr. Lewis:** You do not know compassion.

**Hon. A. F. Lawrence:**—sterile mentality to which we are always subjected by these people. There are a great many other factors, as well, involved in setting up matters such as processing our facilities. It is a question of selling the products, as well. In a great many fields at the moment—

**Mr. Lewis:** That is what we have been talking about.

**Hon. A. F. Lawrence:**—this may not simply be possible. Believe me, we have looked at this. For instance, zinc. There are a great many things involved in the marketing of zinc, sir. There are a great many problems that are

going to beset the Texas Gulf people instance.

**Mr. Makarchuk:** Just as many as there in the marketing of steel in Nova Scotia.

**Hon. A. F. Lawrence:** There are marketing problems in respect of all matters. I am not saying that they are impossible of fulfilment—

**Mr. Makarchuk:** As there is in marketing synthetic rubber, as a matter of fact.

**Hon. A. F. Lawrence:** But I do say, that the answer in my mind—and I may be completely wrong, but whether the members like it or not—this is the way the system operates, and if they do not like my opinion—

**Mr. Lewis:** Out of the mouth of babes.

**Hon. A. F. Lawrence:**—and my opinions are referred to the cabinet of this government. In my opinion that is not a proper realm of activity for a governmental department, when there are still other alternatives.

**Mr. MacDonald:** You are the servant of the system.

**Mr. Lewis:** What alternatives?

**Hon. A. F. Lawrence:** The other alternatives, of course, are for pressures and coercion and tax policies and development policies in this government which will assist these things. But these people, sir, cannot understand these things because they have their minds and their eyes fixed on only one matter, and that matter only, and that is absolute control of government.

Interjections by hon. members.

**Mr. Lewis:** Mr. Chairman, this minister.

**An hon. member:**—the dinosaurs or lions to appear.

**Mr. Lewis:** Well, the dinosaurs are certainly growling!

**Mr. Chairman:** The member for Sudbury East (Mr. Martel) was up first.

**Mr. Lewis:** I want to reply briefly. The minister has a way with a phrase. He encapsulates beautifully everything that is reported on that side of the House. I think it was last year that he said to the opposition, "You have no right to know"—and we all got a message about the way in which democratic government operated. Tonight he says: "This is the way the system operates"—

**Hon. A. F. Lawrence:** The democratic system.

**Mr. Lewis:** And you are the servant of the system. You are the servant of the system.

**Hon. A. F. Lawrence:** I hope so.

**Mr. Lewis:** That is right. You have no sense of ever controlling the system, the system forever controls you.

**Hon. A. F. Lawrence:** Now we are getting back to control.

**Mr. Lewis:** That is simply what it is. That is the way you would have it work. You have no sense of autonomy about it, no sense of independence about it. If the private enterprise system says to you: "Allan Lawrence, Minister of Mines, we want this exemption or we refuse to operate"; or we want this exemption for all kinds of esoteric reasons. You salute: "Aye Johnny", as quickly as you can.

**Hon. A. F. Lawrence:** I was speaking of the democratic system, not the economic system.

**Mr. Lewis:** Oh, the democratic system and not the economic system?

**Hon. A. F. Lawrence:** That is right. I was saying that these are my opinions and I happen to be the Minister of Mines and my recommendations go to the cabinet and this is translated into government policies.

That was the system that I was referring to, not the economic system. That is the subject matter of another half hour's speech that I will give you some day.

**Mr. Lewis:** I am glad you have distinguished between the political system and the economic system.

**Hon. A. F. Lawrence:** If you had been listening instead of talking you would have heard me.

**Mr. Lewis:** Some of us who have been hearing you for the last couple of hours would have thought that you were discussing the economic system. We had that sense—and do you know, if you will forgive me, I still have that sense.

**Mr. Lawlor:** You are not going to get out of that easily.

**Mr. Lewis:** When you are talking about the system dictating your activity, we know which system you are talking about.

**Mr. Lawlor:** It has very little to do with democracy.

**Mr. Lewis:** You will forgive us if we do not love the system; the same system chokes down plants, lays off thousands of people, the highest unemployment rate in many years. The same system has underdevelopment in the north.

You will forgive us for thinking that it might be virtue in exploring alternatives, but what alternatives have been suggested tonight that are so beyond the pale?

**Hon. A. F. Lawrence:** Crown corporations.

**Mr. Lewis:** We have asked you to look at and seriously analyse, in specific economic terms, the possibility of government entering into it. My colleague from Brantford, my colleague from Timiskaming, other members of the caucus have said to you: "What do you mean, you have heard from private enterprise or heard from your advisers?" Why can you not give the House something concrete and specific? Is it because you are concerned that you will learn will invalidate what you now believe?

Well then, pursue it. Everyone else pursues it. Why not give us some evidence for the assumptions that are being declared on the floor tonight?

The second thing we said to you is: "I will go down the mines. Stand up to them and meet their bluff and see what happens. On that occasion allow yourself the excitement of speaking firmly to the president of one of the mining companies, instead of genuflecting every opportunity. Your knees are threatened from prostrating yourself on red carpeting mining presidents' offices.

**Hon. A. F. Lawrence:** I go to church.

**Mr. Lewis:** It does not become you, Mr. Lawrence, to do not walk with a stoop.

And the other point, Mr. Chairman, that you have made—the only other point—is that there is no validity to a crown corporation in this field. This is one of those fields where there is no validity, as in the Lands and Forests area there is some very real validity. I urge you to consider it.

It has nothing to do with holding fetters on one side or another. It is a perfectly useful social instrument—a crown corporation.

**Mr. MacDonald:** You do not even believe in a mixed economy in 1970.

**Mr. Lewis:** It must discomfort you to see Ontario Hydro worming its way into



caucus now and again, but there are crown corporations in your government and they perform a useful function. Even the Ontario Northland Railway performs an occasional function.

**Hon. A. F. Lawrence:** I am not denying it.

**Mr. Lewis:** Right.

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, I would like to ask the minister a couple of short questions.

I would like to know what the hell private enterprise has ever done to fully develop the north to its maximum capacity. We have seen ghost town after ghost town. We have seen the exploitation of raw materials. We have seen the population of northern Ontario over the past eight or nine years dwindle from 11.6 to about 10.4 of the percentage in the province. Really, what has private enterprise done to develop the north to its maximum potential with a little bit of economic planning? That is one question.

I want to know why this government consistently refuses to move in where private enterprise refuses to do so. This has gone on year after year. We can talk about the closure of Domtar at Blind River. We can talk about Geraldton dying. We can talk about Elliot Lake, with its death some years ago. Or the latest—we can talk about Renabie, which finally suffered a financial loss of \$237,000; they will close and throw 100 men out of work.

You know, I often hear this great cry from the free enterprisers that "we provide jobs". The mining industry and the forest industry provide jobs as long as there is profit. Once there is no profit they get out. What does this do for the north, except leave ghost town after ghost town?

And it leaves people, ordinary working people, with all of their equity tied up in a small municipality, lost. The people in Blind River at the present time are giving their homes away for \$1,000 or \$2,000, and that is their whole equity. Where are they going to go because of the sacred cow, free enterprise, that does not plan for the economic benefits of the people and the country, but only for themselves? Here is what we are concerned about.

I am not opposed to private enterprise making money, but I am saying it is high time we got from that, more than private enterprise counted on—that people and the province advance, not just the profits of the various free-enterprise corporations.

We have this great theme of socialism the rich, with all their write-offs and all their tax concessions and the whole bit. talk about free enterprise, but it is not a enterprise system where they come down Queen's Park and ask the government to them handouts year after year, because comes from the people of this province.

You people who are so frightened of socialism, continually assist, in a socialistic manner the free enterprisers. The ordinary Joe out—he is the one that is caught up in free enterprise system.

That is the second point I want to raise when private enterprise will not move in to develop the north, is it your intention to do so? I assume the answer is going to be, "No". And for a man who is now responsible for the development of the north to its fullest economic potential, I can only see days of what has gone on for the past 27 years continuing. But I ask the minister those two questions.

**Hon. A. F. Lawrence:** I would suppose that if I was a believer in unrestricted, competitive enterprise I would not be in government. I am in government because, obviously, I believe this government has a role to play in the economy and in development.

If that, by the way, is a short question, I would hate to hear one of your long ones.

**Mr. Chairman:** Vote 1301.

The hon. member for Lakeshore.

**Mr. Lawlor:** I will not say, Mr. Chairman that I was shocked, though one becomes a little previous to such states of mind, in hearing what the minister had to say about the development in Nanticoke, but I was taken somewhat aback—

**Hon. A. F. Lawrence:** About what? I am sorry.

**Mr. Lawlor:** I was speaking about your replies to the member for Sudbury, touching Nanticoke and the field of development there. You indicated an ignorance as to where the source of supply of pellets would be and to the raw material sources of supply to the great steel manufacturer.

**Hon. A. F. Lawrence:** No, may I correct that? I said I did not know for sure whether they were going to obtain their feed. I said that they had not informed us.

There is no question in my mind a great portion of their feed will come from Labrador and Quebec. And, of course, this is the reason, I assume, why it was not built

northern Ontario. I am also hopeful that a certain proportion of their feed will come from northern Ontario as well.

But the question to me was, "Have they told you?" and the answer was, "No, they have not told me."

**Mr. Lawlor:** Do you not agree then that this is simply your purported policy in reverse, the converse of trying to get secondary processing in Ontario from the source, where they do a certain amount of secondary processing? Is it not better to seek to have the incentives done the other way, so that the source is also located with the extra employment, with all the benefits that flow therefrom, in Ontario too? Have you in mind any legislation in this particular regard?

While you moved last year in section 106 to supply some fuel—some way of retaining the natural resource industry, in all its phases, within the confines of this province—are you thinking in any direction of seeking also that where you have a secondary industry that utilizes the resources of this, rather than reverting to Labrador or Quebec in order to obtain its raw material source?

**Hon. A. F. Lawrence:** Again, I may be rather naive. I see nothing wrong with having a steel complex here in the centre part of the continent and the feed coming to that complex from outside of this province, as long as it is Canadian, you know.

I mean again, which side of the mouth are you talking out of? We are hearing how damnable the mining interests in northern Ontario are and what havoc they wreak on the countryside and how bad employers they are, and whatnot.

**Mr. Makarchuk:** Have you heard that tonight?

**Hon. A. F. Lawrence:** We have heard it from you, yes, from the member for Timiskaming in particular. I have some quotes that are lulus that are going to get thrown back at you, so have no doubts about that.

In any event, I see nothing wrong I hope, in taking a Canadian stance that, as long as these are Canadian ores used in a Canadian complex—in which, quite frankly, most of the benefits will accrue to those of us here in Ontario—is there something wrong with that attitude on our part?

**Mr. Lawlor:** I think there is something considerably wrong with that attitude. If you have got already located within our domain the secondary processing plants, is it not to

the point to develop the primary within province, if it is at all possible? While it is not mandatory, is it not preferable at least

**Hon. A. F. Lawrence:** Oh yes, it is preferable.

**Mr. Lawlor:** Of course. When, after they take it out of Labrador, out of northern Quebec and ship it down the railway system to the St. Lawrence and off to Chicago, Cleveland and other points, such as Pittsburgh, that seems to me to be entirely detrimental to the best interests of Newfoundland and Quebec in line with your own policy they would apply it. But they have not got the economic power or the ability to stand up even to that extent against the exploitation of their own irreplaceable wealth. That may be as it is, but ought we to subsidize that particular cause—and this is the effect, what we are doing by permitting to take place in Ontario, if there are large deposits of cheap ore in the north, as we have contended all evening.

**Hon. A. F. Lawrence:** That is not cheap ore. There are large deposits of low grade ore, but I do not mean cheap ore.

**Mr. Lawlor:** Well, it is sufficiently profitable from an economic point of view to have it taken off to Duluth and to all the other ports of call around the Great Lakes, so must have some economic benefit.

Therefore I suggest that we should give some thought, in the near future, to the other side of the policy, to trying to put some compact into developing where you have an industry that you then utilize the materials. Of course, the industry is going to benefit the people in southern Ontario in this regard, not the people in northern Ontario where these large reserves lie. If some kind of incentive can be given in that particular regard, so be it.

**Mr. Chairman,** I am anxious to get off to an entirely different subject. If there are other people who wish to pursue this line of argument, fine. I want to have a discussion with the minister on the Benson proposals.

**Mr. D. M. Deacon (York Centre):** Chairman, I would like to suggest to the minister a means by which perhaps we really get private equity capital moving in co-operation with government capital in the development of the north country.

One of the really major problems of development in the north is the matter of communication between those who know v

the opportunities are and what the possibilities are, and those who have capital; communication with markets. There are many, many problems that we need to solve. A lot of us are not keen on getting more involved in a government bureaucracy, if we can possibly avoid it.

One of the suggestions that has come to me as a result of my tours across northern Ontario is that we encourage the coming together of groups of people who have been successful in the tourist or the lumbering or the mining industries in, say, northeastern Ontario; another group in northwestern Ontario; another group in the Soo area; another group, maybe, in the Sudbury area.

We go to these groups and say to each of them. "All of you have proven you are successful and competent in your field. If you will undertake to invest a substantial amount of money—and satisfy us it is substantial in your case—in a corporation, a holding company, call it the northwestern Ontario development corporation; we will undertake to put in \$5 million—or \$10 million, depending on the scope of the area—on the condition that you go to the market, the financial community, and say to them, "We want to have a public offering of these shares, preference to be given to offering in the area we are now considering developing."

We will take this example as northwestern Ontario. The group could then go to an underwriting organization with the government committed to put in a substantial amount, say 40 per cent of the total capital. This will give the offering a certain degree of respectability and attractiveness because the government is going into this venture.

If you thus get a pool of capital of \$15 million to \$20 million together, you will have the advantage of having knowledgeable people in the area able to consider propositions that are put to them for development of industry or tourist development or forest development in that area—people who know the area. If you have three, four or five of these groups in northern Ontario, there will be ready communication to any one of these groups by people who have propositions. The latter would not be confined to the Ontario Development Corporation or some other development corporation, to put the proposal before them. They will be able to talk to people who know the north country, who are familiar with it. One of the real problems in the past has been to have to come all the way down to Toronto to try to talk to people who have little idea of anything north of

North Bay, of what the possibilities and opportunities are. We are also, in this putting the government in a position where is not just lending money but it is taking partnership position. Because of its taking partnership position, indirectly it is giving degree of qualification, of respectability the project.

For example, a person may have an idea of a certain type of processing of some wood products in our community in northern Ontario. He can come to one of these groups. He can say, "We would like you to invest \$250,000 in this idea we have. There is a group of us here that have a company; we need to get some extra capital for machinery."

If this man is able to persuade this holding or development company, in which the government would have a major interest to put in, say, 25 per cent of the capital required, that should automatically give the company clearance to go to the public according to the regulations of the Ontario Securities Commission. It would get rid of a lot of red tape, of having to go through qualifications in connection with an issue with the Ontario Securities Commission. The cause that issue would have been vetted ahead of time by an organization in which the government had an interest. The people in whom the government had confidence would have thus said since they were prepared to make an investment it is a worthwhile risk situation.

In this way, we would get away from a lot of red tape. We would have a competitive opportunity available for those who need to have capital for the development of their ideas. We would not have this problem. A lot of us are concerned about, of having the bureaucracy determine from these remote areas of southern Ontario whether a venture is a good idea or not a good idea. We would give much more autonomy for development in that part of the province which has so much potential.

I see the minister is grinning away as if he does not believe it to be a rational idea. But this is, I assure you, a rational idea according to my experience in the business. I find all sorts of people who would like to have a place to put their savings, where they can feel they would have a good return for their money; they recognize the risk. What they are concerned about is having a partner who will more or less give them some assurance that whatever goes on will be fairly done and well supervised.

I suggest that the minister investigate carefully the possibilities that could be followed by a good approach to development in the north country. I am really intrigued, as I go through that country by the tremendous potential of it. I am appalled by the stories I hear from people up there who are frustrated by what is a natural reluctance on the part of our representatives down here to get up there and find out what the opportunities are. I urge you to investigate and bring forth a type of proposition which would permit this type of development.

**Hon. A. F. Lawrence:** Believe me, I was not grinning at the hon. member's remarks. I do question, however, whether that type of operation is applicable to the speculative mining business as it would be to some others, and these after all are the estimates of The Department of Mines.

In any event, I believe that this type of approach has been considered and obviously, as it is not government policy, it has been rejected. But really there is not that much difference between that type of approach and the current ODC approach in respect of forgivable loans. I mean, the government in effect vets these propositions and in effect supplies what it is called a forgivable loan, but in effect it is a grant with conditions attached. And if the conditions are lived up to, then a certain percentage of the required capital is supplied.

**Mr. MacDonald:** Any company seriously going into business would certainly live up to the conditions imposed.

**Hon. A. F. Lawrence:** You do not mean that this sort of scheme would apply to a speculative mining issue, do you?

**Mr. Deacon:** I obviously have not explained the fundamental difference between the Ontario Development Corporation approach and what I am talking about here.

I am talking about getting together a group of people in the mining industry who are familiar with the mining industry. For example, a lot of development capital is needed, and there are people at the present time who are in different enterprises around northern Ontario who are frustrated. They can see opportunities to encourage various types of development if they themselves had control of a pool of capital.

The position of the government is that they would be investing money behind these people, who would undertake to invest personally a substantial amount of money in

relation to their own assets in this development corporation. There would be no stock attached to that government money. The government would just be a shareholder in the same way that the government of Ontario is a shareholder in British Petroleum and does not interfere with the operation of that company. It leaves it to management directed by the shareholders at large to control the company. There is a tremendous amount of entrepreneurial skill in the operation of BP. The same thing could be done in the operation of a company in which the government of Ontario left the direction and drive to a group of these local people, people in whom the people of the north have confidence as competent operators.

The shares of this development corporation could become listed and would have a market value. And the market value of these shares would reflect the skill of the development corporation in managing and backing successful ventures. It would be Canadian-controlled because of the government position. It would be in the hands of those who live in the north part of the country we are trying to develop, not people who are living down here in Toronto. And it would be in the hands of people committed to lock up substantial portions of their own assets in the ventures in which they are involved.

I assure you that a large number of individuals in the north, wondering where to invest their savings, would have a lot of confidence in that type of operation. The company of that backing and that substance took a 25 per cent position in a mining risk or some opportunity, there would be no need for that stock to be approved by the Ontario Securities Commission, because a group of men of that substance and experience saw an opportunity and put in the capital on a certain basis. The public would certainly feel confident that it was a situation that had been well examined and either warranted their risk or did not, according to the way they felt about that development company.

The basic difference is that we would be trying to decide here at Queen's Park whether every venture. We are going to have to put the responsibility to those people who have invested their money in this future development corporation. I am concerned primarily with the fact that the decisions at the present time have to be made down here at Queen's Park, that we are not helping to form pools of capital in northern Ontario. This would be well supported by the people of the north, who I think want these pools

capital directed from the north and not here from Toronto.

**Hon. A. F. Lawrence:** With that fuller explanation, I may say, the hon. member has struck a very responsive chord. There are certain measures I hope are in the works which will come out later when this new branch gets functioning. I still question, however, whether the speculative mining field is a proper role for government to get involved with, even in that fashion, because I do not feel those in the mining industry again can have it. There are very special risks involved in the speculative mining field, because they have those very special risks, they have certain other privileges, and therefore, I do not feel they can attempt to eat their cake and have it too.

If they are going to have special privileges due to the high risk involved, and you are going to take away the high risk, then they cannot have the other end of the measure. I think they are properly balanced here. I am not too sure that the taxpayers' money, which after all is what we in government have to work with, is a proper role for investment in that way, in the speculative mining field. However, I would be glad to give the matter further consideration than it is now receiving. And that type of scheme right now is receiving fairly intensive and active consideration.

**Mr. Deacon:** Mr. Chairman, the minister says he does not feel it is really suitable for the speculative mining venture. I feel it is highly suitable for that, because a great cost in the mining venture situation today is the cost of raising the money. The cost of raising the money is high because you have got to try to sell some of the stocks of a very high-risk situation by high-pressure methods.

One of the concerns that most people have is are they going to get a run for their money. If they put their money into this type of development corporation, the cost of raising the money would be very low. The government certainly invests indirectly and hands over indirectly, through tax concessions, substantial amounts of the taxpayers' money into mining to try to encourage these things. And surely there is not a better way to get a better return than to have a piece of the action.

We are not talking about huge amounts of money. Your colleague, the Minister of Trade and Development is speculating in lands, thousands of acres of raw land, and I think at great cost in the end to the taxpayers of this province. One of the most efficient ways

that you could develop the mining industry into Canadian-controlled hands would be to follow the suggestion I have made. It would reduce the cost of raising money. People would know it was a high-risk venture, they would know that they were getting a good run for their money.

**Mr. T. P. Reid:** Mr. Chairman, if I could just go on here just for one minute on the kind of thought that my colleague has opened up here. I would like to bring to the minister's attention the difficulty that some of the mining developers are having, and it is a problem. I think the Minister of Mines should be interested in. Some time ago, about a month ago, I brought to the attention of the Minister of Financial and Commercial Affairs (Mr. B. R. Lawrence) the fact that these mining developers are having a certain amount of trouble with the Ontario Securities Commission. And I would like to bring to the minister's attention—although I am sure he is aware of it, and perhaps he can nod in the affirmative if he is—the editorial in the March edition of the *Northern Miner*. That editorial dealt with the problems mining developers were having in bringing into production their in doing exploration work in the province of Ontario. Now, it draws a parallel between a situation that had existed in Quebec under rather stringent rules—

**Hon. A. F. Lawrence:** I do not want to make the member short, but I am sure he appreciates, or perhaps he should, that since March 12, of course, there has been a wholly new policy enunciated by the Ontario Securities Commission in respect of their shorter prospectus policy. This is a matter that does not come under the jurisdiction of the other Law Society but surely he should know that there has been a new policy and new requirements set down, designed exactly to assist the justice of a speculative venture in respect of the requirements for the shorter prospectus.

**Mr. T. P. Reid:** I am certainly glad to hear that. I must admit that I was not aware of that, and I trust that perhaps the minister had a word to say about that in bringing it to fruition.

Having settled that to my satisfaction, Mr. Chairman, perhaps under the general heading of policy I could ask the minister what the department has come up with, or if they have come up with any policy in regard to patented mining claims in the provincial part of Ontario. I refer specifically to Quebec. This problem has been raised in the Legislature before. I wonder if the minister could

indicate to us tonight during his estimates what line of action he is going to take in assuring the people of the province that their provincial parks will not be ruined by mining developers drilling and exploring in our parks?

**Hon. A. F. Lawrence:** I think that should more properly come up under vote 1304.

**Mr. Chairman:** The last vote, 1304? The hon. member for Brantford.

**Mr. Makarchuk:** Getting back onto the original topic brought up by the member for York Centre, that is government involvement in the development of mining. I would like to bring to the minister's attention the fact that the federal government is quite deeply involved in Panarctic right now in a very speculative way and, from what I gather, with a great deal of success.

The other point is that what we are advocating here, or at least this government could certainly do, is to become involved in the development of a smelter or a refinery. Now this is not a speculative venture. In the first place, you could carry out a feasibility study that would indicate to you whether it would become a viable operation or it would not become a viable operation. You know that your supply of ore is available and you could certainly ensure that the ore is smelted in Ontario without any problems. This is the type of operation that this government can go into if it feels it is not willing to go into the development of discovery and the development of new mines.

In Manitoba, as an example, the provincial government has gone in on an equity basis with Versatile Manufacturing. They have advanced, or will advance, to Versatile Manufacturing something close to \$6 million or \$7 million. In return, they will take equity in the company, the benefits of which will accrue to the people of Manitoba. Again, this is something that this particular government can seriously consider and to the benefit of the people of Ontario.

**Mr. Chairman:** Vote 1301 carried? The hon. member for Timiskaming.

**Mr. Jackson:** Surely the member for York Centre is right when he says that people would have a lot more trust in a partnership if the government is one of those partners? One of the problems we have had with speculative mining stock is the fact that most of the money never reached the development stage—

**Mr. MacDonald:** It is 18 cents on dollar.

**Mr. Jackson:** It stayed right downtown somebody's pocket. If the government involved on a share or an equity basis, surely the people would say here is something that we can trust, as they do when invest in Canada Savings Bonds. Here partner we can trust, instead of a partner do not know whether you can trust—and venture went bust.

**Hon. A. F. Lawrence:** Do not be so conscious.

**Mr. Jackson:** But surely, this is what person would feel. Here is a partner who not going to throw away the money, trying to make another profit. There is a chance there is some money to be made. They are not going to get into something without looking very hard at it before they become involved. If we can invest in Canada Savings Bonds, there is no reason we cannot invest in this type of venture, as the member for York Centre has proposed, and which, really is not too far out of line with what we have proposed.

**Mr. Chairman:** Vote 1301. The hon. member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** Yes, Chairman. The minister knows there are problems in the gold mining communities of the gold mines fading out and finding it rather difficult to continue operation because of the fixed price of gold and so forth. We are faced with the threat of the emergency gold mining—the gold measures Act, I am not sure how it goes—but anyway, the federal government is suggesting they may withdraw the subsidy. If they do that, it is going to put a terrific strain on the gold mining communities of this province.

It will mean that perhaps only one or two of the gold mines now operating will be able to continue as viable economic mines. In areas such as Timmins, where there are a lot of gold miners and where we are still dependent on the gold mines for jobs and the economy of the area to a large extent, this assistance is cut off it is going to make a real difference to us.

We have, in the gold mines, as the minister may or may not know, a lot of old miners who have spent most of their careers working in them. Some of them have not had too much education of a formal nature, but to suggest that they can be retrained

something else is going to be rather difficult. Many of us feel that every effort must be made to continue this emergency assistance at least for four or five years, so that the older miners and the communities can continue and perhaps diversify. Or other ore bodies will be found and, hopefully, some kind of secondary industry might spring up in the area. So that if these mines do have to close down in a few years if their ore reserves run out, or the grade of ore gets too low to mine on an economic basis, there will be something else in these communities.

I would like to know, Mr. Chairman, if the minister is going to make representation to the federal government, on behalf of the gold mining communities of this province, to have this assistance continued for a few more years at least, so that we can continue to exist. As I say hopefully, have some kind of secondary industry, or find some other means of employment, so that our communities do not just die.

I hope that some consideration would also be given to more of the assistance under this Act being given to the gold miners. They are receiving wages lower than are received in the base metal mines of this province, because the price of gold is pegged. They have had to operate at this kind of level for years and years. I would hope that the minister might indicate what he is intending to do on behalf of the gold mining communities of this province.

**Hon. A. F. Lawrence:** I have no secret about that. You have not been reading my clippings, obviously. I have been making representations, both publicly and privately, to the federal government that the EGMA should be extended. I may say that I have not said publicly that there should be conditions attached, but I have indicated so privately to the minister.

I do not think that this should be a free handout to the gold mines of this country. I think that the whole idea of the EGMA was a logical and orderly and planned phase-out of uneconomic gold mining operations in this country. Therefore, I think a very logical condition to the extension of the EGMA should be that the government of Canada and the government of the province concerned—and obviously in Ontario that would be us—should be warned at least six months in advance of the actual closing down, and this should be a condition of further EGMA aid. But I made a speech in Sioux Lookout about the middle of March, on that subject. I am sorry, I thought the hon. member was on my mailing list. If he is not I will see that he gets a copy of that speech.

The social implications for the gold mining industry in this province, in respect of immediate cut-off at the end of this year, pretty scarce. And, as I have said before in respect of the uranium matter, it will be the province that will have to pick up the tab and help to clean up the mess. It will be the municipalities that are involved and it will be the people, it will be the welfare rolls that will be increased.

I am not worrying about the shareholders of the mines, I am worrying about the people who work in the mines and I know the hon. member shares my concern. But certainly we have done everything I can to indicate to the federal people that EGMA should be continued.

**Mr. Chairman:** Vote 1301 carried?

**Mr. Lawlor:** Mr. Chairman—

**Mr. Chairman:** On vote 1301?

**Mr. Lawlor:** Vote 1301. I did indicate earlier tonight I wanted to engage the minister, at least for a very brief exchange, to discuss Benson's proposals for mining taxation. The minister has seen fit to, I suppose, avoid the word is prayed in various diverse portions of this province, some sort of a—

**Hon. A. F. Lawrence:** What, to pray?

**Mr. Lawlor:** Yes.

**Hon. A. F. Lawrence:** Pray?

**Mr. Lawlor:** Oh, prayed, or prate, or prambulate—

**Hon. A. F. Lawrence:** Well, I was accused of wearing out the knees of my pants.

**Mr. Lawlor:**—or pirouette, or whatever that you were doing out there in all those speeches that you made. This is the opportunity to grapple with you on it rather as you were absent on the previous occasion.

When certain merits—I trust you will accept them and admit that they are merits—in Benson proposals touching taxation were brought up in this House. I think the minister to make this very short—by that I mean several hours—Mr. Chairman, that the minister will agree that the Benson proposals be divided into two halves. One is the attack on or treatment of, depreciation. The other is the depletion situation.

At the present time, to touch the depreciation, it cannot be taken separately. They must be taken in a bundle, otherwise the incidence

or the impact of the tax and, really, what it is seeking to accomplish in terms of stimulation of the mining industry in Canada, would be missed.

Benson proposes to get rid of the three-year tax holiday as an exemption, because he says it is fairly abused and really amounts to a tax holiday of a good deal longer period than that. His proposal 1.51 says that he would replace this with a special rule permitting capital costs of fixed assets purchased with the development and operation of a new mine, to be charged off against income for that mine as quickly as desired. But just stop right there.

Has the minister any particular reservations or objections to writing off depreciation in this particular way—"as quickly as desired?" If they want to take it over a period of 10 years—if they want to take it over a period of one year and wipe it out? Is there anything more openhanded? Is there anything more flexible, with respect to depreciating the cost of fixed assets in mine development, as in that?

What is the minister's objection to Benson under this head—or under any head?

**Hon. A. F. Lawrence:** My understanding is that the government is still to make its position known in detail on some of these specifics. I am purposely trying to hedge this in this particular field, because my knowledge of it is not that great. I would hesitate very much to attempt to commit the government. The general approach that has been taken in respect to the mining industry in general is that the system in the main has worked in Canada as a whole.

There is no question—I do not try to hide the fact—that the mining industry has had a very favourable tax treatment in this country. It has worked. The mining industry has grown by leaps and bounds. There have been some abuses, especially in respect of the three-year period. I do not think that there is any question about that.

The only trouble is we are entering into a period—again, very extreme and very intense—of international competition for resource financing, especially in the so-called underdeveloped countries who, in some cases, are really giving everything away—and perhaps some not underdeveloped countries as well. Ireland, for instance, instead of a three-year tax holiday, as the hon. member knows, grants a 20-year tax holiday. That is up to them.

All I am saying here is that there are ways of curing the abuses that need not also in-

volve getting rid of the whole system. In any case, a time when the competition is getting tougher is no time to start denying to the industry that has prospered well and helped the country to prosper as well. That may be very unfashionable to say to someone in the hon. member's party—

**Mr. Sopha:** It has helped a few to prosper.

**Hon. A. F. Lawrence:** Yes, it has helped a few, it has helped many to prosper as well, but that is the general approach.

In respect of the actual depreciation specifics and details, I am sorry, these specifics are being gone into and the attitude of this government to those specifics I am sure will be enunciated in due course.

**Mr. Sopha:** Will you call a moratorium on making speeches then for a little while?

**Hon. A. F. Lawrence:** Yes, I will. I am making them here instead of making them in the north.

**Mr. T. P. Reid:** We prefer you to make them in the north.

**Mr. Lawlor:** The minister, Mr. Chairman, is indicating, I think, that he wishes to adjourn the debate.

**Hon. R. S. Welch (Provincial Secretary):** You can carry this vote if you like.

**Mr. Lawlor:** You are going to have to carry it? Well, we will—

**Hon. Mr. Welch:** No, no, I was just simply asking if you have more to say on this vote.

**Mr. Lawlor:** Yes, I have.

**Hon. Mr. Welch:** moves that the committee of supply rise and report progress and for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and for leave to sit again.

Report agreed to.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, tomorrow we will go to order paper to consider both government and private bills that are printed and then c-



on with the consideration of estimates, the estimates which are presently before us, The Department of Mines, to be followed by The Department of the Civil Service.

**Mr. P. D. Lawlor (Lakeshore):** Is there an evening sitting?

**Hon. Mr. Welch:** Yes, there is a session tomorrow night, Mr. Speaker.

**Mr. Lawlor:** Would the minister consider giving us a little more detail; would it be

the committee of the whole House that he is concerned with?

**Hon. Mr. Welch:** Yes. There are some private bills for second reading and there are both government and private bills for working committee of the whole House.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.30 o'clock, p





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Tuesday, April 21, 1970

Afternoon Session

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**

**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 21, 1970

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon, in both galleries, we have students from John Diefenbaker Secondary School in Hanover; and this evening there will be members of the Eglington Progressive Conservative Association in Toronto and the Scarborough North Progressive Conservative Association in Scarborough with us.

Statements by the ministry.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, on March 9 last I intimated to the House that the province of Ontario had filed with the Canadian Transport Commission interventions opposing the applications of Smith Transport Limited and Norman's Transfer Limited for exemptions from the prohibitions against Sunday trucking contained in The Lord's Day Act, and I went forward and itemized the reasons for so doing.

This afternoon I am happy to be able to report that the applications of Smith Transport Limited and Norman's Transfer Limited for exemption from The Lord's Day Act have been adjourned *sine die* by order of the motor vehicles transport committee of the Canadian Transport Commission.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I have a question of the Premier which involves his seatmate, the Treasurer (Mr. MacNaughton), but I would put it to the head of the government.

Is he aware that the statistics which are now complete for the tax assistance to the separate schools of the province would indicate that, with the completion of the five-year foundation plan, the percentage per pupil revenue for the separate schools is still only about 88.15 per cent of that which is available to the public school boards? Does this in fact achieve the goal that the government set out in 1963; and if not what further plans does the government have to accomplish parity?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, this figure has not been brought to my attention and therefore I do not know how valid it is. But certainly I would be happy to look into the matter and see what the member says is in fact correct.

**Mr. Nixon:** A supplementary question associated with the Premier's undertaking to check these figures: A second aspect that is surprising is that actually the per pupil revenue for the separate schools went down in 1968 as compared to 1967—

**Mr. Speaker:** Is the hon. member asking a question?

**Mr. Nixon:**—and would he please check the figures associated with that statement?

**Hon. Mr. Robarts:** I would like to point out to the hon. member that the percentage grant given by this government to the separate schools, of course, has gone up in a very remarkable fashion; I think that figure has to be looked at as well.

**Mr. Nixon:** The second question to the Premier, Mr. Speaker: Can he now confirm that the province has undertaken an agreement with municipalities in the Metropolitan Toronto area to give the responsibility for the implementation of the waterfront plan to the Metropolitan Toronto Conservation Authority as has been stated publicly?

**Hon. Mr. Robarts:** No, Mr. Speaker. We met yesterday with the Metropolitan Toronto people and we put before them a proposition which was the recommendation of the committee set up to look into the waterfront situation. What was presented to them yesterday was a recommendation that the area outside the central area be handled by the Metropolitan Toronto Conservation Authority.

We will, in due course, be making another recommendation as to what will happen to the central area, which is really the harbour area, the commercial area. What was given to them yesterday was, as I say, a recommendation for their consideration. When we have a further recommendation to make to them concerning the central area we will meet again, of course, and discuss the whole

matter, because by then we will have recommendations covering the entire waterfront area.

**Mr. Nixon:** A question: Is it the aim of these negotiations to put the development of the 50-mile waterfront area that is presently under consideration under the direction of one implementing agency—is this the aim?

**Hon. Mr. Robarts:** No, that is really why it was divided the way it was. You have two quite separate areas which will develop in separate ways.

You might say it is divided into a commercial section and a recreation section, in a broad sense, and what we were dealing with yesterday was the recreational part of the total waterfront.

**Mr. Nixon:** A further supplementary: In view of the Premier's refusal to give any of this information yesterday, does he feel that the confidentiality of the negotiations has in any way been broken by those partners to the discussion?

**Hon. Mr. Robarts:** No, Mr. Speaker, I do not feel that way.

When we meet with delegations here at the government, from wherever they may come, as a standing rule, we do not have the press present at those meetings. But anyone who leaves those meetings is free to say anything he likes. I cannot impose any ban of secrecy, nor would I want to.

The parties who come to see us—be it the mayors and reeves, the Ontario Federation of Labour, the Ontario Federation of Agriculture, or whoever it may be—are free to make what comments they like after the meeting is over, so there is no breach of secrecy. But as far as this was concerned yesterday, it was, as I say, a submission or recommendation only. It might have been refused out of hand by them yesterday, in which case there would have been no point in giving it any publicity at all.

As I said to members yesterday in answer to these questions, it is difficult to produce the results of a negotiation before the negotiations take place.

**Mr. Nixon:** A further supplementary: would the Premier agree that this matter under discussion is not one of such extreme delicacy that he could not at least take the members of the Legislature into his confidence as to what his proposition would be? Since we are going to be paying a major share of the

costs and have a tremendous amount of responsibility, why can the members of the Legislature not be advised as to the nature of that you are going to put before them and have the municipal responsibility?

**Hon. Mr. Robarts:** Mr. Speaker, I think that was all in the press this morning.

**Mr. Nixon:** That is the point!

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

**Mr. Nixon:** A supplementary question.

**Mr. Speaker:** One more supplementary question. This is becoming a debate and should not.

**Mr. Nixon:** Surely the Premier does not feel that we, as the members of the Legislature, must depend on the press for information? Certainly we are glad to get it but I am sitting directly opposite the Premier who has the information.

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

**Mr. Nixon:** Surely the Premier agrees that it is his prime responsibility to advise the elected members of this House as to government policy in these important matters?

**Hon. Mr. Robarts:** Mr. Speaker, I will say what I have said here before. These matters have passed through the discussion stage, certainly they will be presented here and they will be debated here. But this is only part of the question and I do not think it is necessary for the government to present to the Legislature every conceivable proposition it may put to whatever body may be involved of it when it is in the process of working out a solution to a problem.

When the matter is complete we take responsibility for what we do when we reach conclusions. These matters will all be available for debate here.

I have made it very clear to you that what was given to these people yesterday was nothing more than a proposition, a recommendation from a committee. They can accept it, reject it, alter it, make comment upon it, do with it as they please. Our negotiations are not complete. We have not arrived at a conclusion.

We could not possibly involve the Legislature in every step of every negotiation. The government may go through with the number of bodies that we deal with in day-to-day administration of government.

**Mr. Nixon:** This has been going on for more than two years.

**Mr. Speaker:** Has the Leader of the Opposition finished his questions?

**Hon. Mr. Robarts:** Well, it would not be where it is without the initiative of this government.

**Mr. Speaker:** The member for York South.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I have many questions but no ministers. Could you inform me as to whether the greater absenteeism is a result of the festivities of last night?

**Mr. Speaker:** Not having been present last evening I am not in a position to express an opinion on that.

**Mr. MacDonald:** I will hold my fire until I see the whites of their eyes.

**Mr. Speaker:** The member for Wentworth from that party should have the floor now.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have a question of the Prime Minister.

Can the Prime Minister indicate whether it is part of his anti-unemployment programme to make available the office of Ontario House in Britain to encourage immigration from Britain to Canada, particularly to Ontario and particularly to Hamilton?

**Hon. Mr. Robarts:** I do not really understand the question, Mr. Speaker. I know what the function of Ontario House is. Perhaps I had better have the question again.

**Mr. Deans:** Then let me be more explicit. Advertisements are being run in British daily newspapers asking people in Britain to apply at Ontario House for jobs in Hamilton, Ontario. I am asking if that is part of the government's anti-unemployment function at this time?

**Hon. Mr. Robarts:** My original conclusion is confirmed as to the way this question is being asked.

Ontario House advertises and assists employers from this province who are looking for people with particular skills for their particular industries. We have files on all kinds of people in the United Kingdom and we make the facilities there available to individual employers who are looking for people, by and large people with skills, that they may not be able to get in this country.

The overall immigration policy of this province, of course, is controlled by the federal government. Constitutionally, it is an area of divided jurisdiction, but we must, in our immigration policy, conform to the overall policy laid down by the federal government and that is the policy we have followed.

I do not think that we necessarily want to cut off all immigration to Ontario because of the present situation, and until we find we are able to demonstrate that it is having an adverse effect upon the employment situation in Ontario, we will continue to offer the services there that we presently offer.

**Mr. Deans:** May I ask a supplementary question? What effort is made by the government: one, to insure that there are no people with similar or comparable qualifications in Canada who are presently unemployed; and two, what effort is made by the government to train those who are unemployed to fill positions that are being advertised in Great Britain?

**Hon. Mr. Robarts:** To answer that question I would have to go through, as I have done before, a complete recitation of our training programmes in all respects in The Department of Education. I think it is not difficult to satisfy ourselves in many cases that the companies which are going to the expense of sending their own people to England and carrying out interviews and so on in Ontario House, would not do that if they could get what they want here in Ontario. It simply would not be economical for them so to do.

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

**Mr. T. Reid (Scarborough East):** Mr. Speaker, a question of the Prime Minister. Did the Prime Minister invite either the chairmen of the school boards in Ontario, or the directors of education, to his forthcoming municipal conference?

**Hon. Mr. Robarts:** I think the member had better refer that question to the Minister of Municipal Affairs (Mr. McKeough) who made up the invitation list.

**Mr. T. Reid:** Mr. Speaker, does that mean the Prime Minister does not know?

**Mr. Speaker:** The member for Sandwich-Riverside has the floor.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Premier regarding "earth day" activities in Windsor tomorrow.

relating to the transboundary air pollution along the Detroit River; there are really two parts.

First, has the Premier received a copy of the petition signed by over 3,000 residents from the LaSalle area and from the Windsor area, protesting air pollution and the effect upon their health? If not, I have a copy here I would like to send to him.

Second, would the Premier care to send a message to these citizens, most of whom are participating in an "earth day" parade and ceremony tomorrow at noon in Windsor, indicating what success this government has had in gaining co-operation from the Michigan government in speeding up the elimination of the poisonous gases that spoil the quality of life for the people in the LaSalle area?

**Hon. Mr. Robarts:** Ninety per cent of that is out of order, Mr. Speaker, but I would be delighted to have a copy of the petition. I am not aware that I have one.

Then, if I can remember all the rest of that question and all the editorial comments and opinion in it, I will see what I can do about furnishing an answer.

**Mr. T. Reid:** Mr. Speaker, I wonder if I could ask my last question?

**Mr. Speaker:** No, the hon. member for Essex South now has the floor.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker, a question of the Minister of Mines: has the minister renewed the licences for the sand-sucking operations that expire, I believe, at the end of this month? If so, are they for the same geographic area?

And has he given any consideration to leasing or hiring these particular vessels and moving them into Lake St. Clair and the St. Clair River for operation mercury? It would solve both our problems at once.

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, could I direct that that question be put on the notice paper?

**Mr. Speaker:** On the order paper! The member for Middlesex South.

**Mr. K. C. Bolton (Middlesex South):** Mr. Speaker, a question of the Minister of Education: has the minister had the opportunity, since my question of November 18, 1969, to inquire into the report of serious problems in connection with the adult education centre in London? And, specifically, would he inquire into the case of Mr. Paul Stephen to ascer-

tain (a) why he has been forbidden to go to his classroom; (b) why his pay has been discontinued; (c) why he receives no answer to his queries, even when they are sent by registered mail?

**Mr. Speaker:** May I point out that the last part of that question is certainly a matter of urgent public importance and more properly be dealt with either in correspondence between the member and the minister, or on the order paper. However, the minister may deal with the question if he wishes.

**Mr. Bolton:** It is important to my constituents, Mr. Speaker.

**Mr. Speaker:** Yes, but the question is not one of general public importance.

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, just to deal with it in general terms, the matter raised by the member was looked into with respect to Manpower training programme.

As the hon. member is aware, this is a jointly administered programme. All the answers do not lie within the capacity of any particular department as it relates to the problems of the specific individual, Mr. Speaker. If the hon. member will discuss this with me, perhaps later on this afternoon, I will see what further information I can obtain for him.

**Mr. Speaker:** The member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Speaker, I have a question of the Minister of Health.

In view of the walkout from a correction job at Union Carbide Canada Ltd. in Welland because of the smoke pollution of that area on two occasions, on Friday and again yesterday—the smoke was so bad the health hazard seems to be so great that these men have walked off the job.

Mr. Speaker, may I explain that I visited the minister's office a while ago hoping he would have a proper answer if I could communicate with him in that way. I would like to know if his department has looked into this serious problem of air pollution in Welland and what has been done about it.

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, I thank the member for his question. We do not know about it. I have not been in the minister's office since the time that he called, but I know that people are going to investigate this, and



think we will have a fuller report for him in due course.

Certainly we will investigate the possible health hazard in this particular situation, and also I will talk to my colleague the Minister of Energy and Resources Management about it from his point of view.

**Mr. Speaker:** The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, I have a question of the provincial Treasurer.

Is the Treasurer in a position to say what the delay has been in the disclosure of the ARDA survey in northwestern Ontario and when we might expect it?

**Hon. C. S. MacNaughton (Treasurer):** Mr. Speaker, to the best of my memory I believe that is to be presented in May. I cannot say why it has been delayed. At one time I think it was scheduled for March 31.

Also, Mr. Speaker, I can say that preparations being made to present the Toronto centred region plan on May 5 have occupied a great deal of the time of the department, but I understand the ARDA surveyed referred to by the hon. member will follow along in May. I will be more specific with the hon. member; I will find out.

**Mr. Speaker:** The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a question of the Minister of Public Works.

I wonder if the minister could inform the House what sewage treatment plant processes the effluent from this building and the other buildings in the Queen's Park complex undergo, and whether he can assure the House that the capacity of that sewage treatment plant is such that we can rest assured that we, as legislators, busy in this building and other buildings in the complex, are not contributing to the pollution of Lake Ontario?

**Hon. J. R. Simonett (Minister of Public Works):** Mr. Speaker, I think that is a question that should be put on the order paper.

**Mr. Speaker:** Does the member for Scarborough East wish to ask his question now?

**Mr. T. Reid:** The one I asked previously or a new one?

**Mr. Speaker:** I will give the member the floor for whichever question he wishes to ask.

**Mr. T. Reid:** I have a question of Minister of Education. What steps, if any, the minister taking to ensure that the wish of the majority of members of the Kent county school board to implement section 35(c) (3) of The Schools Administration Act to have an Indian representative with voting rights on that board, are respected?

**Hon. Mr. Davis:** Mr. Speaker, this matter has been discussed before in this Legislature. I think I have expressed my own personal point of view on several occasions, and it remains the same. It is that the legislation was introduced with the very real hope that Indians would be represented on the various school boards in this province, and this happened in many instances.

Our concern relates to the implication of making this a compulsory situation, which is being considered within the terms of the legislation, Mr. Speaker, but there are so many practical problems inherent in this.

In some board areas there are a number of bands that could be represented; the problem is in determining who this representation might be. Then there is the concern that has been expressed, Mr. Speaker, some years ago as to the desirability of this step really having been initiated by the boards themselves and the acceptance of the idea being a valid expression of their opinion. If, however, Mr. Speaker, this does not materialize, as it is indicated, I believe, by the Prime Minister and by my deputy minister yesterday, we are considering certain changes in the legislation to make it a compulsory situation.

**Mr. T. Reid:** A supplementary question would a bylaw of the Kent county board which enables a minority of that board to decide on this, be inconsistent with the intent of existing legislation?

**Hon. Mr. Davis:** Mr. Speaker, I do not know whether a bylaw would be inconsistent with the intent. I think that, shall we say, refusal by the board to appoint somebody, it can be determined who this should be, is not really in the philosophy or the spirit of the legislation. I do not think it relates to whether or not the bylaw itself has legal validity. At this point, Mr. Speaker, I cannot determine either.

**Mr. T. Reid:** A further supplementary question. The minister is aware, therefore, that nine members voted for Indian representation under the section in the Act and seven members voted against it?

**Hon. Mr. Davis:** I am quite aware of it.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** A question of the Attorney General: would the Attorney General consider having his department handle inquiries which might normally be referred to the landlord and tenant advisory bureau until such bureaus have been established by municipalities?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, this would be, first of all, a matter of government policy which I could not answer categorically yes or no at the moment. I might consider it and perhaps make a recommendation. But I would point out to the hon. member that I think this would be a tremendous task if the Attorney General's department, sitting in Toronto, were to attempt to deal with complaints which come in from all across the province. That is one reason, I think, why the landlord and tenant advisory bureaus in municipalities would be most effective. They would know the local conditions, the people, the circumstances and conditions and so on. I think it would be very difficult to deal with these problems otherwise.

The other thing is this: as I pointed out yesterday, on letters we receive about complaints, where we can answer that the law, simply as a matter of law, is such, for instance, that a landlord may not demand a security deposit or lease, or that there is an obligation on the part of the landlord to repair. These things we can say yes or no to, as a matter of advice or information. But if it involves a tenant's right and gives you a case, a situation, a dispute, I think the Attorney General must stand clear and say I cannot advise you as a lawyer, because he would be presuming to act as a court and presuming to act on one side of the case without at least knowing the facts, perhaps incorrectly recited on one side of the case.

So, the Attorney General's department could only do certain things, and these we are trying to do now. Now, in response to an interview with a reporter of the *Toronto Daily Star*, I did indicate that I would certainly consider getting out a compendium of the law as it is contained in the Act in some simple language. Perhaps that might be helpful to tenants and landlords. But, I think, to handle complaints would be beyond our capabilities to do properly.

I would be glad to undertake any part we could and go as far as we can in dealing with specific complaints, but the function of the board as designed in the Act, as I recall

the Act, was to seek to mediate disputes, furnish information to landlords and tenants. And, really, I am somewhat puzzled if there is such a demand and such a need for knowledge, particularly in the large urban areas, that the municipalities do not set these bureaus up. They are very simple: pass a by-law, a resolution and get this set up. I do not want to shirk a responsibility, but I think it is too much for any department to undertake sitting here in Toronto.

**Mr. MacDonald:** By way of supplementing the question: since the law has been established that there can be a tribunal to which a decision can be made, and since the minister, my colleague, the Minister of Municipal Affairs, established a bureau that served the whole province with regard to the residential rebate in the absence of other local bureaus having been established, will not the Attorney General fulfil the objective of his own law, having his department do the job, at least to fill the gap, until the local bureaus have been established?

**Hon. Mr. Wishart:** Well, Mr. Speaker, again the parallel with a departmental committee looking after the matter of tax returns is one thing, as that does not involve a dispute of parties. It is not a question of two parties. It is a question of saying, on the one hand, the taxpayer is entitled to so much money here is the cheque or here is the credit, and on the other hand, not a dispute or a matter involving a question of law, which almost invariably is what a landlord and tenant situation is about. I do not think the Attorney General can do this here and be a court.

The landlord and tenant advisory bureau which we contemplated was not a court of law, but it did have a chance to seek to mediate at the level where the parties were, where they had knowledge of the premises, the conditions, the level of rents and all that sort of thing. But imagine the Attorney General trying to mediate a situation which comes in, I say, from a tenant in Kenora. He tells you the story, but what can we do, other than advise him of the laws?

**Mr. MacDonald:** The purpose of the Act is to mediate.

**Mr. Speaker:** The member for Walkerville has a supplementary.

**Hon. Mr. Wishart:** If the municipalities would act, it would not be necessary to refer to the Attorney General.

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

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, if I may ask the Minister of Justice a supplementary question on this point. Would he not consider, then, setting a time by which municipalities must set up such review boards?

**Hon. Mr. Wishart:** This again, of course, is policy.

Whether it is policy for the government to say to municipalities you must set up these bureaux is something I cannot answer at this moment. It was one of the suggestions put forward in the newspaper article and I think in the editorial of the *Toronto Star*. There may be some municipalities who do not need these boards at all, so to pass a general law saying that every municipality must set up this board, I think, would be going beyond the area of provincial government and invading the municipal area.

**Mr. E. W. Sopha (Sudbury):** The minister should have done more than he has done.

**Mr. MacDonald:** Do the job instead of passing the buck to—

**Hon. Mr. Wishart:** I am not invading the field of municipal responsibility. I think they should be left to assume their responsibility and carry it out.

**Mr. Speaker:** Has the member for York South completed his question?

**Mr. MacDonald:** For the moment I have, yes, Mr. Speaker.

**Mr. Speaker:** The Minister of Public Works has a reply to a question asked by the member for York South the other day.

**Hon. Mr. Simonett:** Mr. Speaker, the member for York South asked me if I would investigate and report on the sale of surplus lands on official Crown property.

Our department was notified by letter, dated April 16, and signed by the Minister of Health, that certain lands of the northwest corner of the Thistletown property would be declared as surplus to the needs of their department. The minister indicated on the plan the rough properties of this parcel. Before it is disposed of, we will survey it and ascertain the exact acreage.

It is estimated that the parcel consists of some eight acres of land, part of which will be probably required for road purposes. When we have property available for sale, it is the practice of the property branch of our department to advise the municipality concerned of

the pending sale. Last week there was a newspaper report on the planning director of Etobicoke complaining that he had no knowledge of the sale of this parcel and that the municipality had not been given the opportunity to study the site and determine its public use.

The property has not yet been sold or offered for sale. We will be in a position to do this only when a land survey has been completed and the exact boundaries and acreage of the parcel have been determined.

**Mr. MacDonald:** Mr. Speaker, I had a little difficulty grasping everything the minister said, but may I clarify one point? Has the director of planning in the municipality been informed of your plans to sell this property?

**Hon. Mr. Simonett:** Mr. Speaker, we have not offered the property for sale yet. It must be surveyed first. Then he will be advised of the pending sale and we can discuss it with him at that time.

**Mr. Speaker:** The Leader of the Opposition says yes.

**Mr. Nixon:** Mr. Speaker, I have a question for the Attorney General.

**Mr. L. A. Braithwaite (Etobicoke):** A supplementary question on that last question, Mr. Speaker.

**Mr. Speaker:** A supplementary.

**Mr. Braithwaite:** In connection with the parcel of land, could I ask the hon. minister first of all, is this sale going to be by public tender and, second, has the minister's department been approached by a Reverend Ness of the Christian Church, asking for an opportunity to bid on the land if the borough of Etobicoke does not ask for it?

**Hon. Mr. Simonett:** I wonder if I could ask if the hon. member would mind repeating that question? I did not get the first part.

**Mr. Braithwaite:** The first part, Mr. Speaker, was is the sale going to be by public tender, if the borough of Etobicoke does not wish to buy it; and, secondly, have you received any communication, or any offer of purchase, from a Reverend Ness of the Christian Church of the borough of Etobicoke, to buy the land in the event that the borough does not wish it?

**Hon. Mr. Simonett:** Mr. Speaker, I might say that no decision has been made as to what method we will take to dispose of the property. And, as far as I know, there

been no request from anyone, although there might have been a request of one of the directors regarding this property, but it has not been brought to my notice as yet.

**Mr. Braithwaite:** A further supplementary. Is it not the procedure of your department to put surplus lands up for sale by tender in the event that the borough does not need them? And, secondly, has the minister or his department received any communication from the Greenholme neighbourhood ratepayers group in the area in question, asking for an opportunity to bid on these lands?

**Hon. Mr. Simonett:** Yes, Mr. Speaker, it is our policy to sell lands by tender, unless they are lands that can be used by the municipality.

I have not been notified of anyone asking about the purchase of this certain parcel of land. As the member knows, it has just been declared surplus, and has not been surveyed yet. We do not know the number of acres in it. Until such time as it is surveyed and we are certain of what the township wants for road purposes, we cannot offer it to anyone.

**Mr. Speaker:** The Leader of the Opposition.

**Mr. Braithwaite:** A final supplementary, Mr. Speaker!

**Mr. Speaker:** We have had sufficient exploration. If the member wants further clarification he can get it direct from the minister.

The Leader of the Opposition has the floor.

**Mr. Nixon:** I have a question of the Attorney General, Mr. Speaker.

Is he now in a position to inform the House what advice he is giving his colleagues in government as to the prosecution on pollution charges of Dow Chemical Company in response to the needs of the fishermen?

Second, if the advice is that such a prosecution can proceed, will he undertake it in the name of the government, or will he provide assistance for the fishermen to undertake the recovery of some of these funds themselves from any one of the firms that may be legally responsible for the pollution?

**Hon. Mr. Wishart:** Mr. Speaker, we have now been doing a very thorough study on this whole question, which is quite a large and involved matter. I am not prepared at this moment to give a final opinion, but we shall very shortly.

**Mr. Nixon:** A supplementary question, Mr. Speaker: is the Attorney General aware that the Manitoba resources minister, Mr. Green, has already given assurances that he would

provide legal staff needed to pursue compensation from agencies which can be identified as sources of pollution?

**Hon. Mr. Wishart:** It is a simple matter say we will provide legal staff of course. I would do that too, I am quite sure. But I want to be sure when we take action that we have a proper case, a proper claim, one that is likely to succeed and to make sure that we do not omit certain claims that we should assert.

**Mr. Speaker:** Has the hon. member for Rainy River a supplementary?

The member for Sarnia has a supplementary?

**Mr. J. E. Bullbrook (Sarnia):** I wonder if the Attorney General would advise whether he is hiring outside experts in the field of tort law, or relying on his own department entirely?

**Hon. Mr. Wishart:** As far as I am concerned, we are taking the opinion of our department.

**Mr. Speaker:** The member for Scarborough Centre has a supplementary?

**Mrs. M. Renwick (Scarborough Centre):** A new question, Mr. Speaker.

**Mr. Speaker:** No? Then the member for Yorkview, a supplementary?

**Mr. F. Young (Yorkview):** No.

**Mr. Speaker:** Then the member for Peterborough has the floor.

**Mr. W. G. Pitman (Peterborough):** I wonder if I could direct a question to the Minister of Education and University Affairs.

Could the minister indicate whether particularly run institutions have been observing a trustee moratorium on hiring, as has been charged by the OSSTF, or whether these have not gone in for some other reason?

**Hon. Mr. Davis:** Mr. Speaker, definitely some other reason.

Actually the OSSTF, I think, expressed a press release last week some concern on this issue. If memory serves me correctly, the requirements at the secondary level will be for either one or two teachers in all institutions administered by the department. That is the extent of our involvement.

**Mr. Pitman:** Could I ask whether these positions have been advertised in the normal procedure?

**Hon. Mr. Davis:** No, Mr. Speaker, our needs will not exceed one or two teachers. It may not be necessary to advertise for those one or two.

**Mr. Pitman:** Is it not the practice of the board of education to advertise all of its positions that are under provincially administered institutions, such as the schools for the deaf, and so on?

**Hon. Mr. Davis:** Mr. Speaker, we have, but there is no obligation nor is it necessarily a matter of policy to do so. We have a number of applicants and, as I say, at the area where the OSSTF is concerned—at the secondary level—I think our needs are in the neighbourhood of either one or two teachers. I think this has been communicated to them.

**Mr. Speaker:** Has the member for Scarborough East a supplementary?

The member for Rainy River.

**Mr. T. P. Reid:** Is the government undertaking any studies that would offer alternatives to automobile travel in large urban areas as a measure against air pollution? And, I will ask as a secondary question, is there any province-wide scheme being developed?

**Hon. Mr. Robarts:** We are studying the whole question of mass transit and rapid transit in the urban areas of the province, particularly in this area centred around Toronto. There is no province-wide file underway because conditions vary so much from area to area.

**Mr. Speaker:** The Minister of Health has a reply to a question asked by the hon. member for Rainy River.

**Hon. Mr. Wells:** Mr. Speaker, the member for Rainy River asked me about spraying at Camp Borden. For the information of the member and the House I would like to quote a statement issued from Camp Borden. It reads as follows:

To correct an erroneous impression, the Commander of Canadian Forces base, Borden, Commodore G. C. Edwards, has approved the following statement:

We will air-spray swamp areas Thursday, April 23, with a harmless spray, 50 per cent malathion which contains no herbicides. It will not be sprayed near any populated area and will help to control mosquitoes. The chemical or substance has the approval of our Ottawa-based surgeon-general.

Canadian Forces base, Borden, will certainly not in any way contravene provincial regulations of any type.

**Mr. Speaker:** The member for Victoria-Haliburton.

**Mr. R. G. Hodgson (Victoria-Haliburton):** Mr. Speaker, a question of the Minister of Lands and Forests: I wonder if the minister can make available shortly the agreement between the federal and provincial authorities on the new Trent national park?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, I am pleased to answer this question as notice and to make this information available.

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

**Mrs. M. Renwick:** Mr. Speaker, a question of the Treasurer: did The Department of Social and Family Services recommend to the Treasury Board, or any other appropriate body, a higher percentage of increase in benefits and allowances that were presented April 18, effective May 1? Would the minister correct me if my rough estimate was wrong, that those increases are about 10 per cent?

What I would like the minister to comment on is, would the department not have asked for the cost of living increase as it is today, which is 12 to 12.5 per cent, in order to restore the purchasing power of those persons in need, as of April 1, 1967?

The last part of the question, Mr. Speaker, would be are these amounts now in the present estimates, or will they be supplemented to those estimates some time in the future?

**Hon. Mr. MacNaughton:** Mr. Speaker, in answer to the hon. member would be: that in terms of the initial review of the required funds, as I recall it, a figure of something like 12 per cent in total was required to raise the available amounts from the 1966 level to the current level. On the other hand, when the matter was pursued in more detail it was found that it was very difficult to apply a specific percentage. Because, as I recall, and understand it, it was being dealt with on a selective basis. In certain instances, the percentage requirement is lower; in other instances, it is higher. To arrive at a total flat percentage across the board was not possible.

I believe the hon. member will recall, however, that we made a statement in the budget

address that if the funds provided for in the estimates turn out to be insufficient against the collective treatment of the various situations, another approach to the Treasury Board can be made.

**Mrs. M. Renwick:** Mr. Speaker, would the Treasury Board have met the 12 per cent increase, or 12.5 as I guess it is now, to bring it up to the current cost of living increase? Would the Treasury Board have met that?

**Hon. Mr. MacNaughton:** I do not know that I could answer that, Mr. Speaker. As I said before, the difficulty was working it out on a flat percentage basis, following the indication that the requirements may have been 12 per cent. Working that out on a selective basis is still something that is being dealt with; to apply a total flat figure that might meet the ups and downs of the selective application was very difficult.

There is no reason to believe that the amount provided for in the estimates will not largely accomplish this, but it was difficult to be sure. Again, I repeat, we made a statement in the budget address that upon further review, if the funds that were provided against this rather complex situation were not sufficient, it could be reviewed later on. That is the way we left it.

**Mrs. M. Renwick:** Would the Treasurer accept a further supplementary question? Would the Treasurer not feel, outside of the department's inner workings and inner problems, that it is very unjust that people in the province in receipt of benefits are not able to purchase now what those benefits purchased in April, 1967?

**Hon. Mr. MacNaughton:** I am confident, Mr. Speaker, when I say that either the funds provided for in the estimates to be voted, or those that will be supplemented, will attain the objective referred to by the hon. member. This is the basis upon which the matter was considered during the review of the estimates and subsequent discussions.

I simply want to repeat and emphasize that there is a variety of rates that are applicable. For instance, in some areas it requires less than it does in others; rent factors in one municipality differ from what they may be in another. The selectivity of this situation is a rather involved procedure, but I have reason to believe, and I think it is fair to assure the House, that either the voted funds or whatever has to be supplemented will be

sufficient to reach the level that you reference to.

**Mr. Speaker:** A supplementary question.

**Mr. MacDonald:** In the budget statement the provincial Treasurer stated specifically that increases in these welfare and assistance benefits would be supplementary to the get. Do I understand him correctly that some of the money may be included in the estimate that has been appropriated by the Department of Social and Family Services, but if it is not adequate more will be available?

**Hon. Mr. MacNaughton:** Yes, Mr. Speaker, the member understands correctly.

**Mr. MacDonald:** The budget statement is not accurate then?

**Hon. Mr. MacNaughton:** It was intended to convey that impression.

**Mr. Speaker:** This has been sufficiently explored. The member for Kent has the floor.

**Mr. J. P. Spence (Kent):** Mr. Speaker I have a question to ask—

**Mr. Speaker:** No more supplementary questions on this matter.

**Mrs. M. Renwick:** There were no supplementary questions, were there, Mr. Speaker?

**Mr. Speaker:** The hon. member asked several supplementary questions herself.

**Mrs. M. Renwick:** Mr. Speaker, I am sorry. I thought our leader was rising on a question.

**Mr. Speaker:** No, he rose on a supplementary question to the hon. member's. The member for Kent has the floor.

**Mr. Spence:** Mr. Speaker, I have a question to ask of the Attorney General: Is it lawful now to carry on off-track betting in the province of Ontario?

**Hon. Mr. Wishart:** No, Mr. Speaker. The law with respect to betting is contained in the Criminal Code of Canada, a federal statute. The provision of that code makes it unlawful, an offense, to conduct off-track betting.

**Mr. Speaker:** The hon. Minister of Lands and Forests has a reply to a question asked by the member for Niagara Falls.

**Hon. Mr. Brunelle:** Mr. Speaker, yesterday the member for Niagara Falls asked me for information about an oil spill in the We-

River. Last week, the committee of 1,000, an anti-pollution group in the Niagara area, reported to the Minister of Energy and Resources Management (Mr. Kerr) that an oil spill had taken place at The Norton Company plant on the Welland River.

I am informed by the OWRC that it was investigated immediately. It was found that 100 gallons of oil had spilled into the river in a 30-second period while a pump was out of action due to an accident. There was only a very faint trace on the water two days later and no clean-up was deemed necessary.

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

**Mr. Young:** I have a question, Mr. Speaker, of the hon. Minister of Municipal Affairs. Would the minister indicate to the House the percentage shift in residential assessment during the recent assessment in the township of Vaughan?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): I would be speaking from memory, Mr. Speaker, without a great deal of analysis. When I looked at these figures, which was perhaps a month ago, all the analyses had not been done, but as I recall it was in the neighbourhood of five per cent. I am not sure of that. There was a shift within the class, as there was, I think, in Mississauga, which may be causing the problem there; not so much from class to class but a shift in terms of some of the larger properties.

**Mr. Young:** As a supplementary, Mr. Speaker, I understood that perhaps the shift was a good deal more than that. But is the minister taking steps to assure that justice is being done here as in the case of Mississauga?

**Hon. Mr. McKeough:** Fortunately, Mr. Speaker, the member for Mississauga, the member for Peel South (Mr. Kennedy), has been pursuing this for some time, and we will shortly introduce what is known as the Mississauga amendment in The Municipal Act to look after that particular problem. He, being a very generous person and concerned with the welfare of the whole province, has been looking after York county as well, or that portion of York county which needed looking after.

**Mr. Speaker:** Has the hon. member for York Centre a supplementary?

**Mr. D. M. Deacon** (York Centre): Will this legislation empower the councils to make the

necessary readjustment by class to put back in the same area of percentage as was the previous year? Is this the basis to empower the councils to correct the situation?

**Hon. Mr. McKeough:** Mr. Speaker, contents of the legislation will be known due course.

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

**Mr. R. S. Smith** (Nipissing): Mr. Speaker, I have a question of the Attorney General. Did a lawyer from his department, department acting as crown attorney in Parry Sound court, recently call into question the relationship between the provincial court judge and a lawyer who frequents before him, in that they are uncle and nephew? And, secondly, if this did happen, what action does the Attorney General intend to take?

**Hon. Mr. Wishart:** I believe a lawyer acting as crown attorney in Parry Sound raised the question of the relationship between the presiding judge and one of the counsel appearing in a case before him. The court dealt with the matter at that time. I am getting a report of it. I have received some of the report, but have not received all of it as yet.

**Mr. Speaker:** The member for York Centre did he have a question?

**Mr. MacDonald:** Yes, I have a question of the minister of housing. What response has the Ontario Housing Corporation made to the protests from the Milton area with regard to the proposed site for a senior citizens' apartment building?

**Hon. S. J. Randall** (Minister of Trade and Development): I have not seen any protest from the Milton area. I will be glad to check into it and find out what protest there have been.

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

**Mr. Braithwaite:** Mr. Speaker, I have a question of the Minister of Trade and Development. Can the minister report on the sociological study of the Thistleton area which he undertook, during his estimate about October 10, 1969, would commence?

**Hon. Mr. Randall:** Mr. Speaker, I saw the comment attributed to me in a local newspaper and I checked *Hansard* and I promised no such study. I said if there are any social problems out there and the people are complaining, if the member would send them

to see me, we could sit down and see if we could find out what the difficulties were and, if a study was necessary, we would implement one. I have not heard from anyone since that date.

**Mr. Braithwaite:** Mr. Speaker, would the hon. minister believe it if I tell him that I think his words were, "You've got a deal" and, further, if the hon. minister will check with his department, I believe he will find that one or two individuals did commence a study and that is the reason the question is asked today. I would like to know how far the study has gone. I do not like to question the minister's recollection—

**Mr. Speaker:** Order! The hon. member has asked his question.

**Hon. Mr. Randall:** Mr. Speaker, again I say there was no commitment on my part to commence a study. I do not recall the two people the member is referring to. If he will give me their names, I will check into it and find out who they were and what other comments were made to them when they were in. But I do not believe I had a chance to talk to them.

**Mr. Braithwaite:** I believe *Hansard* of October 9—

**Mr. Speaker:** Order!

**Hon. Mr. Randall:** I checked *Hansard* and it is not in there.

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

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, I have a question of the Minister of Trade and Development. In view of the persistent unemployment and underemployment in the agricultural equipment manufacturing industry and that there is no hope in the foreseeable future of some improvement in this situation, can the minister indicate what his department is doing in trying to resolve this particular problem?

**Hon. Mr. Randall:** The problem in the agricultural industry is brought about through the lack of sales for wheat in the west. As you know, the federal government is taking some action out there. Of course, that has a great bearing on the implement manufacturers here, so we do have a stake in the sale of wheat which we recognize.

There has been no immediate action taken on the layoff of workers in the particular area the member is talking about, although we are still bringing new industry as fast as we

can get our hands on it to the designated areas. Of course, all industry does not go to designated areas. Now, if it appears that layoff is going to be permanent in Brantford or even in Toronto, we will have to take a look at the farm implement business and if we can diversify and get into something else.

In the meantime, I think it is a little premature to say they are not going to go to work. It depends on what happens to the wheat business.

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

**Mr. Sopha:** I should like to ask the Attorney General if he has had the opportunity to examine the material respecting the censuring of the court of appeal of Provincial Judge Robert Taylor and tell us what action, if any, he intends to take in our name.

**Hon. Mr. Wishart:** Mr. Speaker, yes, I saw the newspaper report. I have not read the actual judgments. I have not had an opportunity to get those yet. As I read the report which, I think, is quite accurate, the judgments of the court of appeal were very severe in their censure of the judge, castigating him for the remarks he made in the course of the trial and pointing out how very much out of order his remarks were and how they were not conducive to the administration of justice and not proper in any way.

My own view is that the judge, having been reprimanded publicly and as a matter of record by judges of a superior court, has been set right. His comments and his actions making the comments were very mistaken and as this was pointed out to him by persons, such as appeal judges, in authority over him, no further action that I could take could be called for.

I would not think that the hon. member would expect my reprimand, added to that of the judges, would be necessary. In fact, I have never felt it is the proper function of an Attorney General to take an individual judge and start telling him the Attorney General's views on judicial conduct.

**Mr. Sopha:** What about the judicial council?

**Hon. Mr. Wishart:** The judicial council was at pains to point out yesterday, as provided for under the Act which I brought into this House a year or so ago. It is composed mainly of judges, the chief justice of Ontario, the chief justice of the high court and the head of the provincial courts, the chief ju-



of the provincial court. The judge in this case, was, as I say, reprimanded by judges of the court of appeal, in no uncertain terms and told where he was wrong. Surely there is not much that the judicial council can do, unless you suspect the judge was so far incompetent in that conduct that he should be the subject of a public inquiry. I think not. I think he has been fully, publicly, severely reprimanded, and I think that is sufficient.

**Mr. S. Lewis (Scarborough West):** By way of supplementary, Mr. Speaker: in view of Mr. Justice Laskin's dissent, added to the critical censure of the other judges, does not the Attorney General feel that the competence of the judge is drawn seriously into question in dealing with any other cases involving immigrant workers in the province of Ontario, let alone any one at all?

**Hon. Mr. Wishart:** No, I do not, Mr. Speaker. I think a judge is capable of learning that there are other attitudes. There are attitudes which are proper and he has been told that. While no one can control his thoughts—he may think these things—to express them is very wrongful. There are all sorts of attitudes, I presume, among judges, on various matters, but I do not agree that he is incompetent.

**Mr. Lewis:** By way of supplementary, Mr. Speaker. Does the minister not think that the thinking in this case, let alone the expression, is of such an antisocial nature that it would not be possible for this judge to make unprejudiced judgments in the future?

**Hon. Mr. Wishart:** The answer, Mr. Speaker, is no. I do not think so.

**Mr. Lewis:** Even on the basis of the report which the Attorney General read—he was prejudiced, bigoted.

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

**Mr. E. W. Martel (Sudbury East):** A question of the Minister of Health: some time ago I asked the minister a question with respect to the dispensing of birth control pills to Indian and Eskimo women without doctor consultation. Has an investigation been done into this matter and, if so, could the minister advise what the results of the investigation are?

**Hon. Mr. Wells:** Mr. Speaker, I do not have the results of it here. I cannot remember whether the hon. member sent me the information upon which he based it. If he did, then it will be in my office and I will get it for him.

**Mr. Speaker:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** A question of the Minister of Municipal Affairs: What is the minister doing, or contemplating, to relieve the hardships of certain tenants in apartments with slum or absentee landlords, due to the inability of certain municipalities within Metro to pass effective minimum standard housing bylaws because of the inadequacies of the—

**Mr. Speaker:** Order! The hon. member now asked his question, he is really—

**Mr. Good:** No, I have not.

**Mr. Speaker:** Yes, he has and he is asking things to the question which are not proper a part of it.

**Mr. Good:** The second part of my question is has he received a report from Mr. Matt Lawson dealing with the revisions in the Planning Act which are causing this hardship?

**Hon. Mr. McKeough:** Mr. Speaker, I do not concede that there are inadequacies in The Planning Act in this particular regard.

Section 30(a) of the Act has been available for some four or five years and has been made use of by a number of municipalities. A number of municipalities have decided that they would not use it after some rather difficult circumstances in discussing how it might be implemented. We are not dissatisfied with the workings of section 30(a), where the municipality want to put it to use and is prepared to hire the necessary inspection staff, necessary follow-up staff.

I have received a preliminary report from Mr. Lawson, not a final report. Mr. Lawson is studying a much broader area than simply residential minimum standards—he has taken a look at that. One of the purposes of Mr. Lawson's report was to broaden the scope of section 30(a), probably to include industrial and commercial property.

**Mr. Good:** By way of supplementary, if I do not admit any inadequacies, why did you have Mr. Lawson study it?

**Hon. Mr. McKeough:** For exactly the reasons that I have just given, Mr. Speaker. Perhaps the member did not hear me. He is starting with the basis of section 30(a) and is thinking of extending it to — and will make recommendations on extending it to — commercial and industrial properties which are not presently covered by section 30(a).

**Mr. Speaker:** The oral question period has now expired.

Petitions.

Presenting reports.

Hon. Mr. Wishart tabled the annual report of the commissioner of the Ontario Provincial Police for the year 1969.

Hon. Mr. Wishart tabled the annual report of the Ontario fire marshal for the year 1969.

**Mr. Speaker:** Motions.

Introduction of bills.

### THE REGIONAL MUNICIPAL GRANTS ACT, 1970

Hon. Mr. McKeough moves first reading of bill intituled, The Regional Municipal Grants Act, 1970.

Motion agreed to; first reading of the bill.

**Hon. Mr. McKeough:** Mr. Speaker, arising from the Treasurer's budget of March 31, the bill I place before the House today will effect certain fundamental changes in the calculation and apportionment of grants paid by the province of Ontario to the regional municipality of Niagara, the regional municipality of Ottawa-Carleton, and the metropolitan municipality of Toronto for the benefit of the area municipalities within their boundaries.

These changes will result in measures we believe to be more sensitive and more responsive to the inherently complex and unique problems confronting these municipalities and their regional jurisdictions.

In the case of these three areas, The Regional Municipal Grants Act will replace The Municipal Unconditional Grants Act and will assist the taxpayer in the regional municipalities to finance the extensions of local services that are possible in the larger units of local government.

In a departure from existing legislation, residential taxpayers will enjoy a preferential tax rate fixed at 85 per cent of the commercial tax rate, thus enabling this grant to be applied in reduction of the general expenditures of the municipality.

The new formula or schedule of payment, Mr. Speaker, is proposed as follows:

Firstly, the province will make a payment of \$7.00 per capita in accordance with the population of the area municipalities.

Secondly, the province will make a payment of 50 cents per capita to represent share of fines collected, except those levied under municipal bylaws.

Thirdly, the province will make a per capita payment of an amount based on the density of households in each area municipality. This density factor is determined by dividing the total number of residential properties by the number of acres in each municipality. A schedule of household-density payments is attached to the bill.

Fourthly, the province will make a payment of \$1.50 per capita for the year 1970 and subsequent years, where the regional government has established a police force. This will apply to Metropolitan Toronto and Niagara.

I would emphasize, Mr. Speaker, that the regional government does not keep any of the funds in this programme. All are passed on to the area municipality. I would further emphasize that as other regional governments are created, the legislation will apply to those municipalities.

In addition to providing more funds to meet local expenditures of municipalities, the bill introduces a new distribution of the grant which will greatly simplify the financial relationship between the regional and area municipalities.

Therefore, Mr. Speaker, I place before the House a bill embracing the spirit of reform while responding to the complexities of government, in a way that is both equitable and practical. It is a measure, I submit, that strives to bring the economics of government into a more direct line with the realities of living; a measure, sir, that attempts to recognize tangibly and forthrightly, the real significance of individual need in the growing urban centres.

**Mr. Speaker:** Before the orders of the day may I be permitted to advise the members and also have recorded in *Hansard*, the names and ridings of the young men who have taken part in the past few months since the opening of the session served the members as legislative pages. They will be leaving us on Wednesday, and next Monday a new group of young men from across Ontario, from Sioux Lookout and Sudbury in the north, to Windsor and Prescott in the south, will be on duty.

The boys now serving us are: Bruce Adams of Port Credit, from the riding of York South; James Alexander of Toronto, from the riding of York East; Thomas Baulke of Ravenna, from the riding of Grey South; and Peter Brown of Toronto, from the riding of York North.

Eglinton; Cameron Burns of Willowdale, from the riding of York Mills; Ian Clyne of Windsor, from the riding of Windsor West; Grant Hammond of Ingersoll, from the riding of Oxford; Randy Horrill of Grimsby, from the riding of Lincoln; Gavin Kennedy of Toronto, from the riding of St. David; Ross Lamont of Paisley, from the riding of Grey-Bruce; Peter Lowe of London, from the riding of London South; David McGregor of Richmond Hill, from the riding of York Centre; Mario Mancini of Toronto, from the riding of Dovercourt; Albert Pace of North Bay, from the riding of Nipissing; Andrew Pepper of Toronto, from the riding of York-Forest Hill; Ted Reeve of Scarborough, from the riding of Scarborough Centre; Philip Robinson of Ottawa, from the riding of Ottawa West; Michael Sheppard of Toronto, from the riding of Armourdale; Steven Simpson of Weston, from the riding of Etobicoke; Frank Skelton of Scarborough, from the riding of Scarborough East; Mike Smyth of Oakville, from the riding of Halton East; and Malcolm Vipond, of Oshawa, from the riding of Oshawa.

Orders of the day.

#### CITY OF HAMILTON

Mr. Carton, in the absence of Mrs. Pritchard, moves second reading of Bill Pr5, An Act respecting the city of Hamilton.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

Agreed.

#### CANADIAN NATIONAL EXHIBITION ASSOCIATION

Mr. Price moves second reading of Bill Pr17, An Act respecting the Canadian National Exhibition Association.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

Agreed.

#### TOWN OF GEORGETOWN

Mr. Apps, in the absence of Mr. Snow, moves second reading of Bill Pr20, An Act respecting the town of Georgetown.

Motion agreed to; second reading of bill.

**Mr. Speaker:** Shall this bill be ordered third reading?

Agreed.

#### CITY OF BARRIE

Mr. Evans moves second reading of Bill Pr23, An Act respecting the city of Barrie.

Motion agreed to; second reading of bill.

**Mr. Speaker:** Shall this bill be ordered third reading?

Agreed.

#### CITY OF LONDON

Mr. Gisborn, in the absence of Mr. Bolton, moves second reading of Bill Pr30, An Act respecting the city of London.

Motion agreed to; second reading of bill.

**Mr. Speaker:** Shall this bill be ordered third reading?

Agreed.

#### DENNIS REALTY COMPANY LIMITED

Mr. Bukator moves second reading of Bill Pr35, An Act respecting the Dennis Realty Company Limited.

Motion agreed to; second reading of bill.

**Mr. Speaker:** Shall this bill be ordered third reading?

Agreed.

#### WENTWORTH RADIO AND AUTO SUPPLIES LIMITED

Mr. Bukator moves second reading of Bill Pr36, An Act respecting Wentworth Radio and Auto Supplies Limited.

Motion agreed to; second reading of bill.

**Mr. Speaker:** Shall this bill be ordered third reading?

Agreed.

**Clerk of the House:** The 54th order, Ho in committee of the whole; Mr. R. D. Ro in the chair.

## CITY OF ORILLIA

House in committee on Bill Pr8, An Act respecting the city of Orillia.

**Mr. Chairman:** Are there any questions, comments or amendments to any section of this bill? If so, name the section. The member for Simcoe East.

**Mr. G. E. Smith (Simcoe East):** I would move an amendment to section nine of Pr8.

**Mr. Chairman:** Is there anything before section nine? All right, the member for Simcoe East.

On section 9:

**Mr. G. E. Smith:** Mr. Chairman, I move that section nine of Pr8, An Act respecting the city of Orillia, be amended to read: "This Act shall be deemed to have come into force on July 7, 1969."

**Mr. Chairman:** Mr. G. E. Smith, of Simcoe East, moves that section nine of Pr8, An Act respecting the city of Orillia, be amended to read: "This Act shall be deemed to have come into force on July 7, 1969."

**Mr. J. E. Bullbrook (Sarnia):** That is the way it is printed.

**Mr. Chairman:** No, the reprinted edition has it differently from this.

**Mr. R. F. Nixon (Leader of the Opposition):** It is not marked as a reprint.

**Mr. Chairman:** Apparently there was a change in committee and we have to take into account this amendment.

**Mr. G. E. Smith:** Mr. Chairman, maybe I could speak briefly on the need for the amendment.

At the time the Orillia bill was considered in committee, on the day of the hearing, the mayor of Orillia, Mayor David Brown, was to have been present. But, due to the fact that the industrial commissioner was ill and some industrialists were visiting the city to consider Orillia for a potential location of a new plant, the mayor had to stay to meet with them.

The city solicitor came down, and presented the bill, but unfortunately was not aware of some of the background and the detail as far as the history of bill Pr8 was concerned. Consequently the solicitor agreed, when they were under questioning from the member for Sudbury (Mr. Sopha) and several other members of the committee, that he

could see no reason why the bill should go into effect when it received royal assent. And this was the amendment that was in committee at that time.

Since then I have been briefed by the mayor of Orillia and the city treasurer of the need to have this bill set back to the active date of July 9. In attempting to get the committee of this Legislature—I wish to be brief—I point out that a year ago the city drafted their bylaw, but they were unable to submit the private bill to last spring's hearing of the private bills committee.

In the meantime, they felt there was an urgent need to co-ordinate the activities of the community centre board, the recreation commission and the parks board under a single jurisdiction. As a matter of fact—and I wish to point this out to the members of the committee—at meetings with the recreation branch of The Department of Education it was suggested to them that the procedure should be that they should go ahead. They could still hire the recreational commission and the normal procedure was to have the bill made retroactive, which would then pick up any of the activities that the new recreation commission carried out during the term of office in 1969.

I would like to read a very brief comment from a letter received from the city solicitor or the clerk-treasurer of the city of Orillia and I quote:

It was never our intention to proceed with the matter if there had been any question of the validity of the organization until after the private bill was passed, but I led to believe that the bill could be made retroactive to the passing of the bylaw. I would hope that you could point out to the hon. members of the Legislature that at that time did anyone in Orillia not act in good faith in this matter. The council, in passing the bylaw and appointing the members and the members, once appointed, proceeding to do all things necessary to make the function of this new commission operational during the current year.

It can be appreciated that all of the activities of the newly formed commission members on the staff could be subject to question if the enactment of the bill is made retroactive to the date of the passing of the bylaw.

I spoke to the chairman of the Ontario Municipal Board, Mr. Kennedy, who indicated to me that they would like to see Bill Pr8 made retroactive to July 9.

I think that the big question that arose at the time it was at committee was that there were no answers—that our city solicitor, due to the reason that I mentioned, plus the fact that I had not been briefed because we expected that the mayor would be in attendance, were not able to give satisfactory answers to the members of the committee as to why it should be retroactive back to July 9, 1969.

I could answer any further questions of the committee, but I think I have established the need and the circumstances and I would hope that the members of the committee of this Legislature would support my amendment.

**Mr. Chairman:** The member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, as you and the hon. member are aware, we are excessively jealous of retroactive legislation. It can be an abuse. In this instance I suspect it is not.

Not being on that committee, I would like to know whether it is felt that the circumstances that led into this retroactivity were fully discussed in the committee—such as whether any vesting of properties have taken place, which would be invalid unless we retract the bill. Whether this has taken place in the meantime, that is, from last year.

If there is any real question about this, and no one is going to be particularly hurt, it might just be taken into consideration, Mr. Chairman, that the matter be referred back to that committee for further investigation, because of this sentiment on the part of, not only the legal profession but any legislator, of dating legislation back.

**Mr. Chairman:** The member for Simcoe East.

**Mr. G. E. Smith:** Mr. Chairman, in response to the comments of the member for Lakeshore, I might say that there has been no vesting of property, there has been no change in any of the physical assets of the three groups that were incorporated under the new recreational commission. I do not personally feel that it should be referred back to committee, but I would like to pass one further comment as to the need for this. I quote again from the clerk-treasurer's letter:

In seeking legal advice concerning the effect of the enactment, the proclaiming of the Act in force on the date it receives royal assent could create a situation where

it might be necessary to call together of the old members of the three boards with the request that they analyse all activities of the board and perhaps reorganize them.

This presents a number of problems. One, that some of the members are no longer in Orillia; some have passed away and all of the members not now on the new commission, I would expect, would have very little interest in having to go through months of detail to ratify the actions of the new board.

The matter is further complicated in that we have gone into the year 1970, in that new members have been appointed to the commission and that the commission is continuing to function as an integral part of the city's administration.

I think that perhaps answers some of the comments of the member for Lakeshore.

**Mr. Lawlor:** Mr. Chairman, I cannot bring myself to make such a motion.

**Mr. Chairman:** There is a motion by G. E. Smith to amend section 9 of the bill.

**Mr. E. R. Good (Waterloo North):** Chairman, could we have an expression from the minister involved whether there is any objection to the amendment?

**Mr. E. W. Sopha (Sudbury):** He was not present at that committee meeting.

**Mr. Chairman:** The minister agrees to the amendment.

Section 9, as amended, agreed to.

**Mr. Chairman:** Are there any other sections for discussion or amendment, or questions? If not, shall the bill, as amended, be reported?

Bill Pr8, as amended, reported.

## CITY OF NIAGARA FALLS

House in committee on Bill Pr29, Amending the City of Niagara Falls Act, respecting the city of Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Chairman, I have an amendment to schedule A on page 9 of the bill.

**Mr. Chairman:** Schedule A. Are there any other comments or questions before that? The member for Riverdale.

**Mr. J. Renwick (Riverdale):** Mr. Chairman, I simply want to reiterate the comments

## THE JUDICATURE ACT

The House in committee on Bill 11, An Act to amend The Judicature Act.

**Mr. Chairman:** Are there any questions or comments or amendments to this bill? I have a member for Huron-Bruce standing to address the House?

**Mr. M. Gaunt (Huron-Bruce):** No, thank you, sorry.

**Mr. Chairman:** The member for Lakes

**Mr. Lawlor:** The change is to 30 judges on the high court, from the present—I think 26. I am still not quite satisfied with respect to this rather large exchange. I think that the Attorney General (Mr. Wishart), rather than the member for Huron-Bruce, should have to come back in a year's time to increase the number of judges, as I believe he did last year, is going to go whole hog into the reorganization of the federal courts this century at this particular time.

We have never really discussed the court procedures being set up by the justice minister in Ottawa, John Turner. I refer to an editorial in the *Toronto Daily Star* of March 7, 1970. First of all, the justice minister is going to have a thorough reorganization of the federal courts that would have far-reaching consequences.

Under the proposed law, the exchequer court will be replaced by a new federal court with a trial and an appellate division. This will have the powers of the present exchequer court but, in addition, it will have concurrent jurisdiction with the provincial courts on cases arising out of federal laws of such matters as bills of exchange, promissory notes, aviation and works, and undertakings connecting one province with another, such as railways.

If the new court proves popular with the public, it should take a good deal of the pressure off the overburdened provincial courts.

I wonder, in reaching the conclusion to establish the judges, whether full weight has been given to the reorganization of the federal courts as lifting a considerable burden. I would like to know if the Attorney General could estimate to what extent that lifting would take pressure off the provincial supreme court. Would it take five per cent of the total of the court? Is it likely to take from the provincial supreme court? On the other hand, we all know that there is in the hopper at the moment fairly streamlining legislation to take more weight again off the supreme court judges over to the county court judges, and they may divorce that very onerous

were made very briefly by my colleague, the member for Yorkview (Mr. Young) about this particular provision of the bill, when the estimates of the Minister of Transport (Mr. Haslett) were before the House.

This bill provides for the private operation of a monorail paralleling the Penn railway system, as I understand it, in the city of Niagara Falls as part of the overall development of that area. And, as I understand the bill, the purpose of the bill is to confirm the validity of the bylaw that was passed by the corporation of the city of Niagara Falls and to confirm the agreement which would subsist for some 20 years and which makes provision for the monorail being constructed and operated as a private system. It would seem to me that the point made by my colleague, the member for Yorkview, is very well taken, that in the Niagara area these are matters which should be dealt with on a public basis. I would expect that one of the ministers in the government would comment about it, presumably the minister of Municipal Affairs. And I would have liked, had he been here, the chairman of the Niagara Parks Commission to have commented as well, because any such extensive transportation development must obviously be integrated into the plans for the whole of that Niagara area. I would hope that one of the ministers would comment.

**Mr. Chairman:** Are there any comments by the minister? The member for Niagara Falls.

**Mr. Bukator:** Mr. Chairman, I move that schedule A of the agreement dated February 16, 1970, between the corporation of the city of Niagara Falls and Niagara Monorail Limited, as set out in the schedule to Bill Pr29, An Act respecting the city of Niagara Falls, be amended by adding, at the end thereof, the following:

“Short Street, Chippawa; Church Street, Chippawa; unopened road allowance between township lots 193 and 223; unopened road allowance between township lots 190 and 191, and 193 and 194, and unopened Dixon Street.”

**Mr. Nixon:** Now let us hear the minister's comments on that.

**Mr. Bukator:** I can explain it, if you would like.

**Mr. Chairman:** Shall the amendment as proposed by Mr. Bukator carry?

Schedule A, as amended, agreed to.  
Bill Pr29, as amended, reported.

litigation. Perhaps even the family court concept is presently in the mind of the Attorney General.

With these changes taking place both internally to our own regime and external to ourselves in the federal sphere, I still must question the necessity of increasing the number of judges by four at this time. Perhaps two might have been in order; I really do not know. When these matters are presented in committee, with all the good will in the world, one is really not given much statistical evidence as to what the case load is and as to the justification for expanding the court.

Certainly, on future occasions, I intend to require or request a further elucidation of this sort of issue. The cost of maintaining these extra courts, with the facilities down on University Avenue cramped to the walls, seems to me to be a very heavy burden on the taxpayers of the province. Perhaps the Attorney General could consider these matters.

**Mr. Sopha:** Would the Attorney General indicate to us whether any consideration is being given, or any studies are being made, as to the feasibility of setting up judicial districts as in the province of Quebec and assigning judges permanently to an area on the superior court basis.

And let me just add the comment that I am aware of all the lawyers' complaints that are made, but in the light of those complaints about the adoption of such a system still it would not restrict—as the Attorney General well knows—the movement of judges in and out of the assigned areas. It might well be that we have come to a point in our judicial history where we might consider the permanent location of superior court judges, together with a realignment of the responsibilities in the various courts in the hierarchy.

**Hon. A. A. Wishart (Minister of Justice):** Mr. Chairman, those very things that the hon. member for Sudbury mentioned are not just under consideration. They are actually written in legislation, which I propose to present very shortly to this House.

**Mr. H. Peacock (Windsor West):** You are short-circuiting the cabinet every day.

**Hon. Mr. Wishart:** Had I not been engaged this morning, while my colleagues were in cabinet—I was engaged in the legal bills committee—

**Mr. Sopha:** Do not tell me you are going to be able to abolish juries?

**Hon. Mr. Wishart:**—I might have been able to tell you that these things had got further forward than they have, but one can only do that in one place at one time.

**Mr. Nixon:** What if you have trouble in getting it through cabinet now? That has happened before.

**Hon. Mr. Wishart:** I do not know. I will take my chances there.

This is based, as you are aware, on studies that we have made. I think lawyers recognize it. The public recognizes the need. Mr. Ruer made recommendations for revision of our system of the administration of justice. —I think I may say fairly—we have not been sitting idly by looking at those recommendations without seeking to implement them. The legislation which I have in mind—and I think I may not regard it as a secret—will seek to implement a revision along the lines of those recommendations and will contemplate the establishment of the supreme court to serve in certain areas of the province without them being concentrated in Toronto. I think I may say that.

With respect to the remarks of the member for Lakeshore, as you are aware, when this bill was first presented we had asked for three additional judges and we have made a pretty thorough assessment of our need. I think I informed the House, based on a study of the case load of the judges throughout the year—the loads of the individual judges and the backlog.

Then part of the reason for the change in asking for the additional judge—comes from the reforms, if I may call them that, which we propose to bring before this House.

Another element, which I had perhaps not mentioned as carefully as I might have, was the age of some of the judges presently sitting. One has to take into account that fact when age is high.

I can only say this to the House that, in view of the particular elements entering into the proposed amendment as to the age of a judge, we have some information which I have that one judge may be asked to perform a very special duty which may take him from doing his ordinary judicial work on the bench for some limited time. With that in mind I asked for the additional judge.

But there has been a very thorough assessment made, as well as we could make it, from our own studies, from discussions with the judges, and in particular the chief judge and with committees of the bar and these other

factors that I mentioned—the age of the court, workings of the individual judges and so on. So I think we are very close to the mark now on the request for four; it is fully justified.

**Mr. Lawlor:** Mr. Chairman, just one question of the Attorney General. Have you—

**Hon. Mr. Wishart:** Let me say this, if I may, then I do not think I will need to say much more. I should have mentioned that I have discussed our needs with the Minister of Justice in Ottawa—not at very great length, but at some length. I cannot speak for the federal minister, but I do not believe the articles which the hon. member for Lakeshore read indicated that the new responsibilities of the court, which in a sense replaces the former exchequer court, is going to take any great duties away from the judges of the Supreme Court of Ontario. I do not think it is going to relieve their workload. There is a change in the approach, in the concept and in the duties given to that court, but I do not think that it relieves us to any great extent.

**Mr. Chairman:** Any other comments, questions or amendments to this bill? Shall the bill be reported?

Bill 11 reported.

**Mr. Bullbrook:** Mr. Chairman, on a point of order. May I inquire of the Attorney General, through you, if we are going to do The Bills of Sale and Chattel Mortgages Act this afternoon?

**Hon. Mr. Wishart:** No, Mr. Chairman. I had indicated to the House leader that we were going to do it, that we intended to do it, but the somewhat substantial amendment to section 2, I believe it is—

**Mr. Bullbrook:** Section 3.

**Hon. Mr. Wishart:** Whatever one it was, we have been working on it. But we are not ready with it to our satisfaction. I am a little disappointed that we are not ready.

#### THE RETAIL SALES TAX ACT, 1960-1961

House in committee on Bill 49, An Act to amend The Retail Sales Tax Act, 1960-1961.

**Mr. Chairman:** Bill 49, An Act to amend The Retail Sales Tax Act, 1960-1961; there are 10 sections to this bill. Are there any comments, questions or amendments to any of the first five sections? If so, which section?

**Mr. Lawlor:** Yes, section 1, subsection 3.

**Mr. Chairman:** On section 1:

**Mr. Lawlor:** I would like the hon. minister on section 1, subsection 3, to descant in dulcet tones upon the amendment made to the amusement tax imposed upon facilities for dancing, or where facilities for dancing are provided to the public, that the service of liquor, beer or wine apparently does not apply to such facilities without such service. What is the rationale of this alteration?

**Hon. J. H. White (Minister of Revenue):** Well, I must confess I really do not know. I suppose the philosophical rationale is that the more sophisticated and larger dances are those that make beer and wine available and the smaller dances in parish halls and like, where beer and wine are not likely to be served, are the type of amusement that we have not been taxing in the past. Under The Hospital Tax Act and which we will propose to tax now that the changes made to The Retail Sales Tax Act. It is, I think, a very satisfactory answer, is it?

**Mr. Lawlor:** Mr. Chairman, may I have a comment? I think it is altogether commendable that dancing is permitted free of tax in this province, provided that you do not have a drink when you do it. Mr. Chairman, subsection 3, subsection 2 is the—

Section 1 agreed to.

On section 2:

**Mr. Chairman:** What section do you wish to discuss?

**Mr. B. Newman (Windsor-Walkerville):** Section 2, Mr. Chairman.

I would like to ask the minister why, in subsection 2, there is a sales tax on a mobile home, complete unit in the purchase of a mobile home, whereas on a home there is a sales tax only on the materials used in the building of the home. In the mobile home there is a certain amount of labour involved in its construction, yet in the purchase of the mobile home, you pay a sales tax both on the labour and on the materials involved.

**Hon. Mr. White:** Well it is perfectly correct that the retail sales tax does apply to a mobile home according to the retail selling price. On the other hand, it must be remembered that a trade-in against that home would be tax-free. If I may illustrate, let me say that a mobile home is selling for \$10,000. There is a trade-in applied against it worth \$5,000. In this illustration the tax will apply to the \$5,000 balance.

**Mr. B. Newman:** Just go back about the sentence. I missed one little portion.



**Hon. Mr. White:** The retail sales tax applies to the full amount of a mobile home, including the labour increment, in a way that is not true of a house built on a lot.

However, there are several circumstances which I think are to the advantage of the mobile home purchaser. One is that if he buys a new mobile home for \$10,000 and has an old mobile home to trade in on it, he pays tax only on the cash difference, as one would do with a car.

So the illustration I chose to use was a new, \$10,000 mobile home with a \$5,000 trade-in. The retail sales tax would apply only to the cash paid of \$5,000 and while the conventional home buyer is not paying on the labour increment, he has not the advantage of the mobile home buyer.

**Mr. B. Newman:** Mr. Chairman, an individual buys a mobile home maybe once or twice during his lifetime, the same as he would a conventional home. Especially today, where practically 90 per cent of all homes under \$15,000 are mobile homes.

I think it is a real burden. It does not assist in solving the housing problem, having the sales tax imposed on the final selling price of the mobile home, rather than on the material content of the home.

I certainly hope that the minister takes this into consideration and comes through with some type of amendment to accommodate just the type of suggestion that I have made, because it is not fair and it does not assist in overcoming the housing problem.

Section 2, agreed to.

On section 3:

**Mr. Chairman:** The member for Lakeshore.

**Mr. Lawlor:** Are you on section 3 now, Mr. Chairman?

**Mr. Chairman:** Yes, section 3.

**Mr. Lawlor:** As I said, the crux of the matter lies at 3(2) in this bill. One could gyrate at some length about this particular section.

The government has the majority—I despair of all that has been pointed out to this minister. He has a single economist at the back of his mind, a man by the name of Musgrave, whom nobody can read. My man is John Hugh, whom everybody can read. Take your choice as between Harvard and Chicago, if you will, but there are a long list of authorities the other way against the

imposition of the tax here on a large range not only of the items included in here—production machinery used in the process of manufacturing.

The minister, Mr. Chairman, has been good enough to supply me with a draft of the regulations under the Act as to the definition of all these terms. Except possibly with the use of the word fixtures which is simply a legal use of that term at all—however, suppose there is nothing sacrosanct about the profession, that it takes words to itself and—  
—I can see nothing wrong.

We want to define what a jig is; but I go back to dancing again, I think. Except that it has something to do with accurate machinery of goods. Why explosives, for instance, contained in there—in what way are they short-run or short-term; is it simply because they are used up so rapidly, if you blow them up—why are they included within the terms of this particular section?

I will just advert to some remarks made by the Automotive Parts Manufacturers Association of Canada, in their brief to the Treasury of Ontario two years ago. They point out that the federal government has removed the 10 per cent sales tax on this item of machinery. And by the way—while we are on it and before I forget—have you substantially, as per our recommendation, brought your sales tax impositions in line with what the federal sales tax then was, on the whole? Of are you exercising the same type of arbitrary creation that you formerly exercised?

First of all, you said that it would be completely cohesive with the federal schedule, then, by various ministerial utterances like sibylline Delphic oracle, there were slow trenchments and departures from the case. All are documented at great length at the back of this report.

I know that they no longer have any legislation in effect, but your legislation is supposed to be, and to continue to be, in line with what they actually operated upon at that particular time. Have you followed that particular legislation? To return to my remarks, this is why we are now concerned, and, indeed, alarmed at the encroachment of the provincial government in the field of taxation just vacated by the federal.

We are, of course, referring to the application of sales tax on machinery and equipment used in production. Typical of items which the federal government exempts from sales tax but which the Ontario government taxes are the following. It is a long list of various items, adjuncts to production equipment,

as catwalks, platforms, bins, fork-lift trucks, blueprints, maintenance equipment of all kinds, shipping cranes, any number of things. This is not a complete list, but is used simply to illustrate those areas where the decision to exempt could just as readily have been taken as the one to tax, if the policy of the government were to have more concern for the generation of taxes over a long-term period, rather than taxation on the basis of expediency.

**Hon. Mr. White:** Mr. Chairman, I welcome an opportunity to deal with this particular section. When it was decided a year ago to apply the tax to a wide range of production equipment which had hitherto been non-taxable, consumables and catalysts remained exempt. The thinking was that they were so close to the raw material going into the taxable product that they should not themselves be taxed.

At the time, rather than establish a brand new definition of consumables, in keeping with the Smith committee and the select committee philosophy, we adopted the federal definition of consumables. That worked not too badly, although we did have to make a change which related to printing supplies, such as the lead to go into linotype machines. We could not devise a formula which was non-punitive and, at the same time, other than ridiculous.

It was pointed out to us, for instance, that the lead is used, perhaps, five times a day. To apply the tax on the labour increment would, at the end of the year, amount to a 5,000 per cent tax, which was untenable for the industry. There were inequities when one purchased the linotype from his own shop and when he purchased it from a job linotype firm. So my hon. friend's suggestion that we retreated very quickly from our guidelines is not actually correct. We did make one or two minor amendments to the general policy of adopting the consumables definition arrived at by the federal government.

That is the reason, Mr. Chairman, we have to include explosives in our list of certain production equipment items, because the federal definition of consumables does not include explosives. They are in a different section of the schedules that the federal government has arrived at. Yet you and I will recognize that they are consumed almost instantaneously and to consider them as other than consumables for tax purposes is somewhat unreasonable.

I would like to say that we have brought

ourselves into conformity, as best we can, adding this list which is contained in regulations to which my hon. friend refers.

I think some mention was made in the debate on second reading that class 12 might be an appropriate grouping for those items of equipment now to be exempt. In point of fact, what we have done is to adopt a schedule of 13 groups of items. No, excuse me, I am wrong about that. We have adopted a schedule of items which is almost exactly the same as that adopted by the federal government in about 1964 or 1965. Basically it follows the wording of the exemptions clause under The Excise Tax Act during the period when production machinery and apparatus was taxable under that Act. Yet it does not relate it to class 12 which is a broader list.

**Mr. Chairman:** The member for Essex-Kent

**Mr. R. F. Ruston (Essex-Kent):** I want to ask the minister a question with regard to the mobile homes that he mentioned. He says there is no sales tax on the trade-in, is there not a sales tax when it is sold as a used mobile home?

**Hon. Mr. White:** Yes, if it were sold from one customer to another there would be a tax on the transaction.

**Mr. Ruston:** In other words, from \$10,000 and up, on any mobile home there is a sales tax if sold in the province of Ontario. That is not true, is it?

Section 3 agreed to.

**Mr. Chairman:** Are there any other sections for comment, question, or amendment?

The member for Brantford; which section?

**Mr. Makarchuk:** Section 6.

**Mr. Chairman:** Anything before section 6?

**Mr. B. Newman:** Yes, Mr. Chairman, I wanted to ask of the minister—it will come under section 6.

On section 6:

**Mr. Chairman:** The member for Brantford

**Mr. M. Makarchuk (Brantford):** Section 6, Mr. Chairman, deals with the amount of the penalty that will be levied by the minister on individuals who fail to remit the tax. He says if the amount is \$10,000 or less, the penalty will be five per cent. If it is over \$10,000, the fine will be a maximum of \$500.

What this really means, Mr. Chairman, is that individuals who cannot remit say \$20,000, would be getting \$20,000 at an interest rate of about 2.5 per cent at the expense of the government. I just wonder why this favouritism exists here.

You are really favouring the individual who will be holding back a great deal of money in relation to the individual who will be holding back \$10,000 or less. He would have to pay five per cent. If he held over \$10,000 or a higher amount, the less would be the interest that he would be paying for his money.

**Hon. Mr. White:** As a matter of fact, interest would apply in each case. The reason for the section is to introduce some penalty when a vendor makes his return, but when he does not send in the moneys owing.

Until this amendment was introduced there was a penalty provided if a vendor failed to submit the return by a certain date. There was no penalty if he did not send his money with it. So we encountered some number of instances where the man met the strict requirement of the law by sending in a piece of paper, and thereby avoided any penalty on that particular section, but he did not send in his money and there was no penalty provided for his failure to do so.

There are lost commissions involved and there is an overdue interest charge of, I think, nine per cent, so in each instance the amount of the interest levied was the same.

I think the reason that we have limited it to \$500 is because the total combination of these several monetary penalties ought to be sufficient to induce compliance with the Act.

**Mr. Makarehuk:** What I gather from that, Mr. Chairman, is that an individual would have a penalty of nine per cent plus \$500, is that the figure? Fine. In other words it will not pay him to keep the money, this is what I want to know? Thank you.

**Mr. Chairman:** Was your discussion on this same point?

**Mr. B. Newman:** Yes, I wanted to ask of the minister what happens to the individual who has sold materials or supplies to a contractor and the contractor goes bankrupt, so he has not collected from the contractor? Why does he have to remit sales tax to you?

**Hon. Mr. White:** British Columbia is the only province which permits the forgiveness of sales tax on a transaction when the purchaser goes through bankruptcy. The other provinces of Canada, including Ontario, call

for payment of the tax at the time of transaction.

At that time the vendor assumes the responsibility for remitting the tax to us. If vendor, for reasons of his own, does not collect that tax, or if he collects a portion of the total amount owing, then he incurs liability for satisfying the tax payment call for, even though the purchaser at a certain date goes broke.

I know that there are rather good arguments in favour of our changing to the British Columbia system, but I would point out to my hon. friend that the Smith commission report and the select committee report recommended that we cancel the commissions being paid—or remuneration would be a better word—the remuneration being paid to retail sales tax vendors, which amounts to hundreds of thousands of dollars a year.

The government has refused to accept any particular recommendation. Your colleagues on the committee all voted for that, but the government has not been willing to accept it.

We think as long as we are paying up to 2.5 per cent remuneration that we are under no obligation to do so.

**Mr. Lawlor:** You voted for it too.

**Hon. Mr. White:**—that we are facing a strong ground in saying that we cannot in the expense of forgiving the tax on bank bad debts also.

**Mr. B. Newman:** May I ask the minister if he is considering amendments to the so that our Act would be fairly comparable to the B.C. Act then in this respect?

**Hon. Mr. White:** It is one of the things that have been wondering about and I will continue to cogitate and, God willing, will bring some inspirational solution before the next election.

Interjections by hon. members.

**Mr. Chairman:** Is this on section 6? Is this member for Lakeshore?

**Mr. Lawlor:** I have a point, if you permit me, Mr. Chairman?

**Mr. Chairman:** On section 6 though?

**Mr. Lawlor:** On 4. It is such a small point that I do not even know if it is a valid amendment at all. I am a little concerned about prepaid mail.

**Mr. Chairman:** Order, please! Just a moment. Did you say on section 4? Oh well, let us get rid of section 6.

Section 6 agreed to.

**Mr. Chairman:** All right then, section 4, the member for Lakeshore.

On section 4:

**Mr. Lawlor:** On section 4, the minister, in order to save money, Mr. Chairman—substantial sums of money, and I agree that it should be saved—proposes to get notices of assessment off registered mail and put them onto prepaid ordinary mail. I do not know how much is being saved in the process, but what are the policies of the department if you do this and the mail goes astray, as it will in the odd case, and the individual has not received his assessment notice and time goes by? Are you assessing him interest against the failure of the mail to be delivered? Are you going to penalize him, or what kind of ministerial discretion is going to be exercised?

**Hon. Mr. White:** There will not be any interest problem, I think. We are going to save between \$30,000 and \$40,000 a year.

If a retail sales tax vendor says to us at some point, "I did not receive your assessment notice," we are going to say, "Fine, here is another one." We will put it in the mail to him, or if we think that is not satisfactory, we will deliver one to him.

The interest would run from the date at which the tax should have been paid. If there is an interval between the time our first tax assessment notice was sent and the second one, certainly there is power in the departmental Act to remit that three weeks, or five weeks, or whatever it might be, and I would be prepared to do that.

The probability of this being a difficulty is so small and the saving of \$30,000 or \$40,000 so large, that I really think we are wise to do this.

Section 4 agreed to.

**Mr. Chairman:** Any other section for comment or amendments in the bill?

Bill 49 reported.

#### THE RACE TRACKS TAX ACT

House in committee on Bill 51, An Act to amend The Race Tracks Tax Act.

**Mr. Lawlor:** I have some comments.

**Mr. Chairman:** Comments on which section?

**Mr. Lawlor:** Some comments on section 5.

**Mr. Chairman:** Is there anything be section 5? All right, the member for Lakeshore on section 5.

**Mr. Lawlor:** The hon. minister no doubt knows the Attorney General is in the throes of abolishing civil juries, while the Minister of Revenue is in the throes of instituting them. It is a strange tug-of-war that goes on in cabinet.

In this particular instance, I have some reservations about a jury. What function does the minister think that a jury performs? Surely these matters are cut and dried. It is not even a matter of particular expertness. A particular tax is assessed and owing within the terms of the legislation.

Does the minister think he is being particularly magnanimous by granting a jury? Juries are wonderful instruments for settling indecisive and hazy matters having to do with human behaviour and the unpredictable, but when you have a high degree of definition in a situation, such as the minister in his tax measures, I cannot for the life of me see what the real benefit any jury can see. I can see considerable extra cost—waste—perform.

**Hon. Mr. White:** Well, when I saw the report in the paper this morning, I had a conversation with the Attorney General. Of course, he was just ruminating out loud. There is nothing before the House to change anything with respect to civil cases in general. We have attempted to make the legislation more open to appeal for taxpayers who feel themselves aggrieved, and this is a small step in that direction.

As my hon. friend will know, the statute previously read, "and shall be tried without a jury". We thought if we gave the taxpayer the option of choosing between having a judge or a judge try the case, we would be strengthening his right of appeal. That is the only reason for our taking this action at this time.

**Mr. Lawlor:** Do you not think now it is ill-considered?

Section 5 agreed to.

**Mr. Chairman:** Any other comments, questions or amendments on any part of the bill?

Bill 51 reported.

## THE TOBACCO TAX ACT, 1965

House in committee on Bill 52, An Act to amend The Tobacco Tax Act, 1965.

**Mr. Chairman:** Any questions, comments or amendments. On which section?

**Mr. Lawlor:** Section 3, Mr. Chairman.

**Mr. Chairman:** Anything before section 3? All right, the member for Lakeshore.

On section 3:

**Mr. Lawlor:** When we were discussing the principle of this bill, it was pointed out that suspension or cancellation of a permit was a pretty serious business. It is tantamount to the loss of livelihood in many cases and there is no appeal provision.

I understood the minister to say he would take this matter under consideration, and I would trust write into the legislation some area of appeal with respect to this particular Act, which could be a very highly arbitrary Act in the absence of an appeal. Has the minister given that consideration?

**Hon. Mr. White:** I have, Mr. Chairman, and I would like to report on the conversations I have had with experts in this matter.

The section in The Tobacco Tax Act, 1965, which I have in my hand—I will not read it all—but anyway it says “the comptroller”, and so on.

**Mr. Lawlor:** Which section?

**Hon. Mr. White:** This is section 4 in The Tobacco Tax Act, 1965. Well, perhaps I will read it:

The comptroller may suspend or cancel a permit of any wholesale dealer who:

(a) refuses or neglects to account for and pay as herein required moneys received by him as proceeds of the tax;

(b) refuses or neglects to furnish a surety bond as so required in the regulations, but before a refusal, suspension or cancellation is made, the wholesale dealer shall be afforded an opportunity to appear before the comptroller to show cause why the issuance of a permit should not be refused or why the permit should not be suspended or cancelled, as the case may be.

Now, some time ago my officials concluded that that section was very badly drafted and the section which you have in front of you, that is to say, section 3 of the bill, is an attempt to clean up and remove the

ambiguity from the section which I read.

**Mr. Lawlor:** It is almost verbatim.

**Hon. Mr. White:** No, we have struck the word “refusal” in the phrase, “before refusal, suspension or cancellation is made.” And we have struck out the words, “the issuance of a permit should not be refused or” prior to the words “why the permit should not be suspended or cancelled, as the case may be.”

Those refusals have different applications and they were very confusing. As a matter of fact, I think the last phrase I read has no relevance at all. So section 3 in the bill is an attempt to express exactly the same situation more clearly and more accurately.

Now, let me turn to the right of appeal. First of all, it may be said that the minister has never utilized this section and never has a permit been cancelled or suspended. My second point I would like to draw to your attention is the fact that this empowers the minister to suspend or cancel a permit if the permit holder refuses or neglects to account for and pay in the money or interest on the money or neglects to provide a surety bond. So the minister's powers are very clearly circumscribed.

My legal advisers inform me that, notwithstanding the absence of explicit appeal provision on this point, the company concerned would indeed have access to the courts on the basis that the minister's action had been unjudicial. As the member knows, Mr. Chairman, we are constituting a review committee with the assistance of an advisory committee to the Minister of Revenue and we have all aspects of our provisions under review.

I am not prepared, Mr. Chairman, to propose an amendment to that section at the present time, but I can assure the members that this is a matter for continuing study by an advisory legal committee for the minister at some future date some further change will be thought desirable.

**Mr. Lawlor:** Mr. Chairman, the first point that the minister made about the ambiguity of wording, as he calls it, is a distinction without a difference. He is more legal than I am. It comes all to the same thing. A fellow has not got a licence anymore; therefore he is out of business, whether or not he has appeals on the negative grounds to show cause why the issuance of a permit should

not be refused. I know everything is backwards.

**Hon. Mr. White:** Let me correct that. He is not out of business at all. It simply means that he will have to buy cigarettes with a tax on, and he will cease to be an agent appointed by the government. He is not out of business at all. He simply ceases to be a commissioned agent of the government.

**Mr. Lawlor:** Let me clarify that point then. Is this at the wholesale level that you are speaking of? And will that not affect his business operations if he ceases to be a commissioned agent?

**Hon. Mr. White:** We pay a commission to these wholesalers in appointing them agents of the government to collect the tax directly. The amount of commission is 1.75 per cent. The wholesalers claim that that commission is too low because of their costs of inventory, and the cost of carrying their accounts receivable and such like. They point to other jurisdictions where, in fact, they do pay a substantially higher commission.

I have made the offer to some number of companies that if the commission is less than the cost of collecting the tax, they can simply release their appointment as an agent and pay the manufacturers in the same way that an ordinary distributing company would automatically pay tax to the manufacturer on a federal sales tax basis for resale. None of the companies to which such an offer has been made have accepted it. That leads me to believe that the commission is not unfair. I think it is a federal equivalent to the situation which we are now dealing with.

If the minister lifts the licence because the person is not accounting for the moneys properly—and that should not be allowed to continue indefinitely, as my friend will agree—or because he is not willing or able to provide a bond for the moneys collected, the firm would remain in business but it would cease to be an agent of the government for the collection of tobacco tax. They would pay the tax on their production in the same way that a retailer now pays the tax on his products when he purchases the goods.

**Mr. Lawlor:** Yes, but when the wholesaler then gives credit to the retailer, I think it must have some effect on the owner's activities, precisely as a wholesaler. However, I will not press the point unduly.

There are three points to heed. The second argument is that you have never been known

to cancel a licence. By the way, the fact of refusing or neglecting to account is the point at issue. For the individual whom I say refuses to do so, his grounds normally would be, "It is not owing, and I am refusing to do anything. I am simply saying that there is no tax in this context and I am saying there is and I am not refusing." This is the argument. To you it would be one thing and to him it would be another.

Anyway, it is a very threadbare argument for the minister to appeal to his good nature and very often the members on the other side of the House do this. It is wholly against the object to be impersonal, it goes with the law. It has nothing to do with your good will, maybe. You may not be there. We have this argument all the time.

In the future you may have a fairly high handed fellow sitting in the Revenue chair in the not-too-distant future, by the way. The government legislation is to defend against possibilities—not threadbare possibilities—some way out there somewhere, but possibilities, and a real possibility is that this section can be gravely abused when given any rights of appeal.

**Hon. Mr. White:** On that point, if I may interrupt. I offered no such defence of this section at all. I mentioned, as a matter of interest, that never have we withdrawn a licence. I do not use that to defend this section we are asking you to approve at this time. I did point out, which is ever so much more to the point, that the wholesaler would have access to the courts on the basis that the minister's decision had been unjudicial.

**Mr. Lawlor:** That is my third point. That is a most questionable proposition. You should give these things in black and white and make it easy, not the other way round. Your magnanimity goes in the direction—as I did in The Tobacco Tax Act, or in The Railway Tracks Tax Act—of giving wider powers of jurisdiction, an extension of civil liberties, all to the good.

But here you are retracting them and just saying in effect that you know how difficult it is to get a *mandamus*, or to force a minister, particularly in the literal words of this section like that. I do not know where you can succeed in the upper courts. Your discretion is extremely categorical and determined by it.

How can you run against that? Do you know the procedural cost of going against

ESTIMATES,  
THE DEPARTMENT OF MINES

(continued)

On vote 1301:

**Mr. Chairman:** The member for Lakeshore

*certiorari* proceedings? You would put the taxpayer to all this trouble when you could, just as easily, write in a simple clause? I think that the failure to face up to these things is a derogation within the job of government, particularly when you have the whole of McRuer to be thrown at you. And you still resist, excepting, I suppose, the all-entrenched word of your solicitors.

Well, our job here is to point out that you are imposing unnecessary exigencies upon the population. The faster that you get around to doing what you said—in other words, you are reviewing your appeal procedures to get them into an Act—and provide for these people, the better will the tax administration of this province be.

Section 3 agreed to.

**Mr. Chairman:** Are there any comments, questions or amendments for any other section of the bill? If not, shall the bill be reported?

Bill 52 reported.

**Hon. Mr. Welch** moves that the committee of the whole House rise and report four bills without amendment and two bills with amendment, and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report four bills without amendment and two bills with amendment, and asks for leave to sit again.

Report agreed to.

#### THE CITY OF SAULT STE. MARIE

**Mr. Gilbertson** moves second reading of Bill Pr31, An Act respecting the City of Sault Ste. Marie.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

Agreed.

**Clerk of the House:** The 11th order; House in committee of supply, Mr. R. D. Rowe in the chair.

**Mr. P. D. Lawlor (Lakeshore):** As we came to adjournment last evening, Mr. Chairman, I am beginning to think I was taking this place—we were engaged in a not-pleasant, I trust, colloquy with the minister about his rambunctious ramblings around the province of Ontario calling and castigating a quest of things of which he has little knowledge and less experience. I was anxious to learn on this occasion of the profundity of all that, touching Benson and what I consider not a perfect but a fairly forthright venture into the field of mining taxation and resource industry taxation.

I took the time out last evening after I had asked the House to list 13 areas in which a particular industry enjoys benefits, exempt qualifications, tax incentives, and a lifting of the burden that no one else in all creation enjoys and I will run over them very briefly.

They have exemptions from processing in Canada and these were listed all yesterday afternoon. The allowance for pre-production expenses was brought into this House, particularly made retroactive to 1965. That is a remission of the tax on several kinds of mines, particularly on iron mines, and to some extent on gas facilities and gas production so that the iron mines are particularly benefited and have been since the year 1900. I would refer you to page 324 of Smith.

There is a mining tax write-off of eight per cent on the ore, increasing to 10 per cent on the smelters. There are low hydro rates which are set forth in the report to the ministry of forests of recent date along with the effect they have had upon hydro. There are low freight rates provided. They have a three year tax holiday and still get it. They get a basic exemption. The basic exemption was raised by \$10,000 last year to \$50,000 with respect to the tax on profit. Special allowances were made to the nickel producers. I refer you to my lengthy speech of April 29, 1969, where Smith points out the iniquity, the unbelievable injustice that exists with respect to the treatment of the mining industry. One cannot find words and the minister sits smiling in total complacency benightedly in this particular area, he says, Mr. Chairman, that he has only one concern. These boys may go free of tax. We do

want any money from the mining industry of Ontario. We are oblivious to that sort of tainted money. We want to supply employment. Forget the tax, gentlemen. If we can build up the north by way of employment, so well and so good.

I do not see why, in this world, you cannot do both. If you took that attitude with other industries and were simply concerned with the employment, you would have no tax revenue with which to deal or worth speaking about. This is particularly iniquitous.

Continuing with the exemptions: The federal government gives a special construction grant. In the case of Texas Gulf, it amounted to \$6.5 million. This is beside all the other largesse that you poured out of your cornucopia.

Depreciation allowances for capitalized costs of development. That is, all pre-production expenses are exempted, again, by way of three-year retroactive legislation. This is 10 per cent per annum on your depreciation schedule.

The whole business of the criteria and the methods used by mine assessors. What is taken to be profit to start with is so whittled down by the time they even begin to assess it that I am surprised you get any revenue from mines at all.

Finally, if they do pay, as I trust they will eventually come to pay in the Sudbury region—are they, by the way, enjoying another tax holiday?—it is more in the regime of the Minister of Municipal Affairs than yours. But that Sudbury situation continues. In the meantime there are no municipal taxes being paid. If they get a municipal tax imposed, it is deductible from the mining tax; it is written right into the legislation so *comme çà, comme ça*. For the benefits in this particular area, just turn to figures on this account. You know the total amount that the minister got in 1965-1966 was \$15 million from revenues.

**Hon. A. F. Lawrence** (Minister of Mines): More than double now.

**Mr. Lawlor:** And that included not just the mining crops tax; that included acreage and plans you sold and a host of other things. What the real tax from mines was I have not computed; I took the gross figures.

In the next four years you got even less. You dropped \$5 million in 1966-1967; you got \$10.852 million. And in 1967-1968 your revenues went to \$16 million—\$16 million out of a mining industry such as we have.

Do you know what the profits of International Nickel were? This is their net earnings, minus depreciations, depletion, income tax, current and deferred, and their plans. Their net income in 1966—when they got a return of \$10 million—after all they were paid was \$118.170 million. Their net income in 1967, when you got \$16 million, was \$141.752 million. In 1968, when you got something in the region of \$19.820 million, International Nickel's profit after everything was deducted was \$143.745 million.

Do you not think we might get a few bucks?

Take Falconbridge. It is not as horrendous but it is on a similar scale. 1966—I am going to drive this home again. In 1966 when they got in \$10 million, their profit, after taxes and after paying you, was \$27.5 million. In 1967, when you got in \$16 million, their profit was \$25.792 million. In 1968 it was \$23.953 million, but that was in the wake of a strike.

**Mr. J. E. Stokes** (Thunder Bay): And that is up 84 per cent in 1969 over 1968.

**Mr. Lawlor:** It is inexcusable. You are derelict in your responsibility. You could even pay the cost to maintain the mines—the revenues you get from the mines. The Minister of Lands and Forests (Mr. Brunson) is worse than you are in this particular respect.

**Mr. M. Makarchuk** (Brantford): He is afraid they will take the ore and leave the country if we tax them.

**Mr. Lawlor:** That is an absurdity we must not bring in. Taking all that into consideration, let us turn to Benson for a few minutes.

On one hand, your chief nostrum is that we must have increased and added employment in the north, and all to the good. On the other hand is that you must not tax the mines too heavily because—I do not know why precisely, in the face of figures that we have before us. But in any event, we tax about depreciation last night.

Benson proposes to replace the three-year tax holiday by a depreciation that will allow us to capitalize all their production costs and their capital levies. You know, building normal depreciation capitalized off, or depreciated off, over a 20-year period, and other types of long-term equipment over different periods of time. I am quite prepared to recognize this, so let the mines do it as quickly as they like. There is an enormous increment in the pooling



capital in permitting that. It is very fair and gives them the wherewithal to continue mining operations and to go on to further exploration.

The second thing that Benson proposes concerns depletion allowances. The existing maximums would continue to apply, generally for no more than one-third of production profits. You know they deplete one-third of the production profits in any particular year.

A great deal has been said about this in oil revenue, particularly in the United States where it has become a monstrous inequity. But the lobbies are so great and the interests are so powerful that they apparently cannot make any erosion in that field.

But Benson goes on. A taxpayer could run out of depletion allowances unless he continues to explore for and/or develop Canadian minerals. Every \$3 of qualifying expenditure made after this white paper is published would represent an earned depreciation, a depletion concept, to the taxpayer, of \$1, if and when his production profits permit. Depletion allowances on new properties would have to be earned immediately. Unearned allowances would be continued for five years to phase them out.

When you turn to the pages of the sections in which he spells out—and elaborates on what he has said there so succinctly—if your intention is to develop new mines—has he not hit upon a pretty sound formula? He will give earned depletion; he will allow them to deplete at the one-third figure provided they turn the dough back into the new explorations. I suspect that he has blundered into some kind of solution.

Before going on, may I say, Mr. Minister, through you, Mr. Chairman, this is not an easy field. I think you, under attack, tend to soften and back up in this particular area. I noticed overtly last evening no longer is the braying wolf present in the pasture; the sheep have all gone over the hill. The tone is quite different and well it might be because, if it is not, we shall spend the rest of the year talking to you about it in these estimates because you are wrong.

Through political chicanery you have gone about the province saying false things to the people. Now you have abandoned it because you know it did not pay off. All the lunatics connected with the fair tax foundation—what weird names we give ourselves—are insufficiently potent as voters for us. Your own conscience must bother you in these regards when you talk such nonsense.

If you want to open up the north, to get exploration going, do look at Benson—do look

at him hard! As I say, it is a highly complex field, there is no easy solution.

A man I spoke to as an expert in tax everything else says, "For heaven's sake away from mines, because that is an area where you can really get yourself into water." Well, it is not my job, particularly to get myself into hot water, it is yours. You are already in it.

We are getting no revenue from mines. You know, you may as well shut them up until the next generation. At least you will have the ore in the ground; it will not be used up. They may then have the discretion, wisdom and good sense to know how to use it and how to derive for the society some benefit from having it, unlike the present generation. You are the minister of sellouts, as far as I am concerned and I have said so many times.

If you will explore paragraph 540 of Benson—just how he is prepared to make it work—I will sit down forever. No, I cannot bring myself to say quite that, I will sit down for the nonce, if I can extract from you a real intention to do this, because I repeat—

**Mr. M. Gaunt (Huron-Bruce):** The number for Grey-Bruce (Mr. Sargent) is not here.

**Mr. Lawlor:** No, there is nobody making any trouble today—except for the minister's course.

The minister has not responded. I see he is twinkling over there without giving any light. I suspect he has not spent five minutes looking at it.

**Hon. A. F. Lawrence:** You are making a awful lot of noise.

**Mr. Lawlor:** Those who make the big noise in the world do the least work. The government believes that—

**Mr. R. F. Nixon (Leader of the Opposition):** He did not even give a leadoff speech.

**Mr. Lawlor:** No, no leadoff, nothing. He sails in here anxious to depart from the north to go down the Chutes.

**Hon. A. F. Lawrence:** You are so right.

**Mr. Lawlor:** There are more chutes in the world than the minister dreamed of. We will send him down one, one of these days.

The government believes that both of the inefficiencies—he has pointed out that the present depletion allowance is actually defeating, it prevents mineral exploration

They simply use up the depletion allowances and then wait to pick up the rest of their allowances in exploration costs. The present system works against the opening of new mines.

The government believes that both of these inefficiencies can be substantially reduced if depletion allowances are more directly related to the activities which it is desired to effect. Consequently it is proposed that after a suitable transitional period, with respect to the mineral rights held by the taxpayer on the day this white paper is published, depletion allowances would have to be earned.

The existing maximums would continue to apply, that is generally no more than one third of production profits, but a taxpayer could only deduct these maximums, or any amount, if he spends enough on exploration for, or development of, mineral deposits in Canada, or on those fixed assets described in paragraph 529 that are acquired for the exploitation of a new Canadian mine.

The formula proposed is that for every \$3 of mineral expenditure made after this white paper is published, a taxpayer would earn the right to \$1 of depletion allowance. If his profits that year are not sufficient to permit him to deduct the amount earned, he could carry over the undeducted amount to subsequent years. The cost of acquiring mineral rights would not be an eligible expenditure for this purpose.

If the minister has any comments to make upon it and I trust he has, then this is the opportunity to do so. You have said enough against Benson, not to be placed in the position of having to justify some of these comments, at least. Let us not wander off into the assinine remarks you made about succession duties or in any other number of fields in taxation. Just stick to your own department—to your own mines policy.

And, incidentally, as you become the mogul of the north, wandering around lost in the scrub, as I am sure you are going to be as this new nabob ship descends upon you, do you intend to give up—I trust you do, the way you are handling it is so really questionable—do you intend to give up handling the taxation on mines? Give it over to your colleague who should be making these collections—to The Department of Revenue—in order that he garner in the filthy lucre to this province.

Is that your intention? If it is not, the only reason I can think of is that the mining interests of the province would be most loath to see you go. You are such a Santa

Claus to them. Never have they had a minister who was more free, openhanded, only in granting taxpayers' money that has gone and garnered from different portions of the economy, but willing to cash anything they did have to pay.

So it comes down to this. I would like to see the taxation section taken out of your hands and placed in that of the Minister of Revenue, (Mr. White) so that at least simulacrum learning he gained from the select committee will be right there and in an area of social conscience which you exhibited to this House I am told and which has evaporated upon your acquiring your present suzerainty.

Is it not strange the things that happen to men acquiring office? It happens to the best of them, so do not feel yourself out. I have seen it happen to judges, magistrates and any number of other functionaries. They say walking waist deep in the carpet of International Nickel, I understand one of the carpets were so deep that you got completely lost as you came up the corridor in form of asphyxiation. If we could blank minister out, they would be able to get an extra pound of flesh.

All right, what do you say about this?

**Hon. A. F. Lawrence:** I merely say that government's comprehensive and considered policy in respect of Benson will be indicated probably to the House, but certainly to the federal government by the Treasurer of the province of Ontario.

**Mr. Lawlor:** How elusive. You fade the woodwork. This is the most—

**Hon. A. F. Lawrence:** Just on a point of order, Mr. Chairman. I do not think there is one dollar in these estimates relating to the federal budget's proposals whatsoever.

**Mr. E. W. Martel (Sudbury East):** What about the give-away?

**Hon. A. F. Lawrence:** I think we should admire and enjoy the comical—

**Mr. Lawlor:** I do not need to be patronized. Your taxation policies are wretched.

**Hon. A. F. Lawrence:** I really did not think that it was worthwhile interrupting him because it is such an entertaining show, other than that, that is my answer.

**Mr. Lawlor:** If that is the best you can do as I said, we can spend several years h

I think that that is the least responsible statement you have made thus far.

You go about, as I say, making your fine remarks, taking on all comers. But when you are pinpointed in the House, what do you do? You evaporate like the smoke you are. It is like trying to nail butter to the wall: an exercise in futility. I do not think you know what the answers are. I do not think you know what you think about Benson. I do think you are prepared to give away a great deal of money of this province to the mining interest. I do not think you know how to carry out the responsibility with respect to mining taxation as such. I think you should get rid of the responsibility, as I indicated, and the sooner the better for everybody concerned.

**Mr. Chairman:** The member for Thunder Bay.

**Mr. Stokes:** Mr. Chairman, I would like to dwell, for a few moments, if I might, on the staff of The Department of Mines. I looked through the annual report, and I cannot get the total number of employees. The latest figures I have, which are up to and including December 31, 1968, show 307 members on staff, for an increase of a little over five per cent from the previous year. Now, I do notice at page 130 of the annual report a list of the people in the geological branch of The Department of Mines. I notice for the Toronto office you have a director—

**Hon. A. F. Lawrence:** Mr. Chairman, I really think that could come up in the geological vote.

**Mr. Stokes:** No, I do not think it should, because "personnel" is at the bottom of page 114, personnel administration. Would this not come under that?

**Hon. A. F. Lawrence:** We have personnel administration, of course, in the head office vote. But if you are dealing with the need for more geological staff or less geological staff or better geological staff, obviously I think that should come up in the geological vote when I have my geological staff in front of me.

**Mr. Stokes:** That is not going to be the main import of my remarks.

**Hon. A. F. Lawrence:** Oh, all right. I am sorry.

**Mr. Stokes:** What I am alluding to is the number of people employed in The Department of Mines, as opposed to the number of

people employed on the scene; that is, northern Ontario, where the major portion of our mining wealth is. I asked for some figures on the number of civil servants in the province of Ontario who were employed by this government in the south, as opposed to the east and the north. I was not able to come up with very comprehensive figures. I would give an overall pattern of whether or not there were enough civil servants located in the northern four fifths of the province to look after the interests of the people generally, and for the efficient operation of the various government departments.

But I think it is significant, Mr. Chairman, to note that in the Porcupine district we have 11 employees from The Department of Mines. I notice that in the Sault Ste. Marie district we have four employees. I notice that in the Thunder Bay district we have 12 employees. Now, the figures for the three most active districts in the province of Ontario, insofar as the mining industry and this department are concerned, seem to reflect that less than 10 per cent of the people employed by this department have their employment in northern Ontario, where the resources are.

I am wondering if the minister would have any thought to moving a good portion of those employees away from the safe place, jungle down here and getting some up where the action is. Get them into the swing of things, whether it be the geological branch, the surveys branch, or what have you.

Would it not be much more advisable to get them up where the action is, where they are trying to promote a more orderly exploitation of our mineral resources? This holds true for any government department, but I think it is particularly valid with this department, where most of the mining activities are located in the northern four fifths of the province. I am wondering if the minister could give any indication as to whether or not he subscribes to that idea and whether or not we might have an exodus in reverse that is, from south to north, as opposed to north to south, as we have experienced in the late.

In addition to that, I wonder if the minister might consider the feasibility or the possibility of starting some kind of a mines course at Lakehead University. I wonder if it would be possible to have a lot of the basic research carried out right on the scene; that is, in the heart of the mining activity in the province of Ontario.

**Hon. A. F. Lawrence:** Mr. Chairman, I certainly agree with many of the comments

of the hon. member, and I certainly hope that I will have a better report for him this time next year—if he is still here, and if I am still here—because he is touching a rather tender and sore point. Certainly two thirds of the employees of The Department of Mines are located in southern Ontario, and I am not happy about it. We have just over 90 employees in the north, and we should have more; there is no question about it.

I must say that it is rather unfair, really, to break it down on a strict numerical basis, as I have done and as the hon. member obviously has done, because many of the people in the Toronto area are strictly administrative personnel, rather than service personnel or professional personnel. And, of course, the ratio of our professional staff and our service staff, as far as the percentage of the people who are performing that type of function, is much higher in the north than the overall figures show. But, in general, I agree with the hon. member's comments. There should be a higher percentage of our staff in the north in relation to the overall picture. Quite frankly, it is going to be one of the purposes of the new branch to emphasize to other government departments the decentralization of administrative services in the north. And, obviously, if we are going to preach that, we are going to have to practise it. So I would hope that we will have a better rundown next year for the hon. member.

It has been pointed out to me that most of our geologists who are down here in Toronto, let us say, still spend a great deal of their time in the north, as do some of our safety engineers. Even though they are physically related to the department down here, they do spend a great deal of time in the north and in the mining areas of the province. So again, it is an unfair way of looking at the cold, bare, numerical statistics.

In relation to university courses, this is a recurring problem every year. I agree completely, again, with the sentiments of the hon. member. I am sure he is aware that there was a mining technicians' course at Lakehead: very expensive facilities were gathered together by the university administration, and of course, I think, ran for one year after obtaining experienced faculty and, as I say, this fairly expensive equipment. It was found, after one or perhaps two years—I am not too sure which—that there was simply not enough demand on the part of the student body to continue the course.

This is not true of the geological courses. There are geological courses at almost every one of the larger community colleges, and certainly all of the universities, throughout the province. But, as far as the mining technical courses are concerned, even though there is a tremendous demand for this type of person at the mines and throughout the north, something the students themselves are not going into.

We have conducted a few surveys, and a few polls have been taken by the people in the industry; the lack of motivation on the part of the students to go into these courses can be explained, but it still is not rectified in any way. I am putting a fair amount of money and effort into attempting to improve the situation, but so far I have no valid or worthwhile results to report to the House.

**Mr. Stokes:** Is there any reason why the whole department could not be moved to the north? Is there any basic research that has to be done, or is there any administrative reason why the department and its head offices should be located here in Toronto, where they are completely removed from 90 per cent of the mining activity?

**Hon. A. F. Lawrence:** Well, the basic reason is that the administrative headquarters presumably have to be around where the minister is. The minister is here, presumably nine months of the year, I suppose it is a simple as that.

**Mr. Nixon:** And in Rosedale the rest of the time.

**Hon. A. F. Lawrence:** No, not most of the time any more.

**Mr. Stokes:** He seems to enjoy his fishing when he goes north.

**Hon. A. F. Lawrence:** Yes, I like it there.

**Mr. Nixon:** He has a fishing pole sticking out of his pocket.

**Hon. A. F. Lawrence:** Behind my ear.

This is a question that is always looked at and is always under study. But the significant fact of the matter is that you have got to have administrative headquarters somewhere; presumably it has to be available.

**Mr. Stokes:** It would be a lot cheaper to have them there.

**Hon. A. F. Lawrence:** Ministers have a bad habit, when they seek information and ad-

and counsel, of wanting to get it right then and there. And if the minister has to be here most of the time, then obviously the administrative headquarters staff has to be here as well. But service personnel is a horse of a different colour. And, as I say, I hope I will have better things to report to the House and to the member next year in respect of a decentralization of some of the services.

There is another problem, too, and that is communications in the north, and east-west transportation facilities in the north. These are improving, in spite of the commonly held attitude in the north. These are improving year by year.

**Mr. Stokes:** So that is not a problem.

**Mr. Martel:** That is a reason for you to go.

**Hon. A. F. Lawrence:** This is a factor that is going to help with a better decentralization of the services in the future as well.

**Mr. Chairman:** The Leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, there has been some confusion as to the policy stated by the minister with regard to the rehabilitation of gravel pits. I have not been here for all of the discussion of the department so far, and I do not know whether it has been discussed already—

**Hon. A. F. Lawrence:** No, it has not. And again I wonder if that could come under the vote in relation to our geological services, because that is where our activity in that respect is centred.

**Mr. Nixon:** Right! I would certainly be very glad to get some information about the rehabilitation of the pits. But, on the policy matters associated with it, perhaps the minister could clarify, certainly for my assistance and the assistance of my constituents, just what the timetable is in the legislation that has been predicted, which in fact would give him the control of the establishment of pits and the rehabilitation of them. There has been some indication that at the end of this year, or at least at the end of this session, he will have completed hearing the views expressed by citizens, companies and other organizations connected with this. But there have been some conflicting statements, particularly now that some municipalities—one in particular—have actually banned the use of pits under their municipal bylaw.

**Hon. A. F. Lawrence:** Really, Mr. Chairman, I do think that should come under geo-

logical services. I will be happy to deal with the policy then.

**Mr. Chairman:** The member for Cochrane.

**Mr. W. Ferrier (Cochrane South):** Yes, have one little matter I would like to get the minister's opinion on. He knows the situation surrounding Gillies Lake in Timmins, and two mines there, the Hollinger and the Intyre, that should bear some responsibility for that condition. Can he inform the House whether the negotiations are complete and whether these two mines will bear the responsibility?

**Hon. A. F. Lawrence:** Yes, my understanding is that negotiations are complete and an announcement has been made by the local municipal officials, or an announcement impending, because it has nothing to do with any monetary matters in this department. I would rather the announcement came out through the mouths of the municipal people in Timmins, but basically it is a settlement that does not affect the two mines and the conservation branch.

**Mr. Ferrier:** Last year you said you would make sure the mines lived up to their responsibility. I gather you are saying that they have done so.

**Hon. A. F. Lawrence:** Yes, this is the first time in which I have been active. There has been a little bit of arm-twisting here, and I think that a satisfactory settlement has been reached with the municipal people and the mining companies involved and the conservation branch.

**Mr. Chairman:** The hon. member for Algoma.

**Mr. B. Gilbertson (Algoma):** I have a suggestion for the minister. When there is some consideration about moving some of your personnel up north, I would like to invite them to Blind River. I think we could use them there. There is plenty of room; it is a lovely little town to live in. So I extend an invitation to some of your personnel to establish themselves in Blind River. They are pretty well in a central location in relation to Elliot Lake and north to Sault Ste. Marie, as well as to various mining projects up there. So there is a standing invitation, Mr. Minister.

**Hon. A. F. Lawrence:** What is the fishery like?

**Mr. Nixon:** There are lots of empty houses.

**Mr. Martel:** Houses are dirt cheap.

**Mr. Nixon:** Buy up the whole town.

**Mr. Chairman:** The hon. member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Yes, I would like to get back to the question introduced by the member for Thunder Bay in relation to the attracting of young people into the field of geology and into prospecting. If I understood the hon. minister's remarks correctly, he indicated it was difficult to attract young people into this field. Would the minister say that prospecting is a dead art, or a dead practice; that its days are numbered; that it is being replaced completely by the geologists? And, in this connection, if he is having difficulty attracting students into this field, what incentives is the department offering to attract young people into this field? What is he doing to make it really attractive?

**Hon. A. F. Lawrence:** Well, again, I am not too sure we are on the head office vote here, but I suppose they are general comments. I feel that one of the goals of somebody in this portfolio should be to extoll the virtues and the living conditions of the north; also, quite frankly, to get the people in the mining industry themselves out of their lethargy and their apathy in respect of letting people know the good conditions that do exist in the north, especially in some of the more modern mining towns.

The way I go about it, of course, is by appealing right to their balance sheets. They are having labour problems in a lot of the communities now; not in the northeast, but in the central part of the province, and in the northwest, I think. And it is simply because the schools are not turning out the people who are trained in some of these callings, and young people are not going into these courses simply because they have the wrong idea of living conditions in the north. I have been appalled at the lack of proper guidance facilities in many of the southern Ontario schools, for instance, in respect to the mining industry, and I am attempting to do a little bit about that by drawing the attention of the Minister of Education (Mr. Davis) and educational people themselves to some of these gaps.

But mainly it has got to be a public image-building job on the part of the mining industry itself. At long last, as I say, they are beginning to get together and do an industry-wide promotional job. As well, some of the larger segments within the mining industry are now embarking on an advertising campaign and what not, indicating some of the conditions in the north.

I regret the public image of the mining industry. I know you turn on the CBC instance, and if there is any picture at a mining town or a mining plant, you usually see the Copper Cliff stacks belching smoke and fumes and then there is a close-up of bare rock around Sudbury. And, of course, Sudbury is no more a typical example of a Canadian mining community than is a close-up view of the moon. Environmental conditions in the Sudbury area are, I would think, a result of a bygone generation of misuse of an abused environment. There are still many things to be done, there is no question about it. But, unfortunately, these things are not eye-catching as far as the news media are concerned.

I could take the members of the House, some of them know the area far better than I do—to a small island in Timagami, where there is a very viable mining project that has been in existence for many years right on the door to a very excellent summer resort. This is far more typical. A view of Maniwagwage is far more typical of an average mining community, I would hope, than are the scenes that we see bandied about.

This is the message I am trying to get through to the mining industry: that the public image that they have permitted to be built over the years is untypical and now is hitting them right where it hurts, in the pocketbook; I think they are getting the message. Certainly the government has a role to play in this as well, and The Department of Mines has got a role to play in attracting people, young people especially, into the north. That is part of these promotional efforts through the north that I have been getting criticized about by other members.

**Mr. Chairman:** On vote 1301; the member for Port Arthur.

**Mr. Knight:** Mr. Chairman, the minister speaks of the mining industry and he speaks about attracting young people into the north. Over and above that, I, as a member from the north, am concerned about keeping young people there. If a young person comes to me and says, "I really do not know what I want to do but I have had good marks in school," I would like to get into a field, what can I tell him about incentives, scholarships, bursaries and assistance that he might get to carry on studies, maybe specialist studies in geology and in mining and the whole business of discovering and recovering and developing the underground resources that

have up there? What future is there for him? Would the minister come right out and say, yes, this is the field to come to and—

**Hon. A. F. Lawrence:** I think our whole educational programme at the moment is one devoted to an equalization of educational opportunities, and that is not just a pat corny phrase that gets bandied about. I think obviously there are better educational opportunities in the north and outside of the urban areas now than there used to be. Certainly there have been unpopular political decisions made in respect of consolidation of school boards and districts. I do not want to get into that; you can get into that with the Minister of Education, but this is the overall purpose and I think in the long run it is going to work. The courses, the schools, the community colleges, are being brought nearer to the people in the north and therefore I would hope it is being made easier for students to go to those schools.

I really do not think that in some of the places where there is a very distinct mining flavour, there has been enough attention paid to some of these courses. But I think again with the explosions that we have had in our educational system as far as the expansion, in any event, is concerned, these things are going to work themselves out within a few years. It cannot possibly be done all at once.

I have a booklet put before me here, put out by the industry itself and by the federal Department of Mines and Technical Surveys. We assisted with it. It does list scholarships, entrance requirements and bursaries that are available. We, as a department, have not got into that particular sphere because we felt the Ontario scholarship plan, if not adequate, at least was designed for that purpose. I do not think that as a Department of Mines we should get into that type of endeavour, although again we have been looking at it, but the industry itself does have bursaries available.

We have been attempting to promote the rockhound-club industry, as the hon. member knows, by bringing out some, I think, very good geological handbooks on the various geological areas, and we do send lectures around. Last year we did establish a lecturing staff to lecture to any group or organization that wanted to have our people there. They go now to the Indian reserves as well; they lecture to the junior forest ranger students.

We have a very extensive mineral exploration and prospecting class system throughout

the whole province now, so that we obviously believe that the role of the prospector is still there. We still cannot divorce ourselves from history in this province, where most of the major mining finds were made really by a small prospector or by the amateur, or, in many cases, simply by accident. But in the world that is getting more complex and complicated, obviously the role of sophisticated equipment and sophisticated experience and knowledge is gradually gaining the upper hand. We can look with nostalgia to the absence, as the hon. member for Sudb (Mr. Sopha) says, of the prospector going with pick in one hand and a roll of bacon in the other, but really it is merely nostalgic to think, though these people still have a right to play and are still playing a role, and do our utmost to encourage them.

**Mr. Chairman:** Vote 1301, the hon. member for Port Arthur.

**Mr. Knight:** Thank you, Mr. Chairman. Does the department have a student summer job programme?

**Hon. A. F. Lawrence:** Yes.

**Mr. Knight:** That would be sort of gear to interest them while they are young? They might go on to a job just for the money, but this might be the way to introduce them into the field.

**Hon. A. F. Lawrence:** Again, we are not the wrong vote; that should come under the geological services branch.

But in our greatly expanded summer geological party project we do employ geological students. In many of the courses this serves as a work credit in their courses. Unfortunately we do not have enough space for everybody who applies, and therefore we feel we do have to take mining engineering or geological students who are in university courses. I wish we had places for them all. We do not, but we do place a great number of geological students.

When the proper vote comes I will be able to give you the exact figures if you wish them.

Vote 1301 agreed to.

On vote 1302:

**Mr. Chairman:** Provincial geological services.

**Mr. Nixon:** Mr. Chairman, I understand this is the one where some discussion on policy and workings of the department will

regard to the aggregate industry would be in order. Is that correct?

Hon. A. F. Lawrence: Yes.

Mr. Nixon: Right! The minister, I am sure, has read the debates in *Hansard* over a good number of years because this has been raised from time to time. It is not every area of the province where the problems associated with the large open pits in the heavily built-up areas—the agricultural areas, and those areas which are expanding rapidly with urban growth—have to be faced. I believe the operators are largely to blame for the problems that they now face.

There is no doubt in my mind that the citizens in the community, much more alive to the problems of protecting and improving the environment, are very quick to turn on the aggregate operators who have done little or nothing in most areas of the province to improve the situation. I sense, also, that they, as well as many politicians, suddenly realize that the public is not fooling about this and they are going to be out of business unless they take strong and definite and obvious steps to correct the problem, really the scars that they have wrought on the face of the community.

We can talk for a long time about the employment they offer and the assets that they add to the various municipalities, and yet when you rate this, it does not amount to very much and has very little to do with the damage that has been done in the name of the support of free enterprise and the lack of government controls. The responsibility has been, for some years, with the municipalities, and I can well recall trying to find a minister over there, in 1962, who would answer my questions as to what could be done to assist the local communities to improve the problems that they faced as gravel pits grew in size and that they were presented with through noise, dust pollution, and simply leaving these great scars that tend, almost, to completely surround some growing communities.

Nothing was done at the time. I can remember the minister's predecessor, Mr. Wardrope, saying that he thought the Minister of Municipal Affairs would best answer that question since the municipalities had the responsibility for control. And the then minister was not too concerned about it. He said the municipalities had the right to pass bylaws for the protection of their own people. But I am sure the minister now knows that policy was not a good policy because the government

was not prepared to stand behind the municipalities with proper advice as to—

Hon. A. F. Lawrence: I do not agree that.

Mr. Nixon: That is a fact. It may be responsibility of The Department of Municipal Affairs rather than The Department of Mines. But there was nothing at the provincial level standing behind the municipalities, giving them some spine to enforce bylaws which too often were passed and then either gotten or flouted—

Hon. A. F. Lawrence: That is not right.

Mr. Nixon: —by the large aggregate operators that sometimes operated in more than one municipality. As a matter of fact, many of them operated in more than one municipality. I have read the resolutions that have come from a great number of municipalities either in support of or negating the resolutions passed by the Uxbridge municipality.

In fact, as I understand it, it does not call for a reinforcement of municipal control, but simply deplores the decision by which the control of gravel pits and other open pits in southern Ontario be left with the Minister of Mines. The feeling is expressed in very strong terms indeed that this minister's responsibility is to get the resources out of the ground and market it. Whereas the view of the township of Uxbridge is that the main responsibility is to maintain the community with as little disruption as possible from the excursions associated with the aggregate industry.

The minister has decided, as nearly as I can tell, that this shall become a provincial responsibility. It appears that he is not recommending that he divest himself of this responsibility even before it comes to him, and if it goes, perhaps, to his colleague, the Minister of Energy and Resources Management (Mr. Kerr) who is becoming the minister for pollution or, perhaps, be transferred to the Minister of Municipal Affairs (Mr. McKeown).

I would say to you, Mr. Chairman, that I have not had as much confidence in one minister as the other. Our concern is that regulatory legislation, be brought forward to assist communities to protect themselves against a serious menace. I could talk about my constituency. I am sure the minister has had communication with constituents of municipalities from around Paris particularly, which is one of some of the largest gravel pits in Ontario.

As a matter of fact a lot of the aggregate from there has been trucked down the Donald-Cartier Freeway to the nuclear de-



opment at Pickering. Its quality is such that it has to be used under those circumstances, I am told. But I am not in the business of assisting in the sale of Paris gravel because I feel that those pits and some others in my own constituency have been among those who have paid very little attention to the improvement of the devastation that they have left behind them.

There are many examples—and the minister's most recent publications have shown these in pictures—of what can be done with these great holes in the ground—sometimes more than a mile wide and many feet deep—to rehabilitate the area for proper community use. Until such time as regulations require this rehabilitation and the funding of the rehabilitation before the pit is even opened, I am afraid that we are going to continue to suffer at the hands of short-sighted aggregate operators.

There is no doubt that public opinion has caused them to change their views very rapidly in recent weeks, if not in recent months. We read frequently of the efforts of aggregate companies to show publicly what they are doing to improve the situation. I congratulate them for what they have done in this new approach to public relations, which has been so seriously lacking for all of the years they have been in operation.

I hope that the minister is going to be able to present to the House at an early date the view of the government and his views as a responsible minister. Evidently, he is taking the responsibility for what can be done to assist the municipalities to correct this situation. The fact that the report that was put in the minister's hand was couched in such delicately soft language—I should be able to name it, what do you call it?—

**Hon. A. F. Lawrence:** The report of the mineral resources committee.

**Mr. Nixon:** Thank you. The fact is that the recommendations were mostly permissive, almost as if, as daintily as possible, they wanted to bring to public attention that here was a widespread problem that had been neglected by the government for so many years without offending any of their friends in the aggregate industry.

I believe the minister has got to come forward with some recommendations which definitely have teeth in them. Recommendations which will be translated into regulations which are not permissive but which are mandatory, and which may very well be applied by municipalities if, in fact, they have the

strong backing of the responsible minister—it the Minister of Mines or one of his colleagues. I would be very interested to know what the history of this development has been and what the minister has found in his attempts, I think successful attempts, to get the views of the people in industry and the individuals who suffer from what the industry has perpetrated in a good many of the communities.

This is a matter that is going to test the minister severely. I think, because he has to move forward with legislation and regulations which are definitive and strong. From his statement, I would not for a moment think that he was unduly influenced by the cries of alarm that have come from certain members of the aggregate industry. I have spoken to some of them and I have found that they do not date their attitude has changed tremendously.

They are prepared to live under much more rigid regulations which have in mind the improvement of the community rather than simply the disruption of the community to get as much gravel and aggregate out as possible. I hope the minister is able to give us some positive reports in this connection and I, I think, will require considerable reassurance from those people who feel that the control perhaps should not be under this department but not right, if I have my construction correct.

I believe the argument is well put that the Minister of Mines, as one of his main responsibilities, has to have as large a total figure for the bottom of his report as possible. He must not forget the fact that we had our first billion year. Those people who are afraid that the minister will try to open up more control rather than control them have some grain of truth in the concern that they express.

It might very well be that if we are going to have the kind of control that will be acceptable in the populated areas of the province it is not the Minister of Mines who should administer it. I would be very glad to hear his views.

**Hon. A. F. Lawrence:** Before the Minister of the Opposition sits down, let me clarify his position. Is he telling me, or the House, that he agrees with what he deems to be the proposals placed before me by the mineral resources committee, or he does not agree with them? I did not quite get to the point.

**Mr. Nixon:** Mr. Chairman, I know the minister is very anxious to have me make a comment on this so that he will find it a little simpler to answer the question, and to f

the problems that he really has not been facing for the last six months. I will tell you what we will require. We will require a statute and regulations which are very strong, which are mandatory in their application.

It is possible that this minister is not the one who should apply them. As a matter of fact, I frankly believe that the Minister of Municipal Affairs would be in a better position to do so. Because I think the municipalities must continue to have some important role to play. If the Minister of Mines takes it all into his own department, there is real fear that, in fact, he is going to be catering to the development of the industry, rather than the protection of the community.

**Hon. A. F. Lawrence:** I am glad to have what I think is a clarification of the hon. member's stand. Because there is no question about it—there is a lot of misunderstanding and misconception of the report that was placed in my hands by the committee which I appointed. I do want to emphasize this, because there has been some misinterpretation by others in—

**Mr. R. Gisborn (Hamilton East):** Not a bit. I will get my chance.

**Hon. A. F. Lawrence:** —by others in the House when there have been references to the report of the mines minister in respect of sand and gravel pit operations. I want to emphasize to the House that this was a report to me by an interdepartmental committee, which also included industry representatives, of what these people thought government policy should be. It in no way is government policy as yet. I have done my utmost, with some success, I think, to stir up a little bit of interest and a little bit of controversy too, respecting the matter, in order to get opinions. I think I am succeeding in this, and certainly the show is only half over in that respect.

**Mr. Nixon:** Well, one thing that I want to get is the sequence of events.

**Hon. A. F. Lawrence:** But there have been misinterpretations placed upon that report, due to the language in the report. Therefore, I asked the committee itself to come back with a supplement to the report, not in defence of the report but in further explanation of the report. I have been handed this supplement only within the last couple of days; it is now in the hands of the printers. I had hoped I would be able to release it to the House prior to these estimates; it has not worked out that way. But I gather that I will have it for presentation to the House early

next week. It certainly does explain in a more readable layman's language the point of the mineral resources committee.

**Mr. Nixon:** Might I ask a question by way of interjection?

**Hon. A. F. Lawrence:** Yes.

**Mr. Nixon:** Where did the second report with the pictures come from, about the rehabilitation of—

**Hon. A. F. Lawrence:** No, no. Again, it is strictly a guideline manual commissioned by the department: it was one of the recommendations in the mineral resources committee report. Just as a matter of interest, I think this is by far the most interesting aspect of this work and one of the most important growing concerns of this department, not only in southern Ontario but in due course in northern Ontario as well; that is, to bring it home to the industry and the public, as well as to other departments of government. There is a need for far greater, stricter environmental control in respect of the resources industry.

When you are talking about environmental management control, the minister of pollution or what have you, certainly in many respects this should be centred in government. However, in a field which does require engineering and geological capabilities, then certainly obviously I speak from a very biased position being the minister involved—I think we already have the personnel to do this work; we already have the means; we already have the experience. Certainly we already have good relations with the industry—that cannot be overemphasized sometimes and has been overemphasized sometimes.

But I obviously feel that, again, with respect to efficiency and bearing in mind the cost of these matters, this is the proper department to retain control of matters such as this. In respect of environmental control in an important industry like the pit and quarry industry and in respect of mining itself in the new abandoned pits, shafts, tailings dumped and what not. And if I have any future in the department, far more attention and control is going to be paid to these matters within the department. As a matter of fact, I think this is the biggest field for potential concern and worry in The Department of Mines in the future; there is going to be a greater and greater involvement in environmental control. And it is going to be done through this branch. It has to be done through this branch.

Now, getting back to the report of the mineral resources committee, which has l

misunderstood and over which very many misconceptions have arisen due to the language in it. The Leader of the Opposition made the same blunder. I am not blaming him for it, because of the press reports and the easy reading he perhaps made of that report.

But in no fashion does that committee suggest that the Minister of Mines should have control over the future location or establishment of pits and quarries in this province. Perhaps members would be interested in just hearing—it is not that long—certain portions of this supplement, which will be released next week and presented to the members. As well, I hope it will get very wide distribution to municipal council members, conservation people and what not.

**Mr. Nixon:** Mr. Chairman, if the minister will permit. Certainly, if he wants to read the report, that is fine. But it would perhaps be wise to clarify this position, that the report, I understand, is simply a recommendation to the minister.

**Hon. A. F. Lawrence:** Right!

**Mr. Nixon:** Right! But in statements that the minister has made—or perhaps it was the misconstruction that has been put on the minister's statement by those who have reported him—the indications are that the municipalities would have little or nothing to do through their zoning bylaws in the location of pits. By that I did not understand for a moment that the minister might decide that in one of those ravines, in the heart of Rosedale, by ministerial order he could open it up for the use of the pit aggregate industry.

**Hon. A. F. Lawrence:** Well actually, in my back yard!

**Mr. Nixon:** Right! But, in actual fact, decisions would be made by the minister in the control of the whole industry.

**Hon. A. F. Lawrence.** All right, if the hon. leader does not mind me boring him just for a moment, let me put on record—

**Mr. Gisborn:** Mr. Chairman, on a point of order. Might the minister first expand on his statement that there have been gross misconceptions and misinterpretations of the report?

**Mr. Chairman:** I think there is no point of order. The hon. minister indicated he was going to proceed to explain to the committee, by virtue of this supplementary report, and I think this will explain it.

**Hon. A. F. Lawrence.** And bear in mind well that this is not the report of the Minister of Mines; it is a report to the Minister of Mines. And there is a lot of difference in t

Committee recommendations concerning The Municipal Act and The Planning A

1. The Municipal Act: in order to provide for the transfer of the regulation of pits and quarries throughout the provin

Now, by "regulation" they mean the actual operating conditions:

—it was necessary to recommend the repeal of clauses 118 and 119 of subsection 1 of section 379 of The Municipal Act. They are the provisions that give municipalities at the moment the power to pass bylaw regulate and, in some limited instances, power to prohibit the operation of pits and quarries.

2. The Planning Act: the committee considered that it was vital to provide for the location of future pits and quarry areas within the context of an overall municipal planning programme, rather than on an *ad hoc* basis.

The well-known problem caused by the operation of pits and quarries, as well as the potential for the subsequent use of the rehabilitated site in given locations, makes it necessary to know the future land-use patterns for the municipality before intelligent decisions can be made on where pits and quarries should be permitted and where they should be prohibited. This framework really can be provided only by an official plan which, when approved, becomes a declared public policy of the municipal council and which then acts as a set of guidelines for both the private and public sectors.

Thus the committee puts great emphasis on the importance of the official plan. As a result, it was recommended that clause 6 of subsection 1 of section 30 of The Planning Act should be repealed. As it now stands this clause permits municipalities to pass bylaws, which are subject to the approval of the Ontario Municipal Board, to prohibit the establishment of pits and quarries within the whole of the municipality, or within any areas that are specifically defined. This may be done now without the benefit of any overall land-use studies or, in fact, without any kind of planning programme.

**Mr. Nixon:** This has just been done by the township of Uxbridge.

**Hon. A. F. Lawrence:** No, they now have an official plan for their land usage.

**Mr. Nixon:** Not a land-use bylaw?

**Hon. A. F. Lawrence:** No, that is an over-simplification.

It is essential to understand—  
I am getting back to the supplement here—

**Mr. Nixon:** Just one moment. What has happened in Uxbridge? They are no longer permitting the operation of the pits, is that not so?

**Hon. A. F. Lawrence:** No. They have an official plan and a land-use bylaw which has been partially approved by the Ontario Municipal Board. As I understand the sense of the municipal board decision, it was that the operators of the pits can utilize only the lands they are now utilizing for pits and quarries. Of course, the operators come back and say in effect, this bans—

**Mr. Nixon:** That stops them.

**Hon. A. F. Lawrence:** —this bans any extension.

**Mr. Nixon:** As a matter of fact, it stops the work.

**Hon. A. F. Lawrence:** I am not too sure whether litigation is arising, or appeals are arising out of it, and therefore if you do not mind, I would just as soon not get into that specific question.

**Mr. Nixon:** I might just say, are you taking any part in that discussion?

**Hon. A. F. Lawrence:** No, no; sorry!

**Mr. Nixon:** That is all right.

**Hon. A. F. Lawrence:** What part do you want me to take?

**Mr. Nixon:** I would think that there might be some question of review of the municipal board decision and—

**Hon. A. F. Lawrence:** If an appeal is going to be made, presumably an appeal can either be made in the courts, in which case I should not talk about it, or an appeal is going to be made to the Lieutenant-Governor-in-Council—

**Mr. Nixon:** In which case you had better talk about it.

**Hon. A. F. Lawrence:** —in which case I should not talk about it.

Anyway, if I can get back to this supplement.

It is essential to understand, however, that the committee also recommended a new subsection be added to section 10 of The Planning Act, which would give municipalities the same power to pass bylaws prohibiting the establishment of pits and quarries, provided they have an official plan which includes provisions deemed adequate by the minister, governing the location of pits and quarries.

The committee felt that it was significant that in this context the reference to “the minister” was to the Minister of Municipal Affairs, and so no particular explanation was given in the report. The assumption is that this is the action that is being made by many persons

and if I may interject here, some persons in this House as well:

—the assumption that is being made is that many persons who have read the report and that this, in fact, meant the Minister of Mines and this indicates that the committee erred in not providing an explanation.

I quote from the supplement to the committee’s report:

It is definitely the Minister of Municipal Affairs who would be involved in the approval process and not the Minister of Mines, because the appendix in the report which deals with this, deals solely with the recommended amendment to The Municipal Act and The Planning Act. Accordingly any reference to “the minister” such as appears in the recommendations, means the Minister of Municipal Affairs.

There in a nutshell is the error that has been made by many of the council members throughout the province, by some members of this House, by many members of the public at large. I have gone out to the township of Uxbridge and I have explained it to the council and have explained it to other township officials and councillors; I am embarking as soon as possible on a series of regional advisory meetings throughout southern Ontario in the “gravel belt”—to which the local residents, of course, will be invited with the conservation people, the naturalists, the planning boards, the municipal councils, the regional advisory people; you name it and we will have them there; they will be involved in any event.

**Mr. Stokes:** What is the purpose of these meetings?

**Hon. A. F. Lawrence:** The purpose of these meetings is to explain in detail these recommendations of the mineral resources committee to the Minister of Mines, because I feel that there has been a great deal of misconception about them.

I have indicated that the government has accepted the four main principles within this report, subject to the approval of the majority of the municipalities. The majority of the municipalities have approved that report. A minority of the municipalities have got balled up in their interpretation, and I do not blame them for it, because a casual reading of the report certainly could give you the wrong impression.

The four main principles which the government has accepted subject to the approval of the municipalities, are simply this:

That there will be a co-ordinated co-operative control over the establishment of new pits and quarries, i.e., land-use planning. And by this I mean that the system—

**Mr. Nixon:** Exercised by local council.

**Hon. A. F. Lawrence:** I mean the system for setting out official plans and land-use bylaw-planning legislation will continue to remain exactly where it is at the moment on the initiative of the local council.

However—and the one “however” we are putting in there—that official plan and that land-use-planning municipal legislation has to include what we grandly call a mineral resource policy. The majority of the official plans—especially in the smaller rural municipalities that have them at the moment, and the real problem, if they do not already have it in respect of pits and quarries, is going to arise there within the next few years—the majority of these official plans at the moment do not even refer to pits and quarries and this must be rectified.

Where there is not an official plan, where the municipality has not enacted any land-use planning whatsoever, and where there is land-use planning but it does not relate in any manner, shape or form, to a mineral resources policy, then the Minister of Mines does have control over the establishment of new pits and quarries in relation to these recommendations that have come to us from the mineral resources committee.

**Mr. Nixon:** That does not leave you very many municipalities to deal with.

**Hon. A. F. Lawrence:** And the reason for this is that quite frankly The Department of Mines does not want it. But if this is the

only way that we can establish planning legislation in those municipalities that do not do it themselves, then good heavens, we have this responsibility to provide initiative and leadership. If the municipalities do not like it, then they had better enact their own legislation. And it is as simple as that.

That is the area of controversy that has been misunderstood by some members of the House and some members of the municipal councils, and if you want to call it an unhandy way of levering some of the municipalities into enacting their own planning legislation, so be it. But nevertheless, I feel that the mess that has been handed down to this generation by previous generations should not be handed on by us. We certainly owe it, I think, to our children and our children's children to have better control of the environment in respect of these operations in the future than has been evident anywhere so far in this province of Ontario. Quite frankly I dare any member to agree with that policy. I would be glad to have you do it but I think you would be—

**Mr. Nixon:** Let us have 3 and 4.

**Hon. A. F. Lawrence:** All right! One aspect which, as far as I know, we are not running into very great difficulty or objection on the part of the municipal councils at all, concerns control over the operations, and by that I mean, hours of work, dust control, noise control, blasting control, and what not.

They are very important measures, and of course what can happen in one municipality in regard to lax restrictions can very vitally affect somebody miles away in another municipality in respect of truck operation at night and again, dust and noise and what not. I am finding that we are not bumping into much objection on the part of the municipalities concerned in relation to this. In general, by far the majority of them have accepted the need for provincial control of the actual regulatory operations of the pits and quarries themselves.

Again we have the mining engineers in the field, we have the geologists in the field and it is logical and I hope far more efficient that The Department of Mines do this. The other department of the provincial government at the moment can do it, and certainly no municipality that I know of that has the problem is in a position to provide either the men, the money, or the means to have that type of control. They accept it. As a matter of fact, some of the municipalities have been

asking The Department of Mines in the provincial government to do it for years.

The other big aspect is the rehabilitation aspect of it. Again, we are not running into very much opposition respecting our rehabilitation proposals. Again, this should be controlled, in the view of the committee, by The Department of Mines. There are some very worthwhile fears in the outer reaches of the "gravel belt" that there is not going to be enough discretion in the legislation and we are looking at this. Obviously the restrictions in respect of rehabilitation of these pits that should be imposed on the operators 40 or 50 miles north of Kingston, in the bush where there is not another resident within 10 miles or 20 miles, are not the same type of restrictions and rehabilitation programmes that should be imposed on the operators in Caledon or in Paris, or in Uxbridge township. The conditions are completely different. I hope that when we are ready to bring legislation before the House there will be that element of discretionary control.

But these two latter aspects are not the ones on which we are running into objections from the municipalities. It is the misconception in respect of the land-use planning programme. I hope that clarifies, in the hon. member's mind and anybody else's who is interested, what the proposals to the minister have been.

Now the timetable. When the matter was first presented to me I took it to cabinet and then, as I say, those principles were accepted on the understanding that the majority of the municipalities themselves would agree. Because of these misunderstandings, the red flag has been run up the flagpole and a complete halt has been put on it until the proper—

Mr. E. W. Sopha (Sudbury): Has the revolution begun?

Hon. A. F. Lawrence: Yes—the proper explanation has been given to the people who are concerned about it, as I have indicated to you.

I am taking steps to present what I consider a proper interpretation to the public at large. The four main municipal associations have set up a joint subcommittee to study the matter more deeply than can some of the municipal councils. I asked for the representations to be made to me by February 15, in the hope that at this session I would be able to present to the House the considered viewpoint of the government,

bearing in mind the representations from the municipalities.

The joint subcommittee of those municipal associations said they need at least another four months to properly study and report back to us, so we have granted a sort of a moratorium on the matter; for four months from February 15. By that time the further explanations and the further meetings will have been held and I hope by that time we will then have the information, comment and opinions of the municipal people and the conservation people and the planning people, and others who are involved, including members of this House. We will then bring forward legislation to the House as a result of those representations. But unfortunately, unless the session lasts longer than I am told it might, that legislation obviously cannot be ready for this session. This grieves me, because we—

Mr. Nixon: You mean this spring?

Hon. A. F. Lawrence: That is right. It grieves me, as I say, because I have real worries about the conduct of some of our operators in the field.

Nevertheless, I think it is inevitable now that we must hold the thing up until the proper explanations are given. That I propose to do, but I do it reluctantly. I nevertheless, I think this has to happen.

Mr. Nixon: Mr. Chairman I believe the pressure of public opinion and discussion that was generated by the publication of the report to the minister has already produced a good deal of change in the development of the pits and quarries, but until such time as legislation does come forward, the minister can certainly use his exalted office and the social pressure to accomplish a great deal if this is necessary.

I would like to draw to the minister's attention, however, that many of the municipalities that he will be dealing with do not have official plans and are not moving rapidly toward implementing them. He is doubtless aware of the criticism of the policy of the government that was expressed in the Fyfe report having to do with the regional government in Waterloo county.

It listed the reasons why most municipalities have not gone ahead with the development of an official plan. In my experience it has simply meant the postponement of many areas of development, because all references of the plan have to be approved by the community planning board.

of The Department of Municipal Affairs. This is documented in an objective study written by Dr. Fyfe himself. So the chances of many more municipalities moving toward an official plan under present circumstances are perhaps not as great as the minister would hope.

The alternative, as he has indicated, is that a lot of the municipalities have these planning bylaws. I would expect that any one of them that has any gravel or aggregate operation does have such a bylaw. Mostly these bylaws do not have reference to dust conditions and hours of work which obviously are, if not the responsibility of the Minister of Mines, I would think the responsibility of the Minister of Labour (Mr. Bales) or the Minister of Transport (Mr. Haskett). But these bylaws do have a rehabilitation clause in them, that the municipalities have found very difficult to enforce.

This is where I believe The Department of Mines, or perhaps some other department of government has failed the municipalities in years gone by. These clauses for rehabilitation are already present in many of these bylaws. I do not believe that they are being lived up to adequately. There is a bit of confusion left in my mind when the minister says, if the municipality does not have an official plan or some control bylaw, then the responsibility will be left to him.

I would think that the legislation must consider some substantial reinforcement of the powers of the municipalities, particularly where the gravel or the pit itself goes right across the boundary of two municipalities who, perhaps, will have some substantial difficulty in co-ordinating their approach. Their bylaws may differ. As a matter of fact I believe they do in some cases in my own area.

As the minister has pointed out, it is certainly more complex than even the over-simplification that I put on it—let alone the over-simplification that he might put on it sometimes. He is going to do a lot of studying, he has said. Meanwhile the municipalities are, perhaps, more concerned now with the bylaws they have passed; but they are still faced with the problem of enforcing them, or at least the spirit of the bylaw. I think this is the problem that many of the residents and taxpayers of the area are experiencing.

**Hon. A. F. Lawrence:** Relatively speaking, Mr. Chairman, very few of the overall planning bylaws of the municipalities have any reference at all to fixing quarries. The hon.

member is looking puzzled. I know, I'm quite astonished to find this as well.

**Mr. Nixon:** You mean there is no control of these quarries now at all?

**Hon. A. F. Lawrence:** In most of the municipalities in the province of Ontario, this is true—most of the municipalities that have planning bylaws and official plans.

**Mr. Nixon:** Well, I am surprised—

**Hon. A. F. Lawrence:** Astounding, isn't it?

**Mr. Nixon:** I am quite surprised at that because my own experience is different.

I am sure you have got all of the statistics there, but are you sure that the municipalities you are referring to, that have no control bylaws—they may be on your map as aggregate producing municipalities, but in fact they may not be substantially producing.

**Hon. A. F. Lawrence:** No. I am talking about the majority of the municipalities in southern Ontario.

**Mr. Nixon:** The majority of them that do not have gravel pits?

**Hon. A. F. Lawrence:** No, no. The conditions that we feel should be concerned, are apparently not. This is the great danger. Not the much present day conditions, which, he alone knows, are bad enough in some municipalities, but the conditions we are going to face in a few years if there is not proper planning legislation being done.

**Mr. Nixon:** I am now more concerned about your—

**Hon. A. F. Lawrence:** I am concerned about it too, but I am trying to find the position of the Leader of the Opposition on it. Are you saying we should push ahead, or are you saying we should draw back?

**Mr. Nixon:** I have made it quite clear that we certainly push ahead and support.

**Mr. Chairman:** The hon. member for Hamilton East.

**Mr. Gisborn:** Mr. Chairman, the hon. minister has done a very fine job of extricating himself from a very inept, sloppy and catastrophic handling of a very serious situation. He can talk for a week about what he intended to happen, but he cannot avoid facing up to what actually happened with regard to the report that emanated from his department.

I am one of the members that he is referring to as having a misconception and a misinterpretation of what the report of the mineral resources committee intended to say. If that is the case, very many other, very astute municipal officers in this province were also misled by the report because, it caused just as much flak and furor in this province as any pre-empted statement that has been made.

I did say in my speech that the hon. minister had shown an arrogant, callous disregard for the rights of the municipalities in his acceptance of the mineral resources committee's report, which, by the way, was supported by the Minister of Municipal Affairs in his speech on February 19, 1970, to the association of rural municipalities.

The minister himself went on an hour-long radio programme, some weeks prior to my making my speech, and he attempted to support the report—there is no doubt about that—and he made the same statements then as he is making now. But it did not satisfy those people in the municipalities; they felt that he had pre-empted their prerogative and had something to say about it.

After I made my speech—if anybody reads the report they will know that it was without authorship—nobody signed it. All you could gather from the report was that it was pre-empted by two briefs presented by one section of the Ontario Mining Association, the Ontario quarrie operators' section, representing Acton Limestone Quarries, Dufferin Materials, Halton Crushed Stone, Limestone Quarries Limited, Milton Quarries Limited, Nelson Crushed Stone, a division of King Paving Materials. The other brief was by Aggregate Producers' Association of Ontario. I asked the minister by note to send me a list of the members of the committee and it took me a month to get it. It also took me a month to get the two briefs that initiated the report that we were dealing with. So there is no misconception or misinterpretation.

I went on in my speech to point out the questions that had to be asked. I support some overall provincial regulation of quarries in this province but the minister did not say anything about the powers that these briefs suggested should be in the hands of the chief inspector of mines or the chief engineer of mines. This was the main point.

Just to make sure we understand why I was incensed about the report, when I got the copy of the list of members involved in the drafting of this report, it said right on the top, "mineral resources committee which

prepared report to the Minister of Mines for the establishment, operation, development and rehabilitation of pits and quarries".

Who were they? Mr. J. O. Spender, chairman of the regional development branch, Department of Treasury and Economics; D. F. Hewitt, chief of the industrial minerals section, The Department of Mines; James Hughes, mines inspection branch, The Department of Mines; Alex Rutka, materials testing engineer, The Department of Mines; G. Keith Bain, supervisor, official planning and zoning, The Department of Municipal Affairs.

Then we have: Denis C. Schmiege, Highland Creek Sand and Gravel Company Limited, for Aggregate Producers' Association of Ontario; Harry P. Wilson, Nelson Crushed Stone Company, for quarry operators' section, Ontario Mining Association; J. Simpson, 1 McFarren Limited for Canadian Structural Clay Association; H. L. Main, Miller Paving Limited, for the Ontario Road Builders' Association; Dr. M. A. Vos, committee secretary, industrial minerals section, The Department of Mines.

Nobody was there from the municipalities. Nobody was there from the conservation authority. Nobody was there from the Ontario naturalists' association. Nobody was there who had a social conscience and an interest in all the land being used and developed in the province. So why should not someone be disturbed about the ineptness of the minister's report?

It was a callous report, a callous report on the part of the minister to let it go in this fashion. And then we get the two reports that initiated that report, and they are centred as anything can be, strictly in the interests of the aggregate producers of the province.

That is our job here, to get concerned about the way things are developed. I am pleased that we are going to get a summary and a real interpretation of that report now. I am pleased to hear that the minister is going to involve the municipality and the conservationists and the people that really want to know what is going on.

I think that we have massacred parts of the province for too long, and it is about time we paid particular attention to the kind of property we abuse. In the report, the minister has explained in a little detail the reasons for repealing sections of The Municipalities and The Planning Act, but that surely must have been sent to the municipal officers because it was there for their protection.



Anything the minister can do to bring about the orderly recovery and extraction of aggregates in this province is a step in the right direction, but certainly, I think, because of the inept handling of the situation we are now going to be three or four months late in getting on with the job. If the minister had recognized the importance of this sort of thing to the many various groups in our province, perhaps he would have put them on the committee and said: "Let us get into it and do the job now so that within three or four months we will have it completed and will know what kind of development we are going to have".

Now, he says, with a little bit of a threat, if the municipalities do not come up with a land use plan, an official plan, the government is going to have to move in and establish one—

**Hon. A. F. Lawrence:** I said that this is what the committee suggested.

**Mr. Gisborn:** All right, all right!

I think maybe it is a good idea if somebody moves in if they do not come up with an official plan. But the first thing you have to make sure of is that the municipalities have the wherewithal, technically and financially, to do the job of drawing up an official plan. They have not got them now because of those reasons. They have not got the technical help nor the finances to pay for them. So the first thing we have to make sure is that they have got that kind of help.

I am going to be sitting by waiting and I would like to see the summary and I hope that we do not waste too much time going around the province.

Have them bring it in, get them together to talk about the situation and get it on the

road so that we can get on with the Gertler report.

I was convinced, as were some others, of the speed with which this report was developed was to pre-empt any move on the Gertler report because there is a strong connection with the escarpment development and some others had that fear as well. There are a lot of things involved in a land use policy and the proper development of quarries in this province.

**Hon. A. F. Lawrence:** I would like to tell you that the hon. Leader of the Opposition referred to it, too. There is one part of my remarks that I failed to refer to and that was the facilities that are offered by The Department of Mines through the municipalities. For six years now, although I cannot take a credit for it, this department has offered geological services and mapping services to the municipalities in respect of a mineral resources policy when they wanted to include this in their planning legislation. As well, a number of years now we have had a model bylaw available for them, which is the department's view of how these operators can be regulated and controlled.

**An hon. member:** Did you ever send it out?

**Hon. A. F. Lawrence:** Yes, it has been sent out. It has been made available. Perhaps there has not been enough publicity made about it, I do not know. Some municipalities have utilized it; many have not. But in any event these services have been available for some time, as I say.

It being six o'clock, p.m., the House to recess.





# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Tuesday, April 21, 1970  
Evening Session

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**  
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 21, 1969

The House resumed at 8 o'clock, p.m.

## ESTIMATES, THE DEPARTMENT OF MINES (continued)

On vote 1302:

Mr. Chairman: The hon. member for—

Mr. L. M. Reilly (Eglinton): Mr. Chairman—

Mr. R. F. Nixon (Leader of the Opposition): I think this is going to be out of order.

Mr. Reilly: I would like you to welcome, along with me, members and officers from the Eglinton Progressive Conservative Association, and also members and officers from Scarborough North, the riding of the hon. Minister of Health (Mr. Wells).

Mr. Nixon: Leonard, I hope you bought them dinner.

Mr. B. Newman (Windsor-Walkerville): That is the custom.

Hon. S. J. Randall (Minister of Trade and Development): And charge it to the Liberals.

Mr. R. Gisborn (Hamilton East): Mr. Chairman, I have just got two brief questions with regard to this vote at this point. It seems to me that the format in the minister's book, "The Ontario Department of Mines Review, 1969," is about as close to this vote as you might guess. But I would ask the minister, why did we have to depict a major American project for the format of our cover of this book, and is this any indication of the result of his gravel and pits programme for the coming year?

Mr. W. G. Pitman (Peterborough): Americanization of The Department of Mines.

Mr. W. Newman (Ontario South): He staked all the claims on the moon already.

Hon. A. F. Lawrence (Minister of Mines): It is just to show you how far our authority in jurisdiction extends, that is all.

Mr. Nixon: That will do until you think of something else.

Hon. A. F. Lawrence: No, it had some geological importance. I do not think there is anything more than a cover on it; that is really it.

Mr. Gisborn: We could have done better than that.

Hon. A. F. Lawrence: You have some objection to it?

Mr. Gisborn: No.

Hon. A. F. Lawrence: Have you got any sensible objection, or are you just belly-aching for the sake of belly-aching?

Interjections by hon. members.

Mr. Chairman: Vote 1302. The hon. member for Essex South.

Mr. D. A. Paterson (Essex South): At 8 o'clock we were discussing the operation of gravel pits and aggregate producers throughout the province, and I would certainly support the ideas and principles enunciated by my leader. I think the minister's remarks were most enlightening when he indicated that, in fact, Municipal Affairs was going to have some say in the ultimate zoning *per se*. What bothers me is that when the first announcements were made in the province by the hon. minister there was no mention whatsoever of Municipal Affairs. I think it would have set many minds at ease—municipal bodies and the Federation of Ontario Naturalists and other concerned citizens—if there had been some clause with regard to these particular matters.

I feel that industry certainly is willing to accept tighter rules with regard to the operation of these pits, as long as they are uniform throughout the province. I think they will even welcome them. Basically the minister's position as the chief spokesman for The Department of Mines is to promote and develop these aggregate bodies, or bodies, wherever they are in our province, such as developing mines in our far north. But it is up to Municipal Affairs to protect the aesthetics of southern Ontario throughout our whole province through zoning and through the use of official plans. You have enunciated this afternoon.

I recall that the Leader of the Opposition, the member for Hamilton East (Mr. Gisborn), the chairman of the whole House (Mr. Reuter), the Minister of Energy and Resources Management (Mr. Kerr), and the Minister of Municipal Affairs (Mr. McKeough) were all part of our select committee on conservation authorities.

**Mr. Nixon:** Was the Minister of Municipal Affairs on that?

**Mr. Paterson:** Yes, he attended the odd meeting and we enjoyed his company. But in the 126 recommendations of that select committee—I will not read them all—

**Mr. E. W. Sopha (Sudbury):** Oh, read them all!

**Mr. Paterson:** Not all, but three or four of them deal specifically with this problem and I just might bring the minister's thoughts to the first recommendation, to the 27th and the 31st and, more important, to the 125th and 126th. This is the select committee on conservation authorities; just two paragraphs in the 126th recommendation:

That consideration be given to the preservation of the aesthetic and hydrologic features of the escarpment and that uniform local municipal bylaws govern the openings and operation of pits and quarries and the restoration or treatment of worked-out areas and the co-ordination of municipal bylaws be enacted.

I think these were the principles that we came to after two years of hard work—after a lot of travelling and viewing sites in Ohio where the worked-out coal operations were. The redevelopment really impressed us. We hope that that is what you have in mind when you ultimately get this Act back into the Legislature.

I think you do have to set out a code of behaviour for the activities of these aggregate producers. Set out the regulations so that everyone understands them and work—as you say you are going to—throughout southern Ontario, visiting these various municipalities, meeting with the people concerned and explaining exactly what you have in mind.

**Mr. Chairman:** Vote 1302.

The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, I wanted to bring the topic about the erosion along the banks of Lake Erie in the Point Pelee area. I had originally written a letter—

**Hon. A. F. Lawrence:** I wonder, Mr. Chairman, if the hon. member is going to refer to it to the sand-sucking licences that still really come up under the mining land vote.

**Mr. Chairman:** That would be vote 1302.

**Hon. A. F. Lawrence:** While I am not a geologist, I am interested in the geological branch, if I may say so. Because the hon. member for Sudbury is on the House, there are a couple of statements that he referred to in his opening statement that I would like to attempt to rebut.

He indicated that geological mapping in this branch is not proceeding fast enough. The fact of the matter is that mapping has been speeded up to such an extent that we expect to have almost complete reconnaissance coverage of northern Ontario—the two-miles-to-the-inch scale—by 1975. A decade ago, just 10 years ago it was estimated that it would take 30 years before we would be able to complete this type of work. There is a sheet in the annual review which the hon. member has that shows the compilation of map coverage at the end of 1969. If the hon. member would look at that, he will see that most of northern Ontario is already covered.

The hon. member has also indicated a lack of geological map coverage was a factor in the discovery being made by Texas Gulf rather than by a company operating in Timmins. I am informed that this is incorrect. The Ontario Department of Mines had mapped Kidd township in detail in 1944, 25 years before the mine was discovered there.

The map was of very great help to the organization that recognized certain geological concepts of where to look for uranium bodies. The Texas Gulf geologist simply took advantage of the available geological and geophysical information. Of course, I do not want to take away any credit for the discovery through the Texas Gulf geologist staff, but the fact of the matter is that the map was available 25 years before the discovery was made. It was available to anyone who wanted to take the trouble.

**Mr. Sopha:** What did your map show?

**Hon. A. F. Lawrence:** It showed in detail the geological occurrences in that area. The Texas Gulf people were smart enough to utilize the map.

**Mr. Sopha:** You would not get the trace?

**Hon. A. F. Lawrence:** No. I hope not.

**Mr. Sopha:** I am told that the area was soil-covered; that, in fact, it was swamp, muskeg. Now what would the map show but a cover of soil?

**Hon. A. F. Lawrence:** It would show the result of the outcrops in the area.

**Mr. Sopha:** There were none.

**Hon. A. F. Lawrence:** Yes, there were. There are at least two outcrops, Dr. Thomson is pointing out to me. Dr. Thomson is the head of our geological—

**Mr. Nixon:** I thought that was the peace sign.

**Hon. A. F. Lawrence:** No, that is not the peace sign. It means two geological outcrops on it. Magnetometer work had been done as well.

**Mr. Nixon:** But not in 1939?

**Hon. A. F. Lawrence:** Yes, in 1939.

**Mr. Sopha:** Magnetometer work had been done?

**Hon. A. F. Lawrence:** The geological map had been done and produced and released in 1939 showing—

**Mr. Nixon:** A magnetometer survey of Kidd township?

**Hon. A. F. Lawrence:** It was an EM survey, not a magnetometer survey.

**Mr. Nixon:** What is an EM?

**Hon. A. F. Lawrence:** I am not too sure.

**Mr. Nixon:** Magnetometer or—

**Hon. A. F. Lawrence:** No, not quite. One is completely magnetic, this I know; and the other relates to an electro-magnetic field.

One other matter. The member for Sudbury referred to the fact, or the allegation, that The Department of Mines had published only 15 up-to-date geological maps of the district of Timiskaming in the last 10 years. I think the member for Timiskaming rebutted that in a small fashion when he stood up to speak, but according to actual count The Department of Mines in the period 1960 to 1969 published 92 maps.

**Mr. Nixon:** Is that 92?

**Hon. A. F. Lawrence:** Yes, 92 in relation to that particular district.

**Mr. Nixon:** Not 15?

**Hon. A. F. Lawrence:** Not 15 but 92. An allegation that really rankled the departmental officials, quite frankly, was that geological branch was not interested in mineral explorations, technology and deep mining development. This is incorrect. We like to think, in any event, that we are using most up-to-date geological, geophysical and geochemical techniques.

**Mr. Nixon:** It is not the staff; it is the minister.

**Hon. A. F. Lawrence:** We have published detailed reports on deep mining development in all Ontario mining camps—for example, a depth to over 8,000 feet at the mines Kirkland Lake, and this in an ODM geological circular in 1964.

**Mr. Sopha:** We went through this during the investigations of the select committee on mines. I do not recall that you were a member.

**Hon. A. F. Lawrence:** No.

**Mr. Nixon:** He was not interested in mining in those days.

**Hon. A. F. Lawrence:** At that time I knew less than I cared.

**Mr. Sopha:** You were cultivating more tile pastures at that time and—

**Hon. A. F. Lawrence:** You could put it that way. I am not sure they were more fertile.

**Mr. Nixon:** I would guess not.

**Mr. Sopha:** I did not speak off the top of my head when I made those allegations. This is the information we were given when we pursued the investigation in The Department of Mines. This was an intra-ministry investigation there and we were told that information was neither gathered nor made available to The Department of Mines by the mining companies about geological occurrences.

Indeed, there is no legislative requirement that the mining companies make it available. If there is that requirement I would like you to point it out. No, there is not. They simply do not make it available, and I neither recall by way of a trip to Canessa, nor otherwise what I said earlier that The Department of Mines is simply not an organization that gathers to itself knowledge about mining techniques. That is left with the mining companies, and successive Ministers of Mines, yourself included, have not pursued the mining companies in a way that would require

them to make a body of knowledge available to the department.

Now before I sit down—

**Hon. A. F. Lawrence:** May I attempt to answer that?

**Mr. Sopha:** All right, fine.

**Hon. A. F. Lawrence:** Again, I want to appeal to the hon. member to be fair in his allegations, which really are incorrect.

The hon. member is perfectly correct when he says, Mr. Chairman, that there is no mandatory requirement requiring the companies to furnish geological information. We have felt that we proceed better and get more useful information on a voluntary basis.

I have always thought that geology was a real science. The more I get into it, the more I realize that the differences and the arguments within that profession are even more profound than they are in the legal profession. There is not, as I understand it, even a standardized form of indicating the very basics of some of the mineral occurrences.

I am making the hair stand up on Dr. Thomson's neck when I say this, but I mean, it would be so easy to disguise or to prevent geological information from coming out of any of these private companies if they wished to be unresponsive or unco-operative. The information would be completely indecipherable in later years. The object of the piece is to get as much of this information as possible and store it to make it more easily retrievable by the industry and by the public and by the people concerned. This is why we are getting into the computer sciences in respect to computer data retrieval of this type of information.

I am told by the technical experts, who are paid by you and me to supply this information to me, that they believe they can proceed far better in a co-operative voluntary measure with these companies rather than attempting to coerce them or attempting to bring in mandatory, compulsory information. The fact of the matter is, I believe, we are now getting a constant, current flow of geological data of such a nature and such a quantity that it is really all we can handle in order to code it sensibly.

Eventually, we hope to feed it into a geological bank which will be available to the public and the industry and governments right across the whole country, not just in Ontario.

Therefore, in the last couple of years, the evidence presented to you on that select committee—which really had hearings in 1965

and 1966 notwithstanding; we have not still since 1965 and 1966—many things changed, including the attitudes and facilities within The Department of Min

**Mr. Sopha:** Maybe you are not star still now, but I want to say this, that u the minister can show me how in some information—geological information and ing technological information—is made able on a regular basis by the two great of the mining industry, Falconbridge Inco, then I will remain unconvinced, a know that it is not.

This department, it is well known, stood in awe of Inco for many years. V Inco said “jump” to this department, pri this minister, this department said, high?” How else can we explain the re able intervention of this department in 1966 strike? The activities of this depart in fact, inflamed passions in the area.

Now that is a matter of history. It wil be forgotten, that intervention by your engineer at Sudbury in the letter from published in a full-page advertisement in Sudbury *Star*.

**Hon. A. F. Lawrence:** Be fair, we heard this speech every year.

**Mr. Sopha:** I am being fair. If there any gumption in this department a amassing knowledge there would be a s tory requirement in The Mining Act re ing the companies to make available information as is required to make a ba knowledge. That is what I spoke about

Let us get back to Texas Gulf. The s committee was pursuing its investig under the able chairmanship of he hi who was promoted in the fullness of t and is not paying attention—the present ister of Lands and Forests (Mr. Brunelle)

**Mr. Nixon:** The former Minister of Min

**Mr. Sopha:** Yes, thank you. The fo Minister of Mines, at the time that the Gulf find was made. We had the adva of being present when Viola made her hi speech at the McIntyre community a Who will ever forget it? We might have called as witnesses, a privilege that we had, but we were spectators to that re able Demosthenesian oration on her part

I recall very well that the geolo department was then situated in what the Hospital for Sick Children over on Co Street. I think I am correct in saying th



**Hon. A. F. Lawrence:** Parts of it are still there.

**Mr. Sopha:** Thanks, I am correct. And I recall very well we were over there for some sort of a taffy pull, being entertained and—

**Mr. Nixon:** Was Viola there?

**Mr. Sopha:** No, she was not there. Being shown around, and having explained to us the work, I remember very well, asking at the time, in the clearest language, whether any maps of The Department of Mines were of assistance in the finding of the Kidd township deposit, and the answer was, no. At that time the answer was, no. I recall expressing my dismay to our hosts at that time. Now you will see—

**Hon. A. F. Lawrence:** Which stenographer was it you asked?

**Mr. Nixon:** The chairman of the committee, the Minister of Lands and Forests, should surely substantiate you in that.

**Mr. Sopha:** Yes, if we could get his attention at all. But he is taking a mercury count on his pal from Kenora there.

**Mr. J. E. Stokes (Thunder Bay):** They are discussing the Wabigoon river.

**Mr. Nixon:** They are trying to clean up the Wabigoon.

**Mr. Sopha:** You know, we have been talking about the Minister of Lands and Forests for about 20 minutes. Now the minister gets up and says there were two outcrops in Kidd township. You have been there no doubt?

He has not said that the outcrops were chalcopryite, greenstones, or some other ore-bearing formation. But there were two outcrops. I suspect, in anticipation of his reply, that they gave no indication of ore-bearing formations at all.

I am told that the ore body is—how many hundred feet?—100 feet or 150 feet under the overburden swamp. Swamp, I have seen it. It was the only helicopter ride I ever had in my life, and it will be the last I hope. It was when we were taken over that swamp and shown where the ore body was.

Unless it is a complete and utter snow job, we require a great deal more information from the minister about the role played by The Department of Mines in the location of this great body of mineral wealth.

But the thing that really bothers me about it—really bothers me, and it is no secret, as I

indicated the other day—it was the T millionaires that found it; an American company, instead of one of our own Canadian companies like Noranda, Hollinger or De one of those.

Then we had to watch that spectacle going through the courts for eight or months as they warded over the owner of it. I know nothing about the merits of the litigation, but it just seems that in dispute, the Americans always win. It ended up with a bundle.

**Hon. A. F. Lawrence:** Friends in the government.

**Mr. Sopha:** The minister has not convinced me. This is—

**Hon. A. F. Lawrence:** Suppose we send a copy of the map?

**Mr. Sopha:** All right, let me turn to maps. We conducted research in The Department of Mines—that is where this information comes from—and we were told in 1967 there were only 25 detailed geological maps produced by the department.

**Hon. A. F. Lawrence:** In 1967?

**Mr. Sopha:** In 1968 the number was We were also told that—

**Hon. A. F. Lawrence:** Does that not conflict with the figures you were giving us other day?

**Mr. Sopha:** No, no. I pointed out the other day that in Timiskaming we were told there were only 15 detailed, up-to-date geological maps—

**Hon. A. F. Lawrence:** In total?

**Mr. Sopha:** In total, and completed during the last 10 years. Those 15 maps cover only 24 townships; there are 164 townships in the district and only 24 have been mapped. I did not understand the import of the minister's submission; is he telling us to understand him correctly? Is he telling us the whole of the northern part of the province is mapped? Are you telling us the whole of the northern part of the province is mapped?

**Hon. A. F. Lawrence:** No. I am saying with a detailed map of two miles to an inch—which is the basic reconnaissance map that we utilize and which is a fairly detailed map; and is now available for just about the whole of northern Ontario—the estimate shows how changes can happen even in a year. A decade ago, the most reliable

estimate was that it would take 30 years to complete it all. We are saying we have just about completed the job now; it will be completed by 1973.

**Mr. Sopha:** Yes, but we were told that 10 years ago.

**Hon. A. F. Lawrence:** In relation to the maps of the district of Timiskaming, I do not want to hold up the House any longer on it, but all I can say to you is that we will send you the index, if you wish, tomorrow and you can count them yourself. There are now 92 detailed, up-to-date, modern maps of the district of Timiskaming alone.

**Mr. Sopha:** How many townships?

**Hon. A. F. Lawrence:** Ask them yourself. How many townships? I have not the foggiest idea of how many townships there are in the district of Timiskaming.

**Mr. Sopha:** There are 164, we know that. How many maps—

**Hon. A. F. Lawrence:** I am sure that the whole of the district of Timiskaming is covered. I am not too sure about that, but the bald statement is wrong that there are only 15 up-to-date maps produced for the district of Timiskaming in the last 10 years. I am saying there are 92 of them.

**Mr. Chairman:** Vote 1302. The hon. member for Timiskaming.

**Mr. Sopha:** I would like to know who to call in that department to get information—

**Mr. D. Jackson (Timiskaming):** Mr. Chairman, we would like to qualify what the minister has said. I agree with him that the geological branch has done a good job but at the time I said that, I said "within the scope they were allowed." I have also said that they could have done much more if they had been provided with the material and the chance to do so. As far as two outcrops in the Texas Gulf discovery are concerned, the only thing I can say is that maybe it was a rock outcropping of a Tory and a Liberal in the making.

**Mr. Sopha:** Oh, God!

**Mr. Gisborn:** Sure.

Interjections by hon. members.

**Mr. Jackson:** We need a little bit of whatever it was!

**An hon. member:** Be sure it was recorded in the law of the land.

**Mr. Jackson:** Nice to see the member Humber back.

**Mr. Chairman:** Vote 1302.

**An hon. member:** Let me record that member for Humber (Mr. Ben) was the who laughed.

**Mr. Jackson:** Mr. Chairman, I am working about two points, to get away from subject they have been harping on for last half hour. Not too many months ago Minister of Lands and Forests, I believe in on a conference which took place in N. toba; a conference of provincial resource ministers. At that time they were talking about a bank of geological information. What has come out of that conference and what is being done now to bring in a Canada-wide bank of information?

**Hon. A. F. Lawrence:** Perhaps the Minister of Lands and Forests was involved in another conference, I do not know. Last September I convened a meeting here in Toronto of the provincial mines ministers from across the country. One of the subjects being debated then was not the setting up of a comprehensive computerized geological retrieval system, but the actual ways it should be done and who would have control over it.

The final determination made was that various provincial departments of mines and their equivalent, would continue with their work of coding and getting ready for retrieval systems. A nation-wide index of information would be available through the Geological Survey of Canada, which, in turn, would be tied in with the circuit of each of the provincial banks. In effect, the banks themselves would be situated in each of the provincial departments.

The federal people would have the circuit through the Geological Survey of Canada, electrically tying-in with the circuit so that the information would be available anywhere in any of the provincial capitals and Ottawa. The geological survey would have the duty of co-ordinating and acting as a national liaison group in the spectrum. Locally, the bank remains in the control of provincial departments across the country.

**Mr. Jackson:** What is happening?

**Hon. A. F. Lawrence:** What is happening to it? In our case we have had one independent study group proceeding at the University of Western Ontario in respect to one aspect of the mineral industry and the geological information available to it. They are trying to come

with the proper computer system approach to a business such as retrieving geological data. I am not capable, quite frankly, of getting into computer language the way the experts do. But by the time I go through five paragraphs of it, that is what it boils down to in my mind.

We have now finished with that study in Western. We have, I believe, pretty well adopted the system that has been recommended to us by them. We are proceeding with the coding system so that this immense amount of material and data that is now available to us can be fed into these computers at the proper time. I am sorry I cannot tell the member when that is. It is a complicated procedure but I think we are up to schedule on it. And we will have a model system, Dr. Thomson tells me, within six months, ready to go.

**Mr. Jackson:** Another question on the same subject.

**Hon. A. F. Lawrence:** This the first time, by the way, that this has been attempted on this scale anywhere, as far as we know, in the western world. I think we should be quite proud that Canadians, in general, are pioneering. They do not have anything like this anywhere else. When we get the thing done, it will be a national, computerized system of all the known geological data from private and public sectors.

There must be some limitations on the material supplied to us from the private sector, though, in relation to what can be released. It cannot all be released at once. The private people, quite rightly, will be putting a few limitations on it as far as the number of years before it can be released. But we are quite satisfied with it and we have our work well cut out for us in any event.

**Mr. Jackson:** I cannot miss the opportunity to say to the minister that while we pioneer this, we stay so far back in other things. But to get away from that again; in the phase of developments when someone goes in to develop a piece of property and does drilling work and assessing work, are there any mandatory provisions at the moment which say they have to bring the information back to the government so it can be banked?

**Hon. A. F. Lawrence:** Yes.

**Mr. Jackson:** Or do they drill for their own knowledge only?

**Hon. A. F. Lawrence:** Yes, I was incorrect when I said there was no compulsory pro-

vision. There are compulsory provision respect of the assessment work credits, I am sure the hon. member for Sudbury the member for Timiskaming appreciate aspect of it. There is a compulsory turn to the department of the work on which claim assessment work credit on drilling

**Mr. Jackson:** Only drilling?

**Hon. A. F. Lawrence:** On drilling, have extended this in the last few years a few other fields, geochemical and geophysical work as well. But over and above assessment work credit, there is no mandatory or compulsory turnover of the data to us. We are finding now a growing co-operation within the industry. As I say it is flowing us in such masses that we are having a time keeping up with it. At the moment we feel that it would serve no purpose at all to make all of the geological work that is being done compulsorily turned over to us. The department people are satisfied with the way that is coming in to us and we feel we are getting the majority of it.

**Mr. Chairman:** The hon. member for South.

**Mr. Sopha:** What do you say we carry over?

**Mr. Jackson:** The member means he had his say and—

**Mr. Chairman:** Order! The hon. member for Timiskaming has the floor.

**Mr. Jackson:** Just to follow along on this. One of the things I see happening is that although we gather some information together, we claim every day that we are raising enough money in order to fund the work of development on all these properties. Yet, if a lot of this information were made available, we would find that many of the companies that are in so-called development right now are drilling on properties that have been drilled 20 or 25 times. The same development work they are supposedly doing has been done over and over again.

Surely this should be part of the department's responsibility, to let the public know if and when they ask for it? The department should be able to tell them whether or not they can expect a reasonable showing on their property. It might make it much easier to raise money when, as I say, we are complaining we are not able to raise it to do the work.

But to get away from that for one moment

**Hon. A. F. Lawrence:** May I just comment on that? I think at one time the member's criticisms would have been perfectly valid, perfectly true. But, as I say, times are changing very rapidly. Attitudes are changing very rapidly, not only from government to industry but the industry's view of government as well. We hope we are working in partnership with them.

In any of those fields where work was done for assessment credit, in respect of that claim or that lease, the work done will be known to the local resident geologist and, in turn, here at headquarters. It is all available and is used very regularly and very openly by everybody in the industry. I do not think the criticisms the hon. member makes now are as valid as they would have been 10 or 15 years ago. Things have changed.

**Mr. Jackson:** But still valid.

**Hon. A. F. Lawrence:** No, I do not think so.

**Mr. Jackson:** Just one more question. There were negotiations going on with the federal government for the underwater mineral rights in Hudson Bay. Can the minister tell us at what position those negotiations are at this moment, and how Ontario fares in the negotiations?

**Hon. A. F. Lawrence:** The government of Canada made certain propositions to each of the provinces. These propositions are being studied within the government, and in due course the position of the government of Ontario will be made known to the government of Canada. It has not yet been made known to them because we are still attempting to make up our minds about the validity of certain questions and certain positions taken. Also, I do not think it is any secret we are looking for alternatives.

**Mr. Sopha:** The minister has not told us any secrets up to now.

**Hon. A. F. Lawrence:** In any event, I think this question could be more readily answered during the estimates of the Minister of Lands and Forests, who now has, in the lawyer's phrase, "carriage of the action". He is heading the study group within the cabinet which is looking at this picture.

The reason it has gone to Lands and Forests, even though we are talking about mineral rights, is because the Minister of Lands and Forests has the surveyor general within

his department. Essentially, this is a matter of drawing lines on maps, more than anything else.

**Mr. Jackson:** Maybe that is true. Because, basically, this is a mineral problem you should be so deeply involved you should know all about it, rather than going to the minister and saying it is his problem. I do not; it is yours.

**Hon. A. F. Lawrence:** I am deeply involved and I am part of the group. But the man who is heading it and the man who should make the announcements and who should give the policy considerations once they have been formulated, should be the Minister of Lands and Forests.

**Mr. Chairman:** The hon. member for York South.

**Mr. D. C. MacDonald (York South):** Chairman, we have been talking for a considerable time about old-style mapping and surveying. This has developed quite an overwhelming sense of futility in the mind of the member for Sudbury. He may be right. Maybe we are living in the past and we should move into the future. This year, so I am informed from reading the public press, satellites are being put into the stratosphere by the United States—

**Mr. R. H. Knight (Port Arthur):** I said so last year.

**Mr. MacDonald:**—which will be surveyed—if you said it, they did not respond.

**Hon. A. F. Lawrence:** Yes, I did.

**Mr. MacDonald:** I asked the Prime Minister (Mr. Robarts) some two or three weeks ago as to whether or not Ontario had any direct or indirect involvement through the Canadian government in this. The Prime Minister said he did not know. He said he would respond later and he has not.

Now, the information communicated in a letter to the *Globe and Mail* some three or four weeks ago was that literally every square foot of northern Canada is going to be surveyed by these American satellites and the information would at least give all our cover survey data. The suggestion by the head of a department at McMaster University who presumably is knowledgeable in a technical sense in this, was that very quickly they were going to be able to get into some better surface surveying information. If the minister is familiar with this—

**Hon. A. F. Lawrence:** We are involved; very definitely we are involved, being part of the national committee in respect of this project. It is tied up with the Geological Survey of Canada, I believe, as well. The only way I can explain it in my layman's language is that it is a remote sensing study that is being carried on. It is a completely Canadian project; it is not an American satellite, as far as I know. It is a study and a programme that is taking place in collaboration with the federal government; we are involved, not only on a consultative basis, but our people are actually members of the national study that is looking after it.

This sensing satellite that will go up will not only, as I understand it, produce more up-to-date visual maps; they will have a geological value as well, because these sensing probes on the satellites will assist us in deciphering what is underneath the overburden as well. Again, we are into a very technical field that I am not capable of explaining to the hon. member, but that is the sense of the matter that I get out of it.

**Mr. MacDonald:** Am I not correct when I say that this new kind of satellite surveying is going to render the previous mapping and surveying pretty old style and useless?

**Hon. A. F. Lawrence:** No.

**Mr. MacDonald:** Why so? To what extent? In this letter from the head of the department at McMaster University, he suggested that at this stage they would not be able to get any significant amount of below-surface information, but very quickly the techniques were going to improve and they would have that too. Are we not moving into a period in which the old style of surveying is going to be relatively useless?

**Hon. A. F. Lawrence:** No, I do not think so. My understanding of the advances that have been made is that they have been pretty terrific in the last few years, but they have not yet bypassed the very great amount of detail that can be shown, for instance, by a helicopter survey and matters like that. I think it is more a question of scale than anything else.

**Mr. MacDonald:** I just want to get this point very clear: all of the information from this survey is going to be available to Canada because, strangely enough—I just hope we are talking about the same thing—you said that this was a Canadian committee and that Canadians were doing it. I am sorry I do not have the clipping with me, but this was

an American satellite, and this technically knowledgeable person was saying, "Is Canada involved?" and I would think he would think that Canada would be involved.

**Hon. A. F. Lawrence:** My understanding is that there are two satellite programmes under way, one American and one Canadian. The one we are involved in is the Canadian one.

**Mr. Chairman:** The hon. member from Thunder Bay.

**Mr. Stokes:** I want some detailed information from the minister, if I can. He made an announcement here, sometime during the winter, about a detailed geological survey that would be conducted by his department in the Beardmore and Rossport areas. Could you elaborate on that and tell me what the nature of it is? How will this knowledge be handled and what are the prospects of using it for some development that is needed in the area?

**Hon. A. F. Lawrence:** Well, this is part of the ongoing detailed geological mapping that the hon. member knows. We had a party in the field last year; this is being extended to next year in the same area, and I suppose it is in the form of cleanup work. We have far more geological parties every summer now in the field than we have ever had before. Every year we have been increasing the number of parties and we have been trying to balance them out in the areas where we think the potential lies and to fill in the gaps that do exist in our various series of geological maps and sections and maps that we have.

The maps that will be produced as a result of this work, first of all, come out in—well, I should not use the word—a very crude form. They come out in a black and white; then, later, they are reproduced in extremely technically perfect coloured maps. We have one of the best cartographic units in the North American continent right here in our own Department of Mines, something I was not aware of until I became minister. I do think very many of us are.

**Mr. Stokes:** Well there is nothing intentional or unusual about this?

**Hon. A. F. Lawrence:** No, it is part of a general ongoing programme. There is a very great field, no great deposit that we know of, no single specific occurrence that we are looking for in relation to this. It is part of the overall ongoing production of these detailed maps. I should say to you, though, that the industry is very aware of this work we

and these maps, when they first come out, are in very great supply. So much so that it is almost like a tendering system now. We have to advertise in advance the exact place, date and time these maps are going to be released, because sometimes they are almost breaking down the doors to get to them. But our hope, of course, is that this encourages development and exploration work in the areas about which we produce the maps.

**Mr. Chairman:** The hon. member for Port Arthur.

**Mr. Knight:** Mr. Chairman, I want to speak on this satellite that earlier conversation has alluded to. I wonder if the minister will recall, in his estimates of last year, that the suggestion came from the official opposition critic, at which time the hon. minister said he was not aware of the satellite but would investigate. I think, to set the record straight, it should be indicated that the idea originated in this House.

The other thing I am interested in is the fact that the comments of the hon. member for Sudbury indicated to me that he is trying to find out—at least this is the idea that it conjures up in my mind—if The Department of Mines for the province of Ontario knows as much, or more, about the mineral resources of this province than those two great giants, private industry and the United States of America.

Perhaps I was not in the House when the minister answered this but I, for one, would like to know once and for all, do we know more or do we know less? Do we suspect that we know less and, if we do, are we prepared to spend the money to enact methods of survey and so forth, to study, to catch up as quickly as possible and surpass, so that we have knowledge; knowledge that is control? We cannot control what we do not know, and if the great mining magnates know more about our own natural resources than we do, they are in a better position to connive these away from our people. And I would suspect that the mining magnates' strongest connections are not with this province or this country but preferably with the rich country to the south.

I think it is a good time in the history of this province to be frank, considering some of the articles that I have read in the press. In the Toronto *Daily Star* last night, as a matter of fact, there was quite an article indicating that, by 1980, the needs of the United States of America would be so great that they would just simply have to reach

out their tenacles into our country and whatever they could just out of pure r

So, I think it is a time for us to be honest and frank and state, once and for all, what this department's position is. Do we know, do we feel that we know, as much as there is to know, more or less, in regard to our mineral resources? Are we honest enough to state it and, if we are behind the rest of the world in terms of mineral resources, are we honest enough and intelligent enough to apply the money and the methods through this department to catch up with the rest of the world or to surpass so that we can maintain control?

**Hon. A. F. Lawrence:** How do you answer a question like that? Or was it a question? Obviously, we think we know more about the geology of Ontario than does the federal government or the state of New York or anything like that. Obviously, we think we know more about the geology of Ontario than does any private or public company operating in Ontario or out of Ontario.

**Mr. Knight:** That is obvious.

**Hon. A. F. Lawrence:** Well I mean I do not know. I would not know one end of the core or log from the other, any more than the hon. member would. Again, I can rely on the advice of my officials and, obviously, we think we know more about it but who can tell? What other answer can you give you than that?

**Mr. Knight:** Mr. Chairman, for the rest of this state and this point in time, the Department of Mines for the province of Ontario knows more than anybody else. The mining industry and the United States of America are the people who have gone to look down there; the people who are trying to look ahead and plan their future in mineral resources. The minister is saying that, as he is concerned at this time we do not know more and we are quite comfortable. Is that right?

**Hon. A. F. Lawrence:** Yes.

**Mr. Sopha:** To test you!

**Hon. A. F. Lawrence:** I mean, really, we do not make it available. We do not hide our geological data from the American government or the people if they want to see it, or private industry people if they want to see it. What knowledge we have is public knowledge.

**Mr. Sopha:** Let us test your knowledge.

**Hon. A. F. Lawrence:** No, do not test me. You are liable to show me

**Mr. Knight:** In other words, The Department of Mines of Ontario is engaged in the business of assisting an American takeover of our mineral resources. Is that right? That is what you agreed to.

**Hon. A. F. Lawrence:** I am saying that, as the spenders of the public money in respect of mining development and the retrieval of geological data, we make that information available to anybody who wants to see it. If this Legislature feels that there should be restrictions placed on that, then out with it. Let us hear it.

**Mr. Sopha:** No. It is the other way. It should be compulsory for people to give you that.

**Hon. A. F. Lawrence:** Now, come on now, get together.

**Mr. Chairman:** The hon. member for Hamilton East is trying to get the floor.

**Mr. Gisborn:** Mr. Chairman, through you to the minister. It seems in this department, and maybe I am trying to answer for myself some of the questions put by the member for Port Arthur, what do we know about what is going on? This department, of course, has some of the important responsibilities. What are there—two, four, six, eight, nine—sections to the department and the amount of money is some \$2.351 million.

I wonder if the minister could tell me what revenue he expects in the year 1970-1971 from this branch? We have the estimated expenditure; does he know or have any idea what the revenue might be from either just one branch or from the mining department as a whole?

**Hon. A. F. Lawrence:** This particular branch is not a revenue-producing branch. We do sell maps and what not, but that again goes over into another branch. This is a spending branch; this is not a revenue-producing branch. Our revenue comes from the fees, taxes, licences, and the sale of publications. None of those things is handled, as far as the sale to the public is concerned, through this particular branch at all, so the revenue from this particular branch is nil.

The expected revenue for the whole department for the forthcoming year is somewhere in the nature of about \$28 million. We are, by far, a revenue-producing department as far as the expenditures are concerned. You have the estimates in front of you so you can see what the total estimates for our expenditures are. We feel we are a revenue-

producing department for the government as a whole.

**Mr. Sopha:** Where is the mining branch?

**Hon. A. F. Lawrence:** Right here.

**Mr. Sopha:** Where is it in the estimates?

**Hon. A. F. Lawrence:** The very first vote.

**Mr. Sopha:** Yes, but where does it fit to it in the estimates?

Interjections by hon. members.

**Mr. Chairman:** The hon. member Hamilton East has the floor.

**Mr. Sopha:** Can I rise on a point of order?

**Mr. Chairman:** What is the point of order?

**Mr. Sopha:** If you stop talking I will talk to you.

**Mr. Chairman:** If you speak, I will listen to you.

**Mr. Sopha:** The minister was talking a revenue a moment ago. And I asked him is getting a bit frivolous at this hour of night—to point out to me where the mining tax branch is identified in the estimates. He gratuitously told me that we passed it. Unfortunately my eyes fail me—

**Hon. A. F. Lawrence:** No. I said it was the first vote; the financial administration and administration.

**Mr. Sopha:** Where is the mining tax branch?

**Hon. A. F. Lawrence:** That is it.

**Mr. Sopha:** There used to be a mining branch in this department.

**Hon. A. F. Lawrence:** No. I am told it did not have a licence.

**Mr. Sopha:** The man who headed it is in front of you.

**Mr. Chairman:** What is the point of order?

**Mr. Sopha:** It is a branch.

**Hon. A. F. Lawrence:** It was never a branch. I mean it administered the mining tax.

**Mr. Sopha:** Yes.

**Hon. A. F. Lawrence:** I am sorry, Mr. Chairman, I am out of order.

**Mr. Chairman:** The hon. member for Hamilton East.

**Mr. Gisbom:** Just to pursue my concern and self-education in this department. I mentioned a great number of departments that must provide a very elaborate and technical and detailed service to people in the mining industry. I wonder if the minister, or his department, has any renewed knowledge of what kind of risks there are now left to exploration and mining development by industries. It would seem to me that if one takes advantage of the services of this department, he is almost told where the mineral is. His job is only to provide the revenue, the capital financing, to do the digging. Is that not correct?

**Hon. A. F. Lawrence:** No. You know what my knowledge of the mining industry was before I got into this job. There are those of you who say it is about equal now to what it was. One of the fascinating things about getting involved with industry in this department is that the whole thing is still a great big gamble, no matter what they produce in the way of sophisticated electronic equipment as far as exploration is concerned.

Even in diamond drilling, they run the drills right into the earth, and they get tremendous-looking core, lots out of it. They still do not know until they really get down and start digging the stuff out exactly what they have got. It is still a large gamble. The risks inherent in an operation like this are still tremendously large.

That, I suppose, is part of the fascination of the whole thing, really. I would like to think that this industry is the last refuge of the old-time entrepreneur. He is a gambler in a big way and many of them go broke before they produce anything. As a matter of fact, I suppose the majority of them do, but it still is an extremely fascinating business to be involved in.

**Mr. Chairman:** Vote 1302. The hon. member for Brantford.

**Mr. M. Makarchuk (Brantford):** Mr. Chairman, to discuss the minister's last statement, that the mining industry is such a nebulous gamble and so forth, I would suggest that what he is saying is a lot of nonsense. It is no longer a nebulous gamble he is talking about. We have sophisticated electronic measures; we have markets that you sign for beforehand. You know what your products are going to be; you know what you are going to sell them for and you know what you

are going to make. All the mines that into operation with the smelters can properly predict what their profits are going to be for the next number of years.

Let us not buy that old baloney that prospector is going out in the bush. The prospector these days does not have a chance. He does not have an opportunity to go there and develop a mine. He is in a position. If he discovers it, he finds he cannot raise the capital to go ahead to try to develop this thing into an operating proposition.

What I want to get back to is the minister stated that the geological services are not a paying department. I gather that the department itself, The Department of Mines, took in \$28 million. Is that correct?

**Hon. A. F. Lawrence:** I must correct you now. I have had more recent figures supplied to me. We now estimate that, with an increase in taxes and what not we put in, next year we should be up over the \$34 million mark.

**Mr. Makarchuk:** This \$34 million is what the people of Ontario take in from the mining industry? Of course, you lay out to—

**Hon. A. F. Lawrence:** No. I am sure the hon. member does not want to mislead the House.

**Mr. Makarchuk:** The normal taxes and royalties. This is something everybody else has to pay. But the individual who operates a business—he builds this hardware store or grocery store and so on—does not have to go to the people of Ontario and ask them, "May I borrow your land or may I use your ground or your ore?"

But, you collect \$30 million and you spend \$9.865 million out of a \$1 billion industry, Mr. Minister. In other words, what you are doing is that out of \$1 billion, or out of \$1,000 million are getting roughly about \$21 for the people of Ontario. You think this is a big deal, is it not? Any—

**Mr. Chairman:** Order! Vote 1302 is on provincial geological services and the hon. member's remarks were out of order on that vote.

On vote 1302?

**Mr. Makarchuk:** We were discussing exploration and the minister stated that the geological services are not self-sustaining. I think the minister possibly should look at



**Mr. Chairman:** I should also inform the hon. member that there is nothing in this particular vote by way of revenue.

**Mr. Makarchuk:** By way of—pardon?

**Mr. Chairman:** Revenue; the provincial geological services—

**Mr. Makarchuk:** The minister did make the statement that the revenue coming in does not pay for the service. Perhaps it is something the minister should reconsider, and at least make the people who are using the service pay for it, because, after all, they are garnering something close to \$1 billion in this province.

**Mr. Chairman:** On vote 1302. The hon. member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** I hope this comes under this vote. It is a problem that has to do with exploration in diamond drilling to establish what goes on under some of the rivers and lakes in the province. I am told by a tourist operator in my riding that there is a lot of grease and oil left on the ice in the winter time and there is a serious pollution problem.

Has the minister's department made any studies in this matter and are they setting down any standards for these diamond drill companies to measure up to, so that this kind of problem will not become more serious and widespread in the months and years ahead? The tourist people are quite concerned about this; I wonder if the minister would have a comment on it?

**Hon. A. F. Lawrence:** Yes, I do. There have been complaints to us—and I may say I do not want to confuse the hon. member. This is out of order, too. It should be in the mining lands branch vote, but let me answer it anyway, because there is a certain geological connotation here.

We are concerned about this, and where we are notified about it we do our utmost to make sure that it is cleaned up and charged to the operator. Where we think there is a danger of that type of thing, we certainly try to put in safeguards as far as removal from shore is concerned. We also put in conditions in respect of when it can be done in the winter, if it is a summer resort area, and what not. But in the main we do rely on the technical advice of the Ontario Water Resources Commission in respect of these matters.

We are concerned about it, and if the hon. member has specific details that he would

like to give me about any occurrences will do our utmost to try to make sure those who abuse the privileges that they been given in this respect—because it privilege—are punished; or we will make that the occurrence will not happen again.

**Mr. Chairman:** On vote 1302, the member for Humber.

**Mr. G. Ben (Humber):** Mr. Chairman, could the minister tell us how many Indians graduated from the course the geological services branch is giving and if they are employed, and if so, what are their earnings?

**Hon. A. F. Lawrence:** We do not have geological courses. You mean the prospecting classes that we hold across the province in the Indian reserves and for the junior foresters and what not?

**Mr. Ben:** You are giving courses in mineral exploration at seven places in Ontario and among the people being trained are Indians and I was just wondering how many—

**Hon. A. F. Lawrence:** Is that the advanced prospecting classes, or the initial prospecting classes you mean?

How many received the lectures last year? There are about 12 different places. There were two basic courses given, an advanced one and an initial one, and then there was a sort of advanced advance one given in the field last year as an experiment that worked out quite well, but again, this is an ongoing thing now. At one time we used to do it only in the summer; now we have it in different places throughout the year. As a matter of fact, we have a special staff to do this all year round now.

I can get the figures. I am sorry I do not have them with me here at the moment, if the hon. member is that interested he could certainly get the total number of people who have attended the classes.

I am not trying to be unkind or snide about it, but I think when the hon. member was away the annual review of the department was distributed in the House. I think if he will look around his desk he has a copy and the figures are in there on page 141.

**Mr. Chairman:** Vote 1302?

**Mr. Ben:** I am sorry, Mr. Chairman.

You run a basic course in mineral exploration in seven places and in four different places you run a special course for Indians.

What I want to know is how many graduated from these courses and what they are doing now—what effect did it have?

**Hon. A. F. Lawrence:** Oh, I see what you mean.

No, we do not hand them a graduation diploma. We do not call them prospectors certified by The Department of Mines, or anything like this.

They are sort of seminars. We are trying to awaken an interest in the people on the reserves of the potential that exists, not only for them, but for the public as a whole, by keeping their eyes out for geological occurrences.

It varies from place to place, quite frankly, in relation to the education of the people on the reserves. And, of course, this varies from reserve to reserve as well, and it varies from area to area, because the geology is different.

I hate to be so vague about it but that is all I can say. They are really in the nature of instructional courses, seminars almost, where lecturers go in and spend some time with them. I do not believe there is a set course for the Indian courses. As I say, they vary from place to place.

**Mr. Chairman:** Vote 1302?

**Mr. Ben:** I have another question that may not be proper, and if it is out of order the Chairman can so rule.

The hon. member for Brantford raised the issue about big companies moving in and prospectors not having a chance. Has the minister any idea of what grubstaking facilities are available up north and could the minister tell us since he changed the prospecting rules whereby you can stake almost any number of claims, how many claims have been staked by individual prospectors and how many by prospectors engaged by large companies? Has he that information?

**Hon. A. F. Lawrence:** No, we really do not.

The licences are issued in the names of individuals. These individuals, of course, have their own deals with larger companies and other individuals.

This was the difficulty before, quite frankly. The rules we had laid down could not be policed, in any event, because people were doing them in trust for other people; they were nominees of other people. They were being held in all sorts of different ways. There was simply no way of dealing with it at all.

The biggest thing respecting grubstaking of course, is the availability of finances. The hon. member, I am sure, in his day of practice of law has more knowledge of the availability of finances for these people today than quite frankly I would have. There is still a great deal of individual grubstaking and prospecting taking place in the province. I can assure the hon. member of that.

**Mr. Ben:** Could the minister run a survey to determine how many prospectors up north are more or less on retainer by big companies and how many are still entrepreneurs?

**Hon. A. F. Lawrence:** Well we will look into it. I am not just too sure quite frankly of the implications of having people fill another needless government form. It may be of interest. Let me take a look at that will you? Do you have reasons for it?

**Mr. Ben:** Yes I have; if this may be permitted, Mr. Chairman? I opposed the amendment embodied by the hon. minister a couple of years ago. I felt that the minerals in the province are going to be vested in large syndicates and in huge international corporations and in monopolies. This is what bothered me when you permit them to stake as many claims as possible. It disturbed me that you have not set what I call a depletion tax to tax these foreign firms for taking so much out of our soil.

I would like to know the result of the government's introduction of those amendments which opened unlimited lands in Ontario to be staked by large corporations because this in essence is what the minister did. He just enabled companies to send hordes of prospectors and, in essence, they may be pardoned for using such an expedition, the prospectors were prostituting themselves to large corporations. I would like to know what has been the effect in the few years. Take a look at it.

Thank you.

Vote 1302 agreed to.

On vote 1303:

**Mr. Chairman:** Mine safety and public protection; the hon. member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Chairman, I would like to know the specific function of inspectors in the mines.

**Hon. A. F. Lawrence:** I missed the first couple of words of the hon. member's statement.

**Mr. Martel:** I would like to know the specific duties of mine inspectors in relationship to what they are supposed to attempt to discover as they make their trips through both surface and underground operations, not only in the Sudbury area but in general. I would like the minister to reply to that before I go on, if he would.

**Hon. A. F. Lawrence:** Yes, the duties of the engineers in The Department of Mines are to enforce The Mining Act.

**Mr. Martel:** I did not quite hear that, Mr. Minister.

**Hon. A. F. Lawrence:** I said the duties of the engineers in The Department of Mines are to enforce The Mining Act.

**Mr. Martel:** But have they got the function of going around, and if they come across something that is wrong—

**Hon. A. F. Lawrence:** What do you mean by wrong?

**Mr. Martel:** Well, not proper. It could be hazardous in a health sense. Do they enforce this?

**Hon. A. F. Lawrence:** We like to think that we have mining safety standards in The Mining Act, as the hon. member knows. If it is contrary to The Mining Act, it is wrong. If it is not contrary to The Mining Act, then it is right or The Mining Act should be changed and, as the hon. member knows, we are in the process of changing The Mining Act.

**Mr. Martel:** I want to set that right. Mr. Minister, when we discussed The Mining Act some time ago, I put forward the fact that there were a good many deaths in the Sudbury area. The minister at that time suggested I might give reasons for these deaths because so frequently the company gives the impression it is all carelessness on the part of the employee. Now, I accept the fact that some of it is carelessness.

**Hon. A. F. Lawrence:** I have never made such a blanket statement. Come on, now.

**Mr. Martel:** I did not say it was a blanket statement. I am saying you give the impression that there is a good deal of carelessness. This year there have been a greater number of inquests than in the past year and I want

to deal with one, Mr. Chairman. The inquest was held just last week into the death of Poirier on March 9. I alluded to this particular case when we discussed the mining because—

**Hon. A. F. Lawrence:** Which one was Poirier?

**Mr. Martel:** That is right.

**Hon. A. F. Lawrence:** Was this the last one?

**Mr. Martel:** That is right. The inquest was held last week.

**Hon. A. F. Lawrence:** I know, but was the occurrence again? I do not think I got a report on it.

**Mr. Martel:** The man was standing on a muck pile.

**Hon. A. F. Lawrence:** Oh yes, he was standing on a muck pile.

**Mr. Martel:** Yes.

**Hon. A. F. Lawrence:** Okay, we have it.

**Mr. Martel:** Now the man was working. There is no question the man should have a safety line on at the time.

**Hon. A. F. Lawrence:** Right.

**Mr. Martel:** I do not dispute that.

**Hon. A. F. Lawrence:** Okay.

**Mr. Martel:** But, Mr. Chairman, during Easter recess, one of the four men—alluded about this to you when we discussed the mining bill—one of the four men contacted the Mine Mill union and wanted to talk about this particular case to me. I agreed to meet with him on a Thursday evening. He felt he was probably going to be the goat in this instance. He was going to be the man who was probably going to be ousted and he wanted to talk.

We agreed to meet on a Thursday evening and the same evening—this party is Dravo but MacIsaac—MacIsaac called a meeting of all of the people involved in this specific incident. Thereafter, this man did not want to talk any more. I am suggesting in this case, Mr. Chairman, there is a cover-up and I am going to detail why I say there is a cover-up.

**Hon. A. F. Lawrence:** This would have been after we had made our investigation but before the inquest. Is that right?

**Mr. Martel:** Right. I say there was a cover-up.

First of all, your investigation got started four hours late, as I understand it. The incident occurred at 5:30 or 6 o'clock at night and the woman, Mrs. Poirier, was advised, when she contacted the mines, that they were going down underground around 10 o'clock at night.

By the way, Mr. Minister, Mrs. Poirier came to see me this past weekend, with respect to this matter. Not at my request—she came voluntarily.

If I have given the impression that International Nickel was in a class by itself, Mr. Minister, when it comes to the construction companies in the mining industries, International Nickel does not even hold a candle to it for a lack of safety—a total disregard of safety—and all in the interest of development and productivity.

In fact, in Mrs. Poirier's words—

**Hon. A. F. Lawrence:** You are talking now about the independent contractors? The tunnelers and the—

**Mr. Martel:** Right! They make Inco look like fairy godmothers, really they do. They are that bad.

Mrs. Poirier, when she came to visit me this weekend, made the following statement:

“It is common knowledge that men either produce, regardless of conditions, or they are fired.”

It is as simple as that. They do not have a union and they are fired. This is what leads to the problem.

What disturbs me, Mr. Minister, is that, for example, four out of five incidents, I believe, of fatalities in the Sudbury area since the new year have been with the construction companies.

They all give the impression that the men are so negligent. When you start to dig into it—and I go back to the point that this man wanted to talk to me because he thought he was going to be the goat—you find it was covered up; and we will come to this. At the inquest the interesting thing that came out—and I have checked with a number of people who have been at a good number of inquests—the MacIsaacs had lawyers there, and each of their witnesses asked for the protection of The Canada Evidence Act, which I am told is unusual at an inquest. I do not know, I am not a lawyer, but I am told it is unusual.

**Mr. Sopha:** It is very ordinary.

**Mr. Martel:** I am told by those who have taken part in a good number of inquests that it is unusual. I do not know.

One of them, in fact, also asked for protection of, I believe, The Ontario Evidence Act as well. As I understand this, it is only in the case of perjury that evidence has to be given by these people in future.

What was interesting about this case, Mr. Minister, was that each of the witnesses who were in the area—from the shift boss to the Falardeau to the stope leader—every one of them agreed that none of these men wore safety lines on and that they were never in the practice of wearing safety lines. In fact there was only one hooked, and there were only three at that level where four were working. And this had gone on for months and months.

I wonder where mining inspection stands when they can go on for months with that sort of practice. And it is common knowledge, Mr. Minister, it is common knowledge.

This is why, on four or five occasions I have invited you to come to the Sudbury area to discuss the situation with a wide variety of people. It is common knowledge. Every man who works for Dravo or MacIsaac will tell you there is no safety.

And I wonder when the four witnesses in this inquest all admit, from the shift boss down, that no one ever wore a safety line or a safety line; and that only one line was in position and two were still rolled up 100 feet away from where they were working on the stope or the pile of muck—I wonder when the inspection is when this goes on for months after month.

Certainly there is carelessness and certainly they should all be penalized, I agree with that. But not at the cost of a life! We pay for inspection, and I think it is time we demanded this. There are too many deaths which seem to be straight carelessness; but so much of it is in the interest of production.

You know when you talk to a woman whose husband was killed just recently and she tells you that this is common knowledge among the men who work for MacIsaac, you either produce or you get out.

I think in this instance, Mr. Minister, when none of them was wearing a safety belt even a man is violating The Mine Safety Act—a law that includes the officials of MacIsaac and includes the officials of Falconbridge Nickel. It includes your staff, because this has gone on for months.

It is in the *Sudbury Star* you know, and they do not print anything that is adverse

It is there, and every one of them, Mr. Minister, is responsible.

I am not asking for protection of men who violate The Mine Safety Act. I am asking for protection of all the men. Safety comes first, and you start to put the production up or you start to develop only when it is safe.

There are too many deaths in our area, sir, far too many. I do not care who gets rapped on the knuckles. If it is the man himself, all we are going to be doing is saving his life. But these two companies are just atrocious; as I say, they make the International Nickel Company look like the fairy godmother.

**Hon. A. F. Lawrence:** May I comment? First of all you are not saying that regulations or the Act are at fault?

**Mr. Martel:** No!

**Hon. A. F. Lawrence:** Right! In respect of any enforcement agency; the problem is exactly that: enforcement. I am not making excuses, far be it from me to defend either Dravo or Maclsaac. Their record of fatalities and injuries and what not is appalling, that is all there is to it. The hon. member knows my attitude and my opinion because we have discussed it.

I gather you are also not saying that the men were ignorant of the safety rules and the safety regulations—

**Mr. Martel:** Not a bit.

**Hon. Mr. Lawrence:** So in other words, they themselves, in full knowledge of what they were doing, have been flagrantly committing offences against the regulations and the handbook and The Mining Act itself.

**Mr. Martel:** And the officials; do not overlook the officials!

**Hon. A. F. Lawrence:** Now our problems are enforcement, no question about it.

If the hon. member is willing to give us information under which we can act in prosecution of those men, of that particular contractor, and that particular mining company we would be glad to do it; because somebody has obviously got to be taught a lesson.

Give us the names, give us the occurrences, give us those who will produce, not hearsay evidence but some sort of evidence that we can initiate a prosecution on, and by golly there will be a prosecution.

However, I must say that I cannot feel sorry for the men involved, if the interpreta-

tion which you have placed on it be correct. Namely, that they knew the and they were breaking the rules; that knew the law and they were breaking law.

Now we come to a little more serious matter, and that is your allegation of a cover up of evidence at an inquest. I am not sure—maybe the member for Sudbury is correct me on this; I have not practised in a couple of years now—but I think that is a criminal offence.

**Mr. Martel:** Could I quote the coroner's final three remarks?

**Hon. Mr. Lawrence:** Now just one hour a time, eh? If you are making allegations there has been a conspiracy to deliberately prevent an inquest from receiving valid information and evidence, then I hope you know that is a pretty serious allegation to make. You know I am not saying this in any threatening way to you; I am just saying that, through your goodness, you have got the information and you are willing to say it publicly and give us the details. Because the Attorney General (Mr. Wishart) should certainly hear this, I will make sure that we attempt to arrange an appointment between yourself, myself and the Attorney General tomorrow respecting these allegations you are making, because they are pretty serious.

Now, the other very minor matter which irked me was your indication that you had invited me four or five times to come to Sudbury to talk to people who are concerned and who are interested. You know, that is not right; I am sorry, but it is not right. I hope your other allegations are truer than that, because any time I have gone to Sudbury, I think you have known about it.

**Mr. Martel:** No.

**Hon. A. F. Lawrence:** No, perhaps every time. When arrangements have been made for me to visit or meet with union executives or union members, I have done so. I have attempted to be as accessible and as available as possible and I hope you are leaving any innuendo that I have not been going to Sudbury or I have not been seeing the people you thought I should. Because I have had no invitations from you and I have I had any appointments made through you that I have failed to keep in respect of people in the mining business, whether they are management, labour officials or workers.

**Mr. Martel:** Well Mr. Minister, let me correct that one first. I think you might r

your mail. I am not saying that I invited you to a specific meeting. I have asked you to come up on a very informal basis just to get the tenor of the community. In fact, I am sure the minister recalls that on more than one occasion I have asked that he just go in and visit some of these sites unannounced, he and I, or—

**Hon. A. F. Lawrence:** Wait a minute. I have gone in and visited the sites unannounced. I have not particularly gone in with the hon. member. On one occasion you suggested that you and I together—

**Mr. Martel:** With—

**Hon. A. F. Lawrence:** With some what?

**Mr. Martel:** With mining officials and union officials.

**Hon. A. F. Lawrence:** Oh yes, one particular time. Yes, I certainly do remember that, and that was not taken up at the time because it was last year when the session was on. But let us go back to the more serious; that is an argument.

**Mr. Martel:** I am saying, Mr. Minister, that during the Easter recess one of the four men involved, or who was at the site of this fatality, contacted Mr. Emile Prudhomme of Mine Mill. He wanted to talk to me. He felt he was going to be the man who was going to be shot down because of this fatality, because everyone, including the shift boss and the mine captain, knew that all the regulations were being broken. And he felt that if someone was going to go, he was not going alone.

Now I did not get it direct. I got a call from Mine Mill asking me to meet with this man. I agreed to meet him on a Thursday evening. That same evening MacIsaac called a meeting of shift bosses and so on to discuss this problem.

Just let me quote three of the statements the coroner made at this inquest and which the company lawyer, Mr. Mossop, challenged. The coroner's opinion was that employees could be fired—

**Hon. A. F. Lawrence:** I am sorry. Did you say the company lawyer challenged?

**Mr. Martel:** The company's lawyer challenged the coroner.

**Hon. A. F. Lawrence:** The coroner?

**Mr. Martel:** Yes, on the statements coroner made when he addressed the jury. And here are three of the statements:

The employees could be fired. The whole truth sometimes does not come out. They might lose their jobs.

That was one statement made by the coroner. The second one was:

The men obviously had worked in this area for months and months. Shift bosses knew and captains knew about the conditions.

The third:

All three, except Larabies, had worked on the muckpile in this specific instance.

The only man who had not worked on the muckpile was Larabies, who was one of the two officials on the site. And the fourth statement was:

This was the usual practice in barren areas: the muckpile when the scoop tram was underneath drawing off the muck.

At that point, Mossop, the lawyer, challenged the coroner. It is unusual for a coroner to make these sort of statements at an inquest. And I might say, this coroner did. As I said, the lawyers for each of the men asked for protection and the story that was conveyed to me was completely different.

And we come to what is really the essence of it: it was agreed that no one had safe lines—and everyone in management, right down to the man who was mucking, was aware of it. Now something is wrong somewhere. I want to know why a man would contact me to discuss it and then, after the company meeting, back off? You know, it is a pretty shady deal.

What I am primarily concerned with is not just this one; I am concerned with the whole tenor of these construction companies in the mining. The data is in the minister's files: the number of fatalities over the last couple of years in the Sudbury area alone. I am sure, if we wanted to check the workmen's compensation board, the figures on the number of injuries would be staggering. I am saying that something must be done now. The minister can improve The Mine Safety Act, but if it is not policed, we are just battering our heads against a wall. I do not care if you put a man in there full-time, as long as you get this situation rectified. As I say, it is common knowledge, and that is why I would like the minister to visit the area some time on an informal basis where we are not tied down to meetings with the union or

company. We should meet the men where they are going to talk off the job; away from the union, away from the company, in a very informal manner. And the minister will get the tenor of the conditions these men work under. And he is not going to find them very gratifying.

I might say the reason the policing possibly is not as effective as it should be is that I do not think you have enough men in the area.

**Hon. A. F. Lawrence:** We have trouble getting engineers to live in Sudbury.

**Mr. Martel:** Yes. I just do not think you can possibly police the operations in that area with six or seven men; that is very few.

**Hon. A. F. Lawrence:** We have two vacancies on the staff right now. We have trouble getting engineers to live in Sudbury.

**Mr. Martel:** Well I do not think it is the most pleasant place to work, because we are caught in a real crossfire here—and the minister knows what I am talking about—of having to deal with a tough company and a tough union. The minister's people are caught in the middle, and I realize that. But I am saying that if we found a few instances where these companies were—and I might say most of my remarks now will be directed against Inco; I do not have that much hangup about Falconbridge. We are dealing with an altogether different animal, I think, when we deal with the Falconbridge Nickel Company compared with when we deal with International Nickel. In my books, there is just no comparison between these two companies.

I want to deal with about four specific incidents, Mr. Chairman, and I do not know how honest some of his inspectors are being with the minister.

**Hon. A. F. Lawrence:** I am sorry?

**Mr. Martel:** I do not know how honest some of the inspectors are being with the minister. I have reason to suspect that they are not quite as frank and honest with him as they might be. In fact, I am suggesting that they might even be padding the reports. I am going to read a few reports and belated criticism, one of them the Leandoski case. I do not know if the minister has had an opportunity to read that piece of mail this week, but the report and the fine statements by Leandoski this week are completely different from the investigation results.

But I want to deal with the cry in House that management is very safe and conscious at Inco. You know, I just can't buy it. I am not going to dwell on the number of cases with respect to those who are put into Fernando's Hideaway. I will deal with the one with the blasting. I think the man would pronounce himself "Albatross" or Albrechtas, something to that effect.

This man, as the minister knows, last year walked through a blast area, he ignored Sabourin, the man who was on guard. He is top management, underground anyway, at that level. He ignored everything. I have the minister's report here before me on a specific matter, where he indicated that—

**Hon. A. F. Lawrence:** It is a report to the minister.

**Mr. Martel:** The report to the minister, pardon me.

**Hon. A. F. Lawrence:** Do not make the same mistake—

**Mr. Martel:** What has happened, Mr. Chairman, is he got off and nothing was reported. What does he do again this year? Recently, Mr. Chairman, in fact, on February 20, I got another letter from Mr. Falkowski. You know, there are those people who make caustic remarks about Mr. Falkowski. I think the House should know that this man does a lot of this work on a voluntary basis and on his own time. He can write these letters since he is not on duty because some 16,000 employees come to work with various complaints. But on February 20, after the—

**Mr. Sopha:** A very useful citizen, Mr. Falkowski.

**Mr. Martel:** Right. He managed to get Eddy Forest Products convicted and—

Interjections by hon. members.

**Mr. Martel:** Anyway, Mr. Albrechtas, who had been involved on June 6, 1969, in getting through a blast area, was at it again. I will read from the letter:

The supervisor, Mr. Albrechtas, was involved or had caused the incident on June 6, 1969, and I have no other choice but to assume that no instructions have been issued to him since on January 15, 1969, on the 8-to-4 shift, Mr. Albrechtas had violated the guarding regulations for blasting in underground operations. He was caught by a posted guard, 2020 scoop tram, at 9.25 a.m. He inquired as to how many

shots had been placed and whether the blast had taken place or not. Then he walked into the guarded area disregarding the concern expressed by the man guarding the blast.

That is the second incident that a top man underground has been involved in in eight months. We continually see a man getting four days off. The ordinary worker gets four days off if he does not wear his helmet, or he gets sent home or he gets a warning; but he gets penalized.

But here is top management underground ignoring and walking through a blast area, and twice in less than eight months. I would like to know, I really would, what The Department of Mines intends to do in this particular case. I think there has to be some action because we just cannot have people walking through blast areas.

Possibly the minister has not had the investigation finalized, but if we see such a total disregard by top management of safety, Mr. Chairman, how can we expect anyone else really to have any respect for safety, outside of the fact they were looking after it for their own purposes? But again—and I think the member for Sudbury alluded to this one night, as I have on many occasions—production comes first and safety comes second with the International Nickel Company. This is a well-kept secret in the Sudbury area.

**Mr. Sopha:** I do not believe it.

**Mr. Martel:** Does the minister want to answer that?

**Mr. Ben:** May I ask a question arising out of that?

**Hon. A. F. Lawrence:** Wait a minute. My silence does not mean that I am agreeing with anything you say.

**Mr. Ferrier:** Of course it does.

**Mr. Ben:** Mr. Chairman, I am in the same position as the hon. minister said he was before he came to his department—not very versed in matters of mining. But the statement made by the hon. member, who still has the floor—and I thank you for letting me ask these questions—raises a question in my mind. Under mine safety, are we concerned with making mines safe for men to work in; or do you in fact pass quasi criminal legislation that punishes people who fail to obey commonsense rules? In other words, have you got the power to impose a fine on per-

sons who do things such as the hon. member describes?

**Hon. A. F. Lawrence:** Yes, sure.

**Mr. Ben:** That is, provided they breaches of regulations?

**Hon. A. F. Lawrence:** Yes.

**Mr. MacDonald:** What action have taken in this instance?

**Hon. A. F. Lawrence:** All I want to say the hon. member—and I am sorry I do not have the investigator's report here in relation to both of these instances—is that the facts as the member has detailed them to the House, are not the facts that have been presented to me. That is why I am not commenting on what you are saying, because I think your original point is that the reports that are reaching me are not true. All right, I am listening to you. Do you want me to make any comment about prosecutions?

**Mr. Sopha:** That is what he said.

**Hon. A. F. Lawrence:** I have not initiated any prosecutions in the case of the offences the hon. member has indicated, because the facts that were given to me are not the same as the hon. member's. I am saying the hon. member is wrong; I am saying engineers are wrong. But somebody is lying.

**Mr. Martel:** Right. And that is why you brought this one into the House.

**Mr. Ben:** Excuse me, would you please tell the minister if he would give us his version now?

**Hon. A. F. Lawrence:** I am sorry. That is why I am sitting here minding my p's and q's at the moment. We have sent over for the reports; I have not got them with me. I hope they will be back by 10:30 tonight. If not, we will make it by 10:30 tomorrow night.

**Mr. Martel:** Here is the next case, the one and I want to show why I suspect some of the reports that are coming in. Leandros was the man, and I will just try and refer to—Mr. Smith might know; he is behind the minister. He is one of the men who complained about not being allowed to come down from underground (a) when he was sick, and (b) when he had a foot injury, without the risk of losing time or having pay deducted.

I will read the report that the minister submitted to us and then I am going to read the latest letter from the man in questi-



himself. This is the report; it is addressed to Mr. Falkowski:

Dear Sir:

Re: Mike Leandoski, Crean Hill Mine  
Inco Operation

Further to my letter dated January 29, 1970, in regard to the above subject. This matter has been investigated, and the following information has been received after discussing the situation with Mr. Leandoski:

1. Mr. George Murphy, mine captain, saw Mr. Mike Leandoski on the surface at 4 p.m. Mr. Leandoski had told the mine captain that he did not feel well.

2. Mr. Mike Leandoski had told Mr. Rudi Roman, shift boss, the same at 5 p.m. when they met at the 1,800-foot level station.

3. Mr. Roman met Mr. Leandoski between 8 and 8:30 p.m. He had told him he could not keep him underground if he was sick, but—

This is going to be contrary to what we are going to hear later on, because Mr. Leandoski maintains that they would not let him come up from underground without deducting time from him, despite the fact that he was sick. Again I am quoting:

He had told him he could not keep him underground if he was sick, but that he could give him another job. Mr. Leandoski would not accept this.

4. At 10:30 p.m., the mine captain had called the shift boss up from surface. Mr. Leandoski meanwhile talked to him when the shift boss was not at the station. During the telephone conversation, Mr. Leandoski requested to get medical attention on the surface.

5. Mr. Leandoski had seen his shift boss at approximately 11 p.m. He said: "I did not request medical attention because the shift boss knew of my condition."

6. At 11:30 p.m., shift boss Rudi Roman brought Mr. Leandoski to the surface and to the first aid room.

7. After giving oxygen to Mr. Leandoski, he had refused to go to the hospital, and Mr. Chester Farrow, his neighbour, who also works at Crean Hill mine, brought him home in his car.

8. Mr. Nelson Chalut, safety supervisor at Crean Hill, said:

(a) All cagetenders have been advised to bring injured workers to the surface when they request it.

(b) Supervisors do not keep an injured worker on the job if they want to leave.

(c) An ambulance is always readied at Crean Hill mine to bring the worker in case of illness.

(d) Mr. Leandoski did not want to go to the hospital at that time.

Mr. Leandoski did agree that he would leave his work to get medical attention.

Now that is very significant: He did agree that he could leave his work to get medical attention on surface at any time on January 21, 1970.

In answer to my question, "If you thought you were not able to perform your work safely in that condition, why did you not leave your work to get medical attention?" he could not give a reasonable reply. His answer was, "I do not know. He has worked for 20 years at mining, and he said that he does know the rules. Mr. Leandoski could leave his work at the surface and he was able to get medical attention on the surface, but he did not do that."

And the second part of the assertion that he could not come to surface when he injured his foot: according to shiftboss Roman:

Mr. Leandoski did mention that on one occasion, a chunk of muck had tilted against his foot when he attempted to sit on it.

That is also very significant, Mr. Minister.

There was no sign of injury to his foot when he removed his boot. He did not report the injury to the first aid room, and he made no request to be allowed to go to the first aid room for treatment.

During the investigation, Mr. Leandoski stated that he did not know why he did not go to the first aid room, and that the shift boss, Mr. Roman, denied him the right to have his foot injury properly treated at the first aid room. However, the company policy is stated in 8(a), (b) and (c) (above.)

This is signed—I should not say signed, this is stamped at the bottom by the Minister of Mines.

When Mr. Leandoski saw this letter, he was rather unhappy. He went to the union hall and he made the following statement: "I signed it. The minister has a copy." This is Mr. Leandoski's version of what happened. We are dealing with the first last, now.

During the time of my foot injury, I did not intend to sit on a rock. I stepped back while the rock hit my foot and I

trapped under the rock. Mr. K. Hanna witnessed this incident. Then the shift boss, Mr. Roman, and Mr. Hanna used a scaling bar to lift the rock in order to free my foot. I asked Mr. Roman, the shift boss, at that point for permission to go to the surface to the first aid room and have my foot treated. He said that if I did, one hour would be deducted from my pay. As a result of his ruling, I did not go to surface until the regular cage at 12:30 a.m.

I told the shift boss, Mr. Roman, on January 21, 1970, during the 4-to-12 shift, that I was ill and he replied to Mr. Keith Hanna to make sure that Mike Leandoski stayed on the motor and he should not do any work. He did not tell me that he could not keep me underground if I was sick and he did not offer me another job. At 10:30 p.m., I talked to the mine captain, Mr. Murphy, on the telephone. I requested permission to go to surface for medical attention. Murphy's reply was, "You stay there." I replied, "Of course, if I cannot go to surface, I have to stay" and this completed the telephone conversation.

I gave this statement to Mr. Paul Falkowski on April 15, 1970, after I received correspondence from the Minister of Mines, which is inaccurate.

This goes on, Mr. Minister, and you and I know it, on report after report to you and me and Mr. Falkowski. The reports you get and the facts we submit never coincide. You are aware of it, as I am.

**Hon. A. F. Lawrence:** No, I am not.

**Mr. Martel:** Just once in a while they should coincide, should they not? This disturbs me because you and I, I guess, along with Mr. Falkowski, as the member for Sudbury says, are keeping Eric Kierans happy with revenue. But I get disturbed, Mr. Minister, when I see this sort of thing.

I could go on to the next case which I have before me, the roaster one, where the man was forced to—I got it on Sunday afternoon and they have not had time to reply to the report you submitted to me. But again—

**Hon. A. F. Lawrence:** What is this, the ventilation you mean?

**Mr. Martel:** No, the roaster; where the man was given a penalty for refusing to work in a roaster. The company said it was shut down eight days prior to this and there was no heat. The men say there was heat; that it was over 100 degrees and that a piece of plywood caught fire when it was put in.

Your report is very conclusive; I have it is a fine report. Yet the 11 men involved say it is wrong. This is the point, Mr. Minister, where we come in this whole situation to the actual facts. That is what I am interested in—actual fact. I am not interested in who is right or wrong.

**Hon. A. F. Lawrence:** So am I.

**Mr. Martel:** I want the truth. And Leandoski, whose signed statement you have is a fine example of the distortion. Now the company misleading your officials? I suspect that is the real problem area.

**Hon. A. F. Lawrence:** We do not rely on company officials alone, any more than I do. The hon. member should rely on Mr. Falkowski alone. I mean, let us be blunt about it.

**Mr. Martel:** Mr. Chairman, if I could—

**Hon. A. F. Lawrence:** This is one of the difficulties in this whole thing, when we do these re-investigations. The hon. member is aware of several instances where this has occurred. I have to go back to you; you in turn, go back to somebody else; somebody else goes back to somebody else. Any information you get is sixth or seventh hand. In many of these cases, misinterpretations of occurrences and in alleged facts take place somewhere along the line.

This is not always true by any means, but it certainly has happened to the knowledge of the hon. member. When checks have been done, the material you have been giving me, in some instances, has been absolutely wrong; no question about it. On a couple of occasions, I think you have admitted this, and others have admitted it.

It is a real problem. I do not think there is any question about it. We have embarked on a completely different procedure in these investigations now. You know, nothing is perfect. If our procedures are not right, we have no axe to grind on the thing. Sometimes, I suspect the informants of the hon. member have got axes to grind in some way.

**Mr. Martel:** A lot of frustration; years of

**Hon. A. F. Lawrence:** Yes, but in the event, with any of these individual instances that you can bring up in the House, I do not know what more you expect me to do except that we will take a closer look at each one of those individual occurrences that come up. It is almost a form letter you will get back from me in every case when you write to me two days after Mr. Falkowski writes to me, or after the radio station receives

**Mr. Sopha:** Does it follow a rhythmic pattern?

**Hon. A. F. Lawrence:** Oh, very much so. Two days after I get a letter from Mr. Falkowski, or the departmental official gets a letter from Mr. Falkowski, I get exactly the same letter, except "Dear Al," from—

**Mr. Martel:** I change the wording.

**Hon. A. F. Lawrence:** I am not criticizing him for this—

**Mr. Sopha:** I am just interested to know.

**Hon. A. F. Lawrence:** This is the way it works and boy, if you do not think this balls up the filing system.

**Mr. Sopha:** Falkowski sends me copies of his letters to you.

**Hon. A. F. Lawrence:** Who is Judy Erola, by the way?

**Mr. Sopha:** Judy Erola? Oh, a very fine amateur actress; she works for CHNO radio station. A very fine person.

**Hon. A. F. Lawrence:** I see. I have never understood this.

**Mr. Sopha:** But listen, I am being left out here somewhere. Falkowski sends me copies of his letters to you.

**Hon. A. F. Lawrence:** Yes.

**Mr. Sopha:** I get copies of yours to him, but I never get copies of those from the member for Sudbury East to you.

**Hon. A. F. Lawrence:** That is discrimination.

**Mr. Sopha:** It is, indeed.

**Mr. Martel:** You know, if the member for Sudbury would at least acknowledge some of that mail once in a while—just once in a while, you know—if he would acknowledge an interest in the welfare of the men by taking part in what he knows is occurring in the Sudbury area—

**Hon. A. F. Lawrence:** I am sorry, I did not want to open up this mood again.

**Mr. Martel:** There has got to be some way—

**Mr. S. Lewis (Scarborough West):** The two of you play such games.

**Mr. Martel:** There has got to be some way that we have got to get in to resolve this problem. I do not think that I should be

involved, or that you should be involved every one of them.

**Mr. R. Haggerty (Welland South):** V is the safety committee?

**Mr. Martel:** Inco does not even talk to safety committee, so do not talk foolish. The minister knows that they ignore safety committee in totality. It is as though it did not exist.

**Mr. Haggerty:** They have to, though.

**Mr. Martel:** Oh, it is as though it does exist. The minister is aware of it, and the minister to support this. In the tra accidents, Mr. Chairman—

**Mr. Sopha:** Well, that is a funny one. Terry Mancini was telling me that since the strike, the safety committee was functioning very well.

**Mr. Martel:** Yes, they have been energized.

**Hon. A. F. Lawrence:** Believe me, I am not trying to hold up the deliberation of the committee, but I assume we will be thrashing a lot of this old straw over in committee on The Mining Act thing. Is it really necessary to come in with individual cases on this?

**Mr. Martel:** Oh very much.

**Hon. A. F. Lawrence:** I am not saying you do not have the right to do it, do not get me wrong.

**Mr. Martel:** I am simply trying to—

**Hon. A. F. Lawrence:** I really think there are other avenues open to us both to harp away at these things.

**Mr. Martel:** Mr. Chairman, I am simply trying to drive home, I think, one key thing that we have somehow got to be able to bring this out and come out with some answer to how these problems can be resolved to the mutual satisfaction of everyone. Distortion seems to be there, and I get the suspicion that some of your officials are misled, and I am putting it very clearly to you—and I am putting it to the hon. member for Sudbury has to agree that that is common talk in the community.

**Hon. A. F. Lawrence:** Let me not think that is unfair, either, but you are saying that everyone's satisfaction."

Right. Now in all honesty and in all fairness, do you really believe that a man

Mr. Falkowski will ever really be satisfied with anybody, or anything in this world?

**Mr. Martel:** Oh, I think that is a rather poor statement for the minister to be making. If Mr. Falkowski has become frustrated, it is because of seven or eight years of trying to get safety improved and of getting this type of letter, which is completely contradictory to the facts which are presented to him by the men who are working in the area.

**Hon. A. F. Lawrence:** Oh, I am not talking about his reasons for his—

**Mr. Martel:** Frustration?

**Hon. A. F. Lawrence:** Frustration. All I am asking you is if you think he will ever be satisfied.

**Mr. Martel:** I really do. I think the man has no other motive except safety. What do you think his motives are?

**Hon. A. F. Lawrence:** He has a job too.

**Mr. Martel:** He has a job. He does all of this in his spare time. He does not get a cent for it.

**Mr. Sopha:** One notices—

**Hon. A. F. Lawrence:** I am sorry, that is not what I have been reading in the press lately.

**Mr. Sopha:** He is under some criticism in the union right now.

**Mr. Martel:** Oh that is because the people who have made the criticism do not know what they are talking about.

**Mr. Sopha:** I merely say he is under some criticism.

**Mr. Martel:** You know if the member for Sudbury would defend the men in safety, instead of not, it would be helpful, very helpful. He implies that he is always helping them, but really he does not.

**Mr. Sopha:** I have never had one single complaint from a constituent about safety.

**Mr. Martel:** He never bothers to acknowledge the letters!

**Mr. Sopha:** I have never had a single complaint.

**Mr. Lewis:** That is remarkable.

**Mr. Martel:** Mr. Chairman, I am just wondering if the member, not a few moments

ago, did not say that he gets a letter a day from the man who happens to be the chairman of the safety committee, and if he does not get letters from Mr. Maguire for years who was also, at that time, chairman of the safety committee.

**Mr. Sopha:** Never got a letter from Mickey Maguire.

**Mr. Martel:** Well, I cannot agree with that. I have the correspondence which he sent out.

**Mr. Sopha:** Mickey Maguire came to me once, but not about matters of safety.

**Mr. Martel:** No? Well, Mr. Chairman, that is one significant area, the overall—

**Mr. Sopha:** The records say, that, unless my friend, I am not psychotic about Inco.

**Mr. Martel:** You are not involved. You have never become involved in the issue.

**Mr. Sopha:** —tells me that I am impressed with—

**Mr. Chairman:** Vote 1303.

**Mr. Martel:** If I can get the floor back from the member for Sudbury.

**Mr. Chairman:** The hon. member for Sudbury East has the floor.

**Mr. Martel:** Thank you. I am just wondering what the member had all those letters from Mr. Falkowski about.

**Mr. Sopha:** What do you expect me to say about that?

**Mr. Martel:** You can sit and do what you have been doing, which is nothing.

**Mr. J. L. Brown (Beaches-Woodbine):** Will you do you not just shut up right now and let me get into—

**Mr. Chairman:** The hon. member for Sudbury East on vote 1303.

**Mr. Sopha:** You know the few times you are here, you are not very elegant in your language.

**Mr. Brown:** I know, you are.

**Mr. Martel:** Well, Mr. Chairman—

**Mr. Lewis:** Now, now. Things have become quiet.

**Mr. Martel:** Do you think I can resume, Mr. Chairman?

**Mr. Chairman:** Shall vote 1303 carry?

Mr. Martel: Mr. Chairman, I want to go on. There are just a couple of last points and I selected the stuff very carefully. I say some of your men are being misled, and this is a specific example.

Hon. A. F. Lawrence: No, you indicated I had been misled.

Mr. Martel: You are being misled in the final analysis, because the reports you receive are from men who are not getting the picture. We have gone over this before in dealing with gas, where, by the time your men get around to investigating, the plants are clean.

But, a letter recently to you, in which I have 21 signatures attached, makes the following point:

On February 4, 1970, at 11:30 a.m., I brought the matter to the attention of Mr. Bill Hoffman, engineer of mines in Sudbury. Mr. Hoffman informed me on February 5, at 10:05, that he inspected the area and the environmental conditions were satisfactory, although he did make certain recommendations.

I was informed by Mr. Don LeBlanc, a steward of the union working in that department, that there was a noticeable improvement in the conditions in the casting building while Mr. Hoffman was in the building, but about one hour after Mr. Hoffman left the plant, this changed to the condition which had prevailed.

This is why I say I think your men are being misled deliberately. Conditions are improved, particularly in gas, and so on, which can be done quite readily to meet any type of inspection.

Despite the fact your men have been given *carte blanche* by you to go and inspect anything at any time, there still seems to be that area that Inco knows they are coming and can clean up the mess.

This letter was dated and signed by 21 men on February 18, 1970; it is signed by the steward and 20 more men. I make the point again: How are we going to get an honest report if the conditions are cleaned up before your men arrive? Once your men leave, they go back to normal and this bothers me.

There are two final points I want to deal with.

Hon. A. F. Lawrence: Well it bothers me too. I am not clairvoyant. I have no magical powers of either persuasion or vision. Help me, then, if things are wrong.

Mr. Martel: Help you?

Hon. A. F. Lawrence: What would you do if you were in my position?

I have gone up there; I have talked to engineers. They all indicate to me that do not give any tip-off—advance warning on these things. The company people are an honest bunch of conscientious people who are as concerned about safety and their own lives as you are concerned about safety and their own lives. I mean what is the answer? You are making allegations that things are wrong. Can you give me some help? What do we do to solve the problems you are indicating are there?

Mr. Martel: Mr. Chairman, in one way only I can give you some help; in dealing with the gas and the high concentration of  $\text{SO}_2$ , for example, which come in the plant frequently. Your inspectors, once again, are notified and by the time they arrive the plants are clean. I am suggesting to the Minister that we do two things.

(a) That the men have the right to demand a Draegermeter test right on the scene if the shift boss felt concentrations were too high. If the concentrations were above five parts per million, which you establish as the level of maximum tolerable level. As a safety factor, five parts per million is generally accepted throughout the United States—

Hon. A. F. Lawrence: As a constant level?

Mr. Martel: Yes, for an eight-hour shift. I am saying that once the concentrations reach what the men think is too high, they have the right to demand a Draegermeter test. A shift boss can conduct that test with them right there to witness it so he does it properly. If the concentrations go beyond five parts per million, and I am not saying just for a few minutes, Mr. Minister—you know that is possible; you can open a furnace and get a great blast of it and I am not suggesting anything as ridiculous as that—I am saying that when it gets so bad that for hours you cannot see from one end to the other, the men have the right and the protection of your department to leave that area until the concentrations are reduced to a level which is safe.

I have been after this for three years, Mr. Minister. It is difficult. The company is going to squeal and scream, but you know what they are also going to do. They are going to improve the conditions, because they know the men are going to have the right to leave under the protection of The Department of Mines. They are going to improve the conditions.

They will cut down some of the gas that is escaping. They will find the technological means that are there, Mr. Minister, because they would be shut down so frequently they would have to. You know they are not about to walk away from \$143 million profit or \$160 million profit.

They are not going to allow a few small technical innovations, which they might have to have researched, come between them and \$160 million. There is no way. This is the only way we are going to do it, if you would, in that one instance. We can apply it to dust then. We can apply it to nickel.

There was a great cry this past weekend and the minister has a letter about one plant alone—and I read for the minister's information; this was a long complaint. Thank God it is closed down; the Sittering plant. The information our committee collected is that 32 former employees of the Sittering plant have died and the cause is lung cancer. And 13 former employees of the Sittering plant had to be operated on because of lung cancer and nine former employees of this plant had X-rays and were rejected from other employment. Perhaps there were signs of lung cancer.

This is one plant in about a 20-year period, Mr. Minister. You wonder why we are getting pretty uptight about sulphur dioxide and the effects of dust and so on on the men in the area, and why we are asking that you get those men out when the concentrations are too high. From the latest studies, Mr. Minister, of the U.S. Department of Health, Education and Welfare, called "Air quality criteria for sulphur dioxide"—I am going to give two or three of the cases from various countries.

Viikeri, in Germany, studied X-ray changes in the lungs of 53 foundry workers who had been exposed for more than 10 years to an average of less than 10 parts per million of sulphur dioxide with occasional higher exposures. The X-rays showed normal lungs in only seven of the 53 exposed workers, whereas in the control group, 20 out of the 37 were normal.

The chief pathological findings in the 53 exposed workers were four cases of fibrosis; 17 cases with enlarged ileum and several cases of emphysema and cardiac disease. You wonder why I get uptight when I know what some of the concentrations are that the men are exposed to.

I have a list here where we have concentrations as high as 500 parts per million and 300 parts per million. In fact, I have one at

1,200 parts per million and you wonder we are so concerned about the sulphur dioxide problems. I can recall last summer when the Sudbury district health officer advised the pollution seminar that there were no studies available on the effects of sulphur dioxide on the human body. That is the one, Mr. Minister. I will take this, as I do, very shortly.

Litkens studied workers in metallurgical plants who were exposed to sulphur dioxide at five to 500 parts per million. The doctor concluded that both increased concentration of sulphur dioxide in the working atmosphere and increased durations of exposure result in increased laryngitis, chronic bronchitis, pulmonary fibrosis and emphysema.

No one can deny, Mr. Minister, that in the Sudbury area we have a high incidence of respiratory problems. I believe the Dominion Bureau of Statistics indicates that the life expectancy, beyond age 55, in the Sudbury area is something like seven years less than in the rest of Canada.

I am asking the minister tonight. I have brought this up three times and maybe four. Can we get something resolved here tonight? Would the minister agree to try a system such as I have recommended, to remove men from the area of concentration where the exposure exceeds five parts per million, and as I say again, I am not saying just a blast furnace is opened up for a moment, I am not talking about that. I am talking about where it lasts hour after hour.

**Hon. A. F. Lawrence:** You are talking about a sustained period in the area.

**Mr. Martel:** Right! Well, I am going to leave it at that, hopefully.

**Hon. A. F. Lawrence:** Quite frankly it sounds reasonable enough to me, but I know the depth of my knowledge on this thing. Let me take a good hard look at it. If the Draegers are available—we have had these offers before but they have not been

**Mr. Martel:** They have written you. I am that letter asking for a meeting. We will provide them with the Draegers.

**Hon. A. F. Lawrence:** If the people are available to work them, let me take a good hard look at it.

I hope I am flexibly minded about this thing. As I say, my purposes and the minister's purposes and, I hope, the union's purposes and I hope, the management's

purposes are all the same. Do you not think so? Let us take a look at it.

**Mr. Martel:** I am not opposed to even the company officials taking the reading, Mr. Minister. We know that some of the tests in one—you know, they squish the thing, if I can use that word, 10 times and it can exceed—in fact, you have the point where you have to extrapolate what the reading would be.

But we have seen it where it was one—

**Hon. A. F. Lawrence:** You know my attitude. I am not happy with the field conditions in there. There is no question about it.

However, I do caution the member. I think he knows, from his own experience, that it would not be possible for men to work for any sustained period at all where there was a constant reading of 1,200 parts per million. That is just not possible. I am sorry, you know. You would not be able to see or breathe.

So be reasonable about it. Do not destroy your case by over-exaggeration.

**Mr. Martel:** I am saying that we have had a reading taken where the sulphur dioxide readings were 1,200 parts per million. If the minister wants, I can send a report over to him where they range from nil to 500 parts. You know these men become a lot harder after years of exposure to it—

**Hon. A. F. Lawrence:** They build up a tolerance to it.

**Mr. Martel:**—and they build up a resistance to it, where someone else would get very, very sick. You know, they can walk around without a mask, but that is not gainsaying the damage it is doing to their respiratory systems. And this is my concern.

As I said, I do not want to belabour this any longer, Mr. Minister, but I would hope that we can come up with a solution to that problem—some solution to getting the actual facts. Hopefully the minister will zero in, particularly on Dravo and MacIsaac and their total disregard for safety.

**Mr. Chairman:** The hon. member for Wel-land South.

**Mr. Haggerty:** Thank you, Mr. Chairman. The hon. member for Sudbury East has certainly brought to the House tonight a problem in the nickel-producing industry in the province of Ontario.

I think it is well put in the Health estimate last year, in their annual report. It goes to say:

Industrial studies: Previous studies have shown an increase in lung cancer in certain occupations. In the refining of nickel, silver, and cobalt refining, and in the production of gas from coal though, exposure in these occupations was eliminated many years ago. Cases of lung cancer have continued to develop among men who were exposed. Follow-up is being maintained on these men and other occupations in the nickel industry are being studied to determine whether the increased risks of lung cancer extend to them. A study of chronic bronchitis and emphysema in relation to sulphur dioxide exposure is also being conducted on four occupational groups in the nickel industry.

Some months ago, Mr. Chairman, I, with a delegation from Local 6200 of the International Nickel Company in Port Hope, had a very fruitful session with the department of environmental health services branch directors Dr. Sutherland and Dr. Mastromatteo. They mentioned in this discussion period that they were carrying on an occupational study group in this Sudbury area with, I think, some 1,700 or 2,000 persons involved.

Could the minister inform me just how this study has progressed?

**Hon. A. F. Lawrence:** I have not had a recent report on it. We had a very full discussion on this last year in these estimates. It is a statistical study and, as far as I know, the matter is still progressing.

I have not been bothering them last year, bugging them for a report—because I have been assured on previous occasions when I have asked about them that they are going to do it as quickly as they can.

It is going to take some time, I must admit to you. Just give me a minute and I will try to find out the target date for completion.

My officials tell me they are in contact periodically with Dr. Sutherland and that the study is progressing; but I am sorry, I cannot be any more helpful than that. If the hon. member desires we will get a report within a week from Dr. Sutherland and I will try to give him that information.

**Mr. Haggerty:** Thank you, Mr. Chairman.

To follow up on this, I think this is what the member for Sudbury was trying to get through: How do you feed this informa-

back from the plants? Perhaps the department does not have sufficient evidence or proof on what goes on and what type of an operation is carried out in these plants; I mean what conditions the men are working under. This information—

**Hon. A. F. Lawrence:** There is a report commissioned by us in which we are utilizing environmental health grants available through The Department of Health. It will be a public report when it comes and it will be well publicized. It is not a secret thing by any means. Is that what you are driving at?

**Mr. Haggerty:** No, I was just wondering how you get the information fed back to your department and to the department of environmental health; I mean without getting it from some employee?

**Hon. A. F. Lawrence:** Oh they do! This is an interview approach, as I understand it, tracing back the medical histories of numbers of individuals. My understanding was that they are using computer services again to feed in this material.

It is a statistical study though, to figure out the truth or the untruth of certain allegations that have been made respecting environmental conditions in the plant.

**Mr. Haggerty:** Well how do you get information concerning the relationship of work exposure to health?

**Hon. A. F. Lawrence:** You mean how do they go about getting—

**Mr. Haggerty:** No, no! In monitoring devices.

**Hon. A. F. Lawrence:** I am sorry, I am just not too sure. It is certainly based on personal interviews by the staff employed for that purpose through Dr. Patterson. They are not all medical people, those doing interviewing, but they would, I assume, be specially trained students or interns or they would have to have some medical experience or background in order to do the interviews. I also assume they would have to obtain medical histories from these people.

Is that what you mean? I am not too sure if I understand the member.

**Mr. Haggerty:** Well I keep repeating myself, but what type of monitoring device do you have to pick up the foul air in this contaminated area?

**Hon. A. F. Lawrence:** Oh, I am sorry—

**Mr. Haggerty:** This is another thing!

**Hon. A. F. Lawrence:** Oh, the SO<sub>2</sub> then? You mean in the plant?

**Mr. Haggerty:** Any area where the air is contaminated!

**Hon. A. F. Lawrence:** We have now substituted—we had to just about scour the earth to get the equipment and I am not too sure we have the right equipment even—sure we now have a monitor at work in a plant which can be moved around by people and which is a constant monitor of SO<sub>2</sub> fumes. Is that what you mean?

**Mr. Haggerty:** Right! Now what do you have down in the refinery of the International Nickel Company in Port Colborne?

**Hon. A. F. Lawrence:** We only have one of these monitors at the moment.

**Mr. Haggerty:** Just one?

**Hon. A. F. Lawrence:** Just one, and I say it took a year and a half before we were able to latch on to this one; and I am not too sure that this equipment is working the way it should, or is giving us satisfactory information. We only have the one so far—this is a test monitor. My hope is that eventually, where there is any danger, or that matter where there is elimination of SO<sub>2</sub> fumes in any plant, we will be able to put these devices in without notice, monitor them around ourselves and satisfy ourselves and the management and the workers concerned either of the safe conditions or of the unsafe conditions.

**Mr. Haggerty:** Are any of these in the cobalt production end of it? Do you have any of these monitoring devices picking up the quality of air in the cobalt process?

**Hon. A. F. Lawrence:** No, these are in the smelter. This one, at the moment, is in the smelter in Sudbury. Is that what you are asking me, or are you asking me about the actual monitoring process?

**Mr. Haggerty:** Where do you install them? Do you install it in the neighbourhood of the cobalt process?

**Hon. A. F. Lawrence:** In the neighbourhood of what process?

**Mr. Haggerty:** Cobalt processing!

**Hon. A. F. Lawrence:** Cobalt?

**Mr. Haggerty:** Cobalt, that is right.

**Hon. A. F. Lawrence:** C-o-b-a-l-t?

**Mr. Haggerty:** That is right.



**Mr. Sopha:** Does the minister not know what cobalt is?

**Hon. A. F. Lawrence:** I know what cobalt is and I know where Cobalt is, but I was not aware that there was a cobalt smelting process in Sudbury.

**Mr. Sopha:** No, he is talking about Port Colborne.

**Hon. A. F. Lawrence:** Colborne? Port Colborne? I am sorry, we do not have one in Port Colborne yet, because we are still trying to make sure this one that we have works all right. I am not too sure yet that it does.

**Mr. Chairman:** The hon. member for Sudbury.

**Hon. A. F. Lawrence:** I am sorry. I thought the hon. member was saying Cobalt, the town. I could not quite get—

**Mr. Haggerty:** This is what I am saying.

**Mr. Sopha:** He was saying cobalt.

**Hon. A. F. Lawrence:** The cobalt processing plant at Port Colborne? Right. No, we do not have one there.

**Mr. Sopha:** Are you the Minister of Mines?

**Hon. A. F. Lawrence:** I could not quite hear him. I am getting deaf in my old age or something.

**Mr. Sopha:** The member for Sudbury East—

**Hon. A. F. Lawrence:** I have no trouble hearing the member for Sudbury.

**Mr. Sopha:** Thank you very much. I have no trouble in hearing the member for Sudbury East who called into question my stewardship as the member for Sudbury. I want to put a few things on the record before we call it a night.

Now, in the first place we should bear in mind that Mr. Falkowski is a member of the United Steelworkers. Under the intra-union organization he is apparently assigned certain duties in respect of safety. As a result of that official position in the steelworkers union, he communicates, continuously is the word, day to day, with the Minister of Mines, as well as with other ministers of the government. I see no need, bearing in mind his official position, for me to follow up any of his communications. If the member for Sudbury East wants to do that and write his own independent letter in his incomparable prose, that is his own affair, but I rule myself out.

I say, as I said under private question by the member for Scarborough West, I cannot recall ever receiving a single complaint from a constituent other than Falkowski about mine safety in the Sudb. area. Frequently, having the contact that do with so many of them, and having my friends who work underground in the mine inquire about this allegation persistently by the member for Sudbury East, that production is put ahead of safety, and I have a universal denial.

I think of my good friend Ted Boyne who has worked for more than 25 years for International Nickel Company, underground at Garson mine. He is not in a supervisory position; he is a miner. I often ask Ted about that—whether that obtains at Garson mine he tells me that such is not the case. In fact he has told me that the safety precautions imposed by management are often considered by the workers to be so elaborate that they are ridiculous.

That has been echoed by others with whom I have had contact. Of course, we must be in mind that there is a strain here again which we must be on guard; certain elements in the United Steelworkers are not against using these things for political purposes. I have often felt that the member for Sudb. East is often their willing tool.

When he first came into the House he directed questions to the Minister of Mines. I joked, and my attempt at humour was not understood in Sudbury, when it was reported that I had said that the member for Sudb. East got a daily telephone call from the union hall in the morning, directed his question at 2 o'clock, and the afternoon shift could not start at Frood until he got the answer they had to wait for the daily saga. And in many ways I have watched the activities of such people as Gilchrist and Valentine, who appear to be the two leading exponents of the political action philosophy in the union. I have watched their activity. As far as I am concerned, in my contact with them, Gilchrist and Valentine would not have any communication with me at all, because it might enhance the Liberals' prestige for them to do so. They only speak to fellow NDP members. One gets that impression. But I would endorse on the note that, in many important ways the United Steelworkers expressed their confidence in me, and I have recently been honoured to be their nominee on a board of arbitration, which task I have just completed.

**Mr. Martel:** At what fee?

**Mr. Sopha:** —and I hope to maintain that good relationship. But I want to —

**Hon. C. S. MacNaughton (Treasurer):** He does not do it for nothing, I hope.

**Mr. Sopha:** I state unequivocally that it is my belief, from living in the Sudbury area for the past 17 years, although I may have many differences with those two companies, I simply do not believe that they would, in any way, deliberately endanger the lives or safety of the many thousands who work for them for the sake of enhancing their profits. I believe the contrary to be the case. And until I am shown incontrovertible truth, I believe that those companies are the very leaders in the world in techniques of mine safety.

That is the extent of the faith I have in them. And I do not really think that the member for Sudbury East is serving our community or his constituents by exhibiting here a psychotic outlook of enmity and bitterness towards those companies, especially in the realm where the personal safety of workers is concerned.

**Mr. Martel:** Might I ask the Minister of Mines—

**Mr. G. Bukator (Niagara Falls):** Why do you not sit down while you are ahead?

**Mr. Martel:** Might I ask the Minister of Mines a couple of questions? In your meetings which I attended, both with the Falconbridge Nickel employees and with the Inco employees, was there an opinion expressed that the companies were extremely safety conscious? I would like a direct response. Is this the impression you got from both these unions at the meetings you and I attended, that the companies were extremely safety conscious?

**Hon. A. F. Lawrence:** Well now, I would just say—

**Mr. Martel:** Just yes or no.

**Hon. A. F. Lawrence:** I will answer it in my own way. I go to a number of meetings across the north where conditions are not as embittered as they have been in the Sudbury area on occasion, and I cannot think that the attitude in respect of safety in the Sudbury area is any greater or any less than it is in the rest of the province. I mean that most sincerely. I do not think the attitude there, in respect of safety, was any stronger or any more violent or any more embittered than anywhere else. I really do not.

**Mr. Martel:** Well, Mr. Minister, you and I have got a long difference of opinion—

**Hon. A. F. Lawrence:** I have had advantage of going to other areas and listening to—

**Mr. Martel:** Well I have not been to other areas, but certainly the impression that I left at those meetings with you was that you were unhappy, and I start from Mr. Maguire's point of view. But I want to just show the emphasis on the validity of the expressions we have just heard. Do you recall, Mr. Minister—

**Hon. R. S. Welch (Provincial Secretary):** As the hon. member has reached a point, Mr. Chairman, I wonder—

**Mr. Martel:** I will only be one moment. You will recall that when we discussed the mine safety bill, the member for Sudbury left the House and came back stating he had just talked to the United Steelworkers and they were happy with the mining bill. I want to just to place the emphasis on the—

**Mr. Sopha:** No, I did not say that.

**Mr. Martel:** —the mine people. Well, I want you to just read the letter—

**Mr. Sopha:** Oh no, I did not say that.

**Mr. Martel:** To continue:

This letter is to confirm our conversation, in which I pointed out to you my concern with the proposed amendment to The Mining Act. As you are aware, the union has spent a great deal of time analyzing the proposed changes and has made a number of recommendations.

**Mr. Sopha:** Will you read back what I said that night?

**Mr. Martel:** I am still quoting:

As stated previously, there are a number of proposed changes with which our union concurred. However, there are a number of proposals in which we do not concur. In addition, there are many items not covered at all which we would like to see incorporated.

And I might say, Mr. Minister, in summary, that I also went to the president of Mill last Thursday night and asked him for his opinion; and the member for Sudbury did not contact any of the officials in the unions.

**Mr. Chairman:** Is there further discussion? Order!

**Hon. A. F. Lawrence:** Mr. Chairman, I wonder, the whole question of safety, in any event, would be coming up in the committee on natural resources and tourism or whatever. It is meeting within the next week and presumably will be going on for a least a month. In light of that would it be possible to carry this vote tonight so my officials can get back to work?

**Mr. Chairman:** Shall vote 1303 carry? Does the hon. member for Cochrane South have very much—

**Mr. Ferrier:** I only have about five minutes or so, Mr. Chairman.

**Mr. Chairman:** Are there any other hon. members who wish to speak? With the concurrence of the committee, we could sit beyond 10:30; however, without that concurrence, we have no alternative but to rise and report.

**Mr. Gisborn:** Well, Mr. Chairman, if we get the assurance that we can refer to the estimates in the committee on the bill.

**Hon. A. F. Lawrence:** Yes, I anticipate that there will be a wide-open discussion in the committee, when we get there, in respect of that whole safety programme. That is why I was rather surprised that a number of these matters were brought up tonight.

**Mr. Ben:** I have a couple of—

**Mr. Chairman:** Well, in view of that would it be proper to carry the vote to save any further discussion on this particular occasion? If there are going to be several speakers, I think we must ask for a motion to rise and report.

**Hon. Mr. Welch** moves that the committee of supply rise and report it has come certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. R. S. Welch** (Provincial Secretary) Mr. Chairman, tomorrow we will carry on the committee of supply, with the estimates of The Department of Mines, hopefully to be followed by the estimates of The Department of the Civil Service.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock,









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Wednesday, April 22, 1970

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, APRIL 22,

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** As our guests today, in the east gallery, we have students from the R. H. King Collegiate Institute in Scarborough and St. Joseph Commercial School in Toronto; in the west gallery, from Port Hope High School, Port Hope; St. Lawrence Community College in Kingston and Martingrove Collegiate Institute in Islington. Later this afternoon we will have students from Mount Carmel School in Leamington; in the east gallery and in the west gallery students from Chatham-Kent Secondary School in Chatham.

Statements by the ministry.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I would like to announce that the government of Ontario will participate in a new study of services related to drug abuse by young people in Metropolitan Toronto and the availability of treatment facilities.

The province will provide a grant of \$20,000 to Project 70, which is a co-ordinating, consultative and advisory group operating under the auspices of the Metropolitan Toronto Social Planning Council.

The grant will be used to determine the extent of current need for treatment services by young people in Metro Toronto who are using drugs. It will examine available services and patterns of use being made of existing services.

The study, which is to be completed by June 30 of this year, will make recommendations for additional services to assist young people who are under the influence of drugs. Among the services and facilities to be evaluated are crisis intervention services, residential settings, preventive educational counselling, treatment resources, and innovative youth programmes such as detached youth work and drop-in centres.

It will also recommend methods for improving liaison between these programmes and community resources such as schools, welfare agencies and police, and it will make recommendations for the immediate implementation of the most effective method for

developing, co-ordinating and supervising a total approach to drug abuse.

The government of Ontario is deeply concerned about the use of drugs and the ability of proper and adequate facilities to help those who are suffering from the effects of taking drugs.

The work which Project 70 is launching is part of a larger programme which the government of Ontario will announce shortly.

Metro Toronto is being used as a demonstration area for this project, but the results will have a province-wide value. Its findings and recommendations may provide—and we hope, will provide—a model for use in other communities where drug problems exist.

It is the results we seek, because we want to put this information into the hands of the people throughout Ontario who are fighting the drug problem. Drugs are a new problem to our society and it is imperative that we find methods which will meet the needs of those people who are involved.

Project 70 itself includes representatives from Metro agencies serving young people, the Metro school system, the addiction research foundation, the Metropolitan Toronto Health Department and mental health and hospital agencies. Project 70 meets weekly under the chairmanship of Dr. Reva Gerstein of Toronto.

The director of the study is Robert Couchman, master of education, head of special education counselling services of the Etobicoke school board. In addition to professional people in the field, Mr. Couchman will be consulting with young people for the study.

In summary, the study will endeavour to show where some existing services can be modified to have a closer relationship to the needs of the "street scene" and where they cannot. Where a gap in services is recognized, recommendations will be made to implement new services.

To my knowledge, this is the first study involving such a comprehensive assessment of the city's services to young people involved with drugs and, as I say, we hope that it will help us as we approach this problem in all parts of Ontario.

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, I am pleased to announce today the establishment of management advisory boards, which will increase the involvement and participation of the community in the administration of psychiatric hospitals.

Members of the local communities will be invited to serve on the first of the new advisory boards, which are now being established at the Lakeshore Psychiatric Hospital, New Toronto, and Northeastern Psychiatric Hospital, South Porcupine.

This new concept in administration for these hospitals will lend support to the mental health division's policy of placing prime emphasis on the development of services for the prevention, treatment and rehabilitation of the mentally ill and retarded in their own community.

Each advisory board will draw on the services of local residents with a background of knowledge and experience in health, education, welfare, business and other fields. They will work alongside senior medical consultants and representatives of the general hospital boards which operate within the catchment area served by the psychiatric hospitals.

The management advisory boards, with up to 15 members each, will assist hospital administrators and superintendents in providing the highest standard of care possible and in maintaining a close collaboration with other medical agencies and services in the area. One-third of the members will be appointed each year for a three-year term. They will meet regularly to discuss the organization of the hospital, its programme of services, expenditures and all other matters relating to the provision of services in their area.

Local involvement and participation through these new management advisory boards represents a further advance in the development of new programmes in Ontario in which the various services and agencies in the community are regarded as the base for the provision of mental health care. The psychiatric hospitals, of course, with their broad range of resources, are an integral part of the regional programme and provide special back-ups for other community agencies. This, of course, Mr. Speaker, is the reverse of past traditional operational methods.

The expansion of services into Ontario's communities was undertaken in 1930 when a travelling health clinic programme was introduced. As an extension to this scheme, full-time outpatient mental health services were established. These were set up in 1946 in a

number of general hospitals and, at about the same time, outpatient services for mental health were established in provincial hospitals. An expansion of these services began in 1950.

During the period up to 1969 the number of psychiatric facilities has increased threefold, and by the end of the decade there were more than 100 psychiatric facilities identified with our mental health programme. As well as extensive residential facilities there are, of course, a wide range of outpatient and day care services and consultation and educational services. This will provide the necessary assistance to an even larger number of community agencies dealing with mental health.

Mr. Speaker, in my opinion, the new development of management advisory boards is in keeping with the current interest and concern of the public in the provision of mental health services. These new boards will further encourage the discarding of our outdated conceptions of psychiatric hospitals and create additional opportunities for the public to become increasingly knowledgeable and involved in the community's total mental health programme.

**Mr. R. Gisborn (Hamilton East):** I have a question of clarification, Mr. Speaker.

**Mr. Speaker:** No, there are no questions at this time. The questions must come in the oral question period.

Statements by the ministry.

Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I would like to ask the Premier further to the statement that he just gave in the House, how the grants to the research unit taken by Project 70 will fit into the continuing responsibilities of the addiction research foundation? Is there any danger that we are scattering our resources over too large a field instead of concentrating them in the foundation that has had the continuing responsibility?

**Hon. Mr. Robarts:** Mr. Speaker, I went into this matter very carefully, of course, because my reaction was not dissimilar to that of the Leader of the Opposition. The drug addiction research foundation is part of this operation; it is represented in Project 70. But Project 70 is working far beyond the area in which the addiction research foundation can operate, and I am satisfied that this will in no way interfere with what they are doing—and will be a fact complement part of it.

The problem we face, of course, in the whole drug situation is that it is a

social problem. We do not have precedents to follow. We are going to have to break some new ground. We are undoubtedly going to proceed on the basis of trial and error, and I think the solutions which we hope to find eventually will be evolutionary. In other words, we will really have to think the thing through in some ways that perhaps will not be the traditional approaches that we have taken.

This whole undertaking is designed to evaluate some of the new, innovative programmes that have been developed by various citizens' groups here, as well as to look at the traditional methods that are being used. So I think I can assure the House that this programme will not in any way affect the work of the drug foundation, it will not overlap. It does not amount to an expenditure of funds in the same area and the addiction research foundation will be tied into this project as well.

**Mr. Speaker:** The member for Peterborough, a supplementary?

**Mr. W. G. Pitman (Peterborough):** I would like to ask the Prime Minister a supplementary, Mr. Speaker. Where a local community, either a rural community or a small city, has developed a project very much like the one the Prime Minister described for the city of Toronto, where the school and the police and the mental health authorities are all involved under some guidelines that the Prime Minister himself might reveal, would it be possible to get a grant, on a much more minimal level, but at least some kind of a grant where the same kind of situation exists?

**Hon. Mr. Robarts:** I think for as long as we can, at this stage we should limit our support to areas which will eventually have broad application. I realize, of course, that this project is limited to one area, but if the member will notice, the deadline is June 30 this year for this research to be completed, and what we hope to do is to take the information that comes from this and move on from there in an approach.

Certainly we recognize—and no one recognizes better than I do, coming from London—that this problem is not limited to the city of Toronto, and we are going to have to attack the problem in all the municipalities of Ontario where it exists. But here is a well-founded group of citizens operating under a recognized organization, the Social Planning Council of Metropolitan Toronto. They have done a lot of work in this thing and they

need some financial help. I think the research will be beneficial to all of Ontario; they will not be limited, of course, to the Metropolitan Toronto area.

I think that we would be prepared to do similar research projects. This is not a treatment project, it is a research project. Certainly we need all the research we can get, but this is a start and eventually I think in the not too distant future, because we do not have time to spare, we will be able to evolve some principles that then can be adopted by school boards and local groups. My experience indicates that there are local groups all over the province concerned, and in fact I think the entire adult population of Ontario is concerned with this problem.

In specific answer to the member's question, we would have to look at the projects and examine them, but certainly at this stage we are interested in the area of research in order that we may draw conclusions and establish the programmes, and then we will have to see about financing them after that.

**Mr. Speaker:** The member for Scarborough East has a supplementary?

**Mr. T. Reid (Scarborough East):** Could I ask the Prime Minister, Mr. Speaker, whether the Ontario Institute for Studies in Education and/or the curriculum branch of The Department of Education will be formally involved in Project 70 as it relates to research in curriculum development?

**Hon. Mr. Robarts:** No. Project 70 really is not concerned in any way with education at this stage. It is looking at treatment facilities as they presently exist—both the new ones and the more traditional means. It is not dealing with the educational aspect of this problem at all.

**Mr. Speaker:** Has the member for Scarborough Centre a supplementary?

**Mrs. M. Renwick (Scarborough Centre):** Mr. Speaker, would the Prime Minister clarify the mental health unit that is voluntarily staffed but includes two psychiatrists from hospitals such as in Scarborough—would that be considered as a valuable research centre to be included in the project?

**Hon. Mr. Robarts:** Probably, Mr. Speaker. I do not know the particular organization the member is referring to. But if it is working in this field now, my guess is that it would be part of the clinical material that this committee is going to study—that is, its operation

how it is dealing with the problems it has, the degree of success, and so on.

**Mrs. M. Renwick:** A supplementary, Mr. Speaker: might they be able to have a small grant since they operate on an extremely small budget?

**Hon. Mr. Robarts:** Well to a point, my answer would be the same as my answer to the member for Peterborough. The grant we are making in this regard is for research. It is to enable this research to be done now—immediately; between now and June 30—so we can evaluate all the efforts that people are making presently and draw from them certain conclusions which will help us in establishing programmes elsewhere.

**Mr. Speaker:** The Leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, another question of the Premier. Is he considering the establishment of an environmental council which would have the same independence as the Economic Council of Canada, which would assess the efficiency and effectiveness of our various programmes to abate pollution, as they are operating in the province?

**Hon. Mr. Robarts:** I have not given any consideration to that, Mr. Speaker.

**Mr. Nixon:** A supplementary question. Is the Premier aware that this suggestion has been put forward on a non-political basis by those who are concerned members of the community, such as Pollution Probe? On that basis, would he undertake to give it some consideration?

**Hon. Mr. Robarts:** I am quite prepared to consider anything that will assist us. As we move into this area, I am getting a good deal of advice from all sides about pollution at the present moment.

**Mr. J. B. Trotter (Parkdale):** We are not getting much action though, are we?

**Mr. Nixon:** And it is good advice. I have a further question of the Premier, Mr. Speaker. Has he contacted the government of Canada asking them for special designation for the town of Blind River? Is he aware of any negotiations that have been undertaken by this government with the town of Blind River, which is awaiting this contact?

**Hon. Mr. Robarts:** I cannot give the member the specifics; but yes, Blind River has had a great deal of attention and we have discussed it with the federal authorities. But, as I say, I cannot give you chapter and verse

of those discussions. I know they have gone on in our attempts to develop industry there. We know the situation at Blind River; we spent a great deal of time trying to assist those people. I think if the member wants particulars he might put the question on an order paper and we could answer it, or the minister.

**Mr. Nixon:** In fact the Premier said yes.

**Hon. Mr. Robarts:** Yes. My answer to your question is quite definitely, yes.

**Mr. D. C. MacDonald (York South):** supplementary, Mr. Speaker: is the special status in relation to the federal government being considered in the extension of designated area arrangements, or is there some possibility that it will be joint federal-provincial?

**Hon. Mr. Robarts:** Everything is joint federal-provincial, I suppose. We would like to have all of the assistance possible to be offered to the area by the federal government, and we will offer them the assistance that we have.

The real problem with Blind River is whether you offer assistance, but whether you have somebody to offer it to; who has the industry to establish there. That is the real problem.

**Mr. Nixon:** Mr. Speaker, I have a question of the Attorney General. Could he clarify the law as regards the possibility of a charge being brought against the Ontario Water Resources Commission, as the primary polluter in the Richmond Hill area, since they operate sewage treatment facilities which evidently have not been kept up?

**Mr. Speaker:** Perhaps the hon. member would just ask his question.

**Mr. Nixon:** Is that sufficient?

**Hon. A. A. Wishart (Minister of Justice):** No. Offhand, Mr. Speaker, I would not attempt to give an opinion on that question. I will take the question as notice and give you my opinion on it very shortly.

**Mr. Nixon:** A further question of the same minister: a week ago he undertook to take notice, the project of tabling his objections to the constitutionality of The Canada Water Act. We are still awaiting those papers.

**Hon. Mr. Wishart:** Yes, Mr. Speaker. It has been under preparation, a summary of the matter, of our opinion. I thought it might have been ready by today but it is very close to readiness. It will be abroad shortly.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** Mr. Speaker, I have a question of the Attorney General. What explanation is there for the secrecy of the establishment of the special security branch in the OPP, established last August and revealed only now in the annual report? Now that the secrecy has been lifted, would the Attorney General give us some indication of the proportions of the branch in terms of personnel and expenditure?

**Hon. Mr. Wishart:** Mr. Speaker, I had no impression at all of secrecy of any kind in this matter. It is purely a routine matter. We have always had—

An hon. member: It is housekeeping.

**Hon. Mr. Wishart:** Yes, it is housekeeping, if the member wants to put it that way.

**Hon. A. F. Lawrence (Minister of Mines):** Blackwell's blackleg!

**Hon. Mr. Wishart:** We have always had certain security personnel in the OPP force. You see them on the floor of this Legislature, and in the halls of this building.

**Mr. Gisborn:** We do not know where they come from, sometimes.

**Hon. Mr. Wishart:** The member says there are not enough of them, apparently; that is what I take from his remark.

**Mr. E. W. Sopha (Sudbury):** Are they SMERSH?

**Hon. Mr. Wishart:** But let me say this, I want to dispose of this idea of secrecy. It is, in a sense, routine. There is no secrecy and no great increase.

**Mr. Sopha:** Who are they guarding, the minister or us?

**Hon. A. F. Lawrence:** They are protecting the public from the member.

**Hon. Mr. Wishart:** There is no great new approach in this matter at all. All that is published in the report; we publish a report and file it once a year. We make it known. It was not something that was hidden. I think what the report indicated was that we had expanded, to some degree, the security personnel of the OPP force.

**Mr. MacDonald:** Did the minister answer my specific question?

**Hon. Mr. Wishart:** Now the hon. member asks me to continue and say how much money. Well, I cannot give him that at the moment.

**Mr. MacDonald:** Personnel?

**Hon. Mr. Wishart:** That will probably come up in my estimates but I will be glad to get it for him quickly and give it to him before then.

**Mr. MacDonald:** May I ask a supplementary question?

**Mr. Speaker:** The member for York South has the floor for a supplementary.

**Hon. Mr. Wishart:** Let me say that it is nothing extraordinary about this at all in my view, it is a routine matter.

**Mr. MacDonald:** If there was no extraordinary, why was it established August 11? What happened in advance of August 11 that made it necessary to establish it? As a further supplementary question, are the guidelines by which the OPP operate to a conclusion to designate people as representing a threat to the security of the government?

**Hon. Mr. Wishart:** Insofar as the date of establishment is concerned, it might have been August 15 or October 12, any day. I do not think there is any significance that it was established on a certain day. Something had to be done. I think the report indicates that a considerable number of threats of this kind and another had been made—some taken seriously; others, perhaps, were not taken seriously. But in this day, when we have certain incidents and when the use of force seems to excite certain people, I think it is indicated that there should be some increase in security matters.

**Mr. MacDonald:** Surely the minister has other forces which are doing their duty in that score, and he does not need a special security force?

**Hon. Mr. Wishart:** There are other forces doing the same thing.

**Mr. Speaker:** The member for Sarnia has the floor for a supplementary question.

**Mr. J. E. Bullbrook (Sarnia):** Would the Attorney General advise who has the responsibility for making the decision on who represents a real threat to the structure of government?

Who makes that decision; do you or the OPP?

**Hon. Mr. Wishart:** Mr. Speaker, I am glad the hon. member asked that because, quite frankly, when I read the report and saw the term "a threat to the structure of government" I did not quite understand what that was. I do not think there is any grave or serious threat to the structure of government.

**Mr. Bullbrook:** Yet that is the purpose of the body.

**Hon. Mr. Wishart:** Yes, well, I think—

**Mr. MacDonald:** The Attorney General is confirming our doubts.

**Mr. Pitman:** That is exactly what it says.

**Hon. Mr. Wishart:** Yes, well—I will confirm them because I will join you in that. I do not think there is any threat to the structure of government. I think the person who prepared—

**Mr. Bullbrook:** That is what it says in the report.

**Hon. Mr. Wishart:** I know it says that. I say I do not quite understand it.

**Mr. MacDonald:** Who is going to make the decision then?

**Hon. Mr. Wishart:** I say what I think it meant. The person who prepared the report probably was talking about the individuals who are members of government, through this House and otherwise, and that there were threats being made against individual persons.

**Mr. Bullbrook:** Protecting people, protecting families is one thing but—

**Hon. Mr. Wishart:** If the hon. member would like an answer to his question, perhaps he would be good enough to give me the opportunity to reply.

**Mr. Sopha:** That is the trouble, the Attorney General is not answering it.

**Hon. Mr. Wishart:** Well, I cannot get an opportunity because of interruptions.

**Mr. Sopha:** Speak up!

**Hon. Mr. Wishart:** I had a note from a member of the New Democratic Party the day before yesterday. He came to see my officials, very much concerned about a threat made to himself and his children and wife.

We have put the Ontario Provincial Police on the case and have pursued it and they are guarding his home at this time. He is a member of this Legislature.

**Mr. MacDonald:** That is fair enough. Nobody is asking that.

**Mr. Speaker:** Has the member for Pitman a supplementary question?

**Mr. Trotter:** Yes, a supplementary question. In order to protect the structure of government, are we going to have the Commission in the members' lobby while we keep the press out?

**Hon. Mr. Wishart:** Oh, that is a nonsensical question.

**Mr. Speaker:** That is not supplementary to the main question.

**Hon. A. F. Lawrence:** Surely the members can do better than that?

**Mr. Speaker:** It is quite out of order. The member for York South completed his question?

**Mr. Pitman:** Could I have a supplementary question on that, Mr. Speaker?

**Mr. Speaker:** This will be the last supplementary question.

**Mr. Pitman:** I just want to ask whether the Attorney General intends that this security branch will have files of its own and whether those files on people who pose a threat to government, or officials in this government will be open for inspection?

**Hon. Mr. Wishart:** Mr. Speaker, I think the hon. member should realize that, particularly in security matters—not only security of this nature, but the whole field of criminal activity—we do not make public the investigations of police. Those are matters which generally should not be publicized.

**Mr. Pitman:** But this is a political act.

**An hon. member:** It is a bomb on the floor of the House.

**Hon. Mr. Wishart:** I would still say every word "security" indicates that it will not be made public knowledge, in most cases.

**Mr. MacDonald:** Mr. Speaker, I have a question of the Minister of Social and Family Services.

In the recent increases to General Welfare Assistance payments, what conceivable explanation is there for the fact that families with six children, four under nine or two under 16 years of age—have their allowance decreased by \$1 a month or 30 cents a week—that one particular category?

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, I will check out the compilations made by the hon. member.

**Mr. MacDonald:** Mr. Speaker, I might say to the minister it is not my compilations, it is on his chart. I am reading it, not compiling it.

**Hon. Mr. Yaremko:** I will examine the figures that the hon. member has read out, then.

**Mr. MacDonald:** I have a question of the Minister of Financial and Commercial Affairs. Yesterday's Ottawa paper, *The Citizen*, has a story about the appointment of the minister's new executive assistant. And one paragraph states:

He will assist Mr. Lawrence in both departmental and constituency matters.

Would the minister indicate what proportion of his new assistant's time is going to be devoted to public business and what proportion to constituency matters?

**Mr. J. R. Breithaupt** (Kitchener): Ninety-nine and forty-four one-hundredths per cent!

**Mr. Sopha:** The Attorney General has a new one, too. They are blossoming over there.

**Hon. A. B. R. Lawrence** (Minister of Financial and Commercial Affairs): My executive assistant, I expect, will spend five days of the week here in Toronto. Part of that will be constituency business, to the extent that he will help me with flow that we all have as individual members of constituency problems.

**Mr. Sopha:** I have heard the minister was in trouble.

**Hon. A. B. R. Lawrence:** At home in Ottawa, where he will be, I presume, on weekends, he can certainly assist me in setting up meeting with my constituents and other again normal chores we all face.

**Mr. E. W. Martel** (Sudbury East): It would be nice if we had one of those.

**Mr. Speaker:** Has the member for York South completed his questions?

**Mr. Sopha:** Has he got a private office?

**Hon. A. B. R. Lawrence:** No private office.

**Mr. Speaker:** The Minister of Social and Family Services has the reply to a question asked the other day.

**Hon. Mr. Yaremko:** Mr. Speaker, the other day the hon. member for Thunder Bay (Stokes) asked the question: did the minister receive a copy of the letter, or rather the original, that was sent to him by the majority of Ontario Indians objecting to the manner in which welfare cheques are being sent to retail outlets, rather than to the individual? If he has, what action does he intend to take regarding the welfare cheques that are sent to retail outlets, instead of direct to the recipient?

The answer, Mr. Speaker, to part A: a copy of the letter, actually from Mr. Sault, who is a vice-president of the union, was sent to me and was received in the department. The letter was addressed to a departmental representative in the field and was answered on July 20 by the regional administrator in Thunder Bay.

The answer to part B is that it is departmental policy to appoint a trustee to manage the allowance cheques of individual recipients who are disabled and unable to manage their allowance funds properly. On occasion, it has been necessary to appoint retailers as trustees due to the difficulties in obtaining trustees, particularly in the remote areas.

Trustee arrangements, in general, are common in our allowance programmes, and it is preferable, in all cases, that the beneficiaries handle their own funds.

**Mr. Speaker:** The Minister of Lands and Forests has a reply to a question of the other day.

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, on Monday the member for York South asked me a question in reference to the studies of Dr. Jervis on quail and grouse.

May I say that the first mercury test was done for us, as opposed to the samples that were sent to the Gulf Atomic Corporation in California by the investigator under federal contract, were upland game birds done by Dr. Jervis at the Toronto University.

You will recall that it was announced in the press that Alberta had closed hunting for Hungarian partridges and pheasants because of high levels of mercury. We were anxious to have our Ontario birds tested and were concerned over the long waiting period.

for results from California. Dr. Jervis undertook to do this work and tested five Ontario Hungarian partridges and five pheasants. All showed low levels of mercury.

He has since done tests on some 50 fish, and in fact has extended most useful co-operation considering that he must have had his own work to do and must have deranged other schedules to help.

We now have used facilities at Winnipeg, Toronto and Guelph, wherever they could reasonably be pressed into service. The capacity for testing has been greatly expanded at Winnipeg and Toronto.

I should point out that fish, bottom sediments and human urine are all being sampled at the same time with a comparable degree of urgency. We are giving priority to critical areas.

So far as the total of human intake of mercury is concerned, I understand from our friends in the health department that it is cumulative, but the human body does get rid of it at a fairly constant rate. If the total intake from all sources exceeds the amount that can be eliminated sickness may result. The small amounts normally present in the environment, including food, are harmless, and the hazard in fish derives from the addition of a substantial intake at one time. Safety levels are based on the assumption that this will be continuous or repeated intake.

No other serious sources have been identified to our knowledge but the possibility must be conceded to exist. A newspaper some time ago reported deaths from eating meat from a hog that had been fed on mercury-coated seed grain intended for planting. Where mercury is used ignorance or neglect can cause a hazard, but this sort of thing does not result from a contaminated environment.

Fish in the waters we have designated do, until they are clear, constitute a hazard due to a contaminated environment; and this is the only instance of this situation of which we are aware.

**Mr. Speaker:** The member for Dovercourt?

**Mr. D. M. De Monte (Dovercourt):** I was just wondering if I may ask a question of the minister in relation to the statement he has just given. What is the danger level of human consumption and the existence of mercury in the human body? How many parts per billion is the danger level?

**Hon. Mr. Brunelle:** Mr. Speaker, at the present time the federal government and ourselves are using figures of .5 parts per million.

This is the accepted tolerance level mercury.

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

**Mr. B. Newman (Windsor-Walkerville):** Speaker, I have a question of the Minister of Transport: has the Toyoto Motor Sales Company informed the minister of the three serious defects in the Toyota Corolla, namely: first, the brake pedal could be under emergency stops; second, that the brake fluid reservoir cap was not properly designed and the third, that the brake tube clearance was insufficient and could cause a serious accident?

**Hon. I. Haskett (Minister of Transport):** Toyota reports its recall programmes to the department in the usual way. In the present case, involving the Toyota Corollas with respect to the brake pedal, the brake tube location and the brake fluid reservoir cap, we understand their recall programme in Canada is being readied at this time.

**Mr. Speaker:** A supplementary by the member for York South?

**Mr. MacDonald:** Sorry.

**Mr. Speaker:** The member for Hamilton East has been trying to get my eye. Will the member for York South defer to him?

**Mr. MacDonald:** Right!

**Mr. Gisborn:** Yes, Mr. Speaker. My question is of the Minister of Health, regarding the statement he made. It was hard to get the complete substance of his statement in relation to the establishment of management advisory boards to psychiatric hospitals. I would like to take place in all of the units in Ontario. Secondly, will financing be necessary? If so, on what basis?

**Hon. Mr. Wells:** Eventually the program will cover all the hospitals. When this will be, I do not know; we are starting with two. We are going to experiment with two that I announced now, and there will be no particular financing necessary.

**Mr. Gisborn:** A further supplementary. Will this be in co-operation with the present mental health branches, or will it be separate and apart from the present voluntary mental health branches?

**Hon. Mr. Wells:** I am not sure exactly what the hon. member meant by the me-



health branches. Does he mean mental health councils in communities and so forth?

Well, these people will be nominating people to sit on the boards. If I could give you an example, the board for the Lakeshore Psychiatric Hospital will number 14, and it will include a member of the board from each of the general hospitals in the catchment area for the Lakeshore Psychiatric Hospital; that is, Queensway, Mississauga, Northwestern, Humber Memorial, North York and Peel Memorial. Each of these hospitals will appoint one member of their board to sit on this advisory committee. It will include the president of the medical staff at the Lakeshore hospital, a representative of the professional advisory committee at the Lakeshore hospital, a representative of the management committee and the president of the association of volunteers at the hospital, and four members of the general public.

**Mr. Speaker:** The member for Welland South.

**Mr. R. Haggerty (Welland South):** Thank you, Mr. Speaker.

A question to the Minister of The Department of Financial and Commercial Affairs, regarding the announcement of last week that measures have been taken by the minister in restyling the province's lottery regulations. Is the minister now contemplating claims for public operations of off-track horse betting parlors?

**Hon. A. B. R. Lawrence:** Mr. Speaker, I would suggest that this is not a field in which I have jurisdiction. Off-track betting and the question of prosecution, I feel, would fall to the responsibility of the Attorney General.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** I have a question of the Minister of Labour. Is the minister aware of the fact that the Essex county school board is using strikebreakers in their dispute with the caretakers? I ask the minister, is this departmental policy; and if not, what is he going to do about it?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, I am not aware of the facts as the member states them. In fact, this was in the paper last week, and it was denied by the responsible officials of that board. This particular set of negotiations is before my conciliation officers and they have been working on it.

**Mr. MacDonald:** Well, would the minister check that out again, in view of the information that the work force that is primarily on strike is now being replaced?

**Mr. D. A. Paterson (Essex South):** Speaker, a supplementary.

**Mr. Gisborn:** It is a programme to be taken down on unemployment.

**Mr. Paterson:** Is the minister aware—

**Mr. Speaker:** Unfortunately the oral question period has expired.

Petitions.

**Hon. Mr. Yaremko:** Mr. Speaker, I have—

**Mr. Speaker:** No. The question period has expired.

Presenting reports.

Motions.

**Hon. Mr. Robarts** moves seconded by Mr. Nixon that the standing orders of the House be as set out in the schedule attached to this motion.

**Mr. Speaker:** Mr. Robarts moves, seconded by Mr. Nixon, that the standing orders of the House be as set out in the schedule attached to this motion.

Is it the pleasure of this House that the motion carry?

**Hon. Mr. Robarts:** Just before this motion is carried, I might say a very brief word. The standing orders contained in the schedule to this motion today will constitute the new rules of procedure in the House, the same as they appear in the reports of the standing committee delivered to the House on March 16 and April 2. They were printed in *Votes and Proceedings* numbers 15 and 16 with certain exceptions which I might mention.

These new rules will appear in the *Votes and Proceedings* tomorrow. They have been prepared as a result of the select committee appointed last year, which brought in its interim report and some recommendations which we used in the latter part of the last session and under which we were operating at least to some extent, in the early part of this session. This resolution, and the standing orders here, represent the final result of the committee.

Perhaps I should point out where they differ from the ones the members have already seen. Under clause B of standing

order No. 1, the Speaker's discretion in dealing with contingencies unprovided for is widened from specific reference to the Parliament of the United Kingdom to reference to parliamentary tradition in general; that is where he looks if he cannot find the answer in his rules or in our own background.

The second change is the provision of standing order No. 28, permitting a brief adjournment debate; this has been changed from Thursday night to Tuesday night, because of the early sitting of the House on Friday.

The third provision is that clause B of standing order No. 30, respecting time limitation on speeches in an emergency debate, now contains the additional provision that the debate may not extend beyond one sitting.

In standing order No. 32, the requirement of notice for the introduction of bills has been deleted. The 48 hours' notice really has no meaning in today's world.

Standing order No. 34 has been amended to permit an amendment to the amendment on the budget motion, so that the budget motion will now be the same and the budget debates will follow the same procedure as the Throne debates.

The provisions of clause C of standing order No. 87 have been amended to make it clear that the sittings provided for debates on reports of standing committees on estimates are included in the sittings provided for the business of supply in the House. And, following that, in the same standing order No. 87, the time for reports of standing committees on estimates has been increased from 60 to 75 sessional days from the day of presentation of the budget. In addition, there are a very few technical corrections to bring certain standing orders in line with each other. But, apart from those that I have mentioned, the orders are the same as have been printed.

Before I sit down, I would like to offer my congratulations to the members from all sides of the House who collaborated and worked together in revising the rules. It was done in an atmosphere of co-operation, and I am delighted that we have been able by this means to be masters in our own house, to decide among ourselves with the unanimity of all members, regardless of party, and that we were able to come to these conclusions. I am quite certain that the business of this House will proceed in a more expeditious way and in a manner somewhat more akin to the times in which we live as a result of these amendments.

Mr. Nixon: Mr. Speaker, I think it is by the fact I have the honour of seconding this motion that we on this side support rules as they have been placed before me. I do, however, want to make one or two brief references to some areas that I believe might possibly be improved.

I think it is well understood that the standing committee on orders and procedure is going to continue meeting with the express purpose of improving the situation in the committees. The committees, particularly those relating to supply, are still substantial in an experimental situation. We have had good experience with them during the last fall, and I believe that they can be further improved.

There are one or two specific things, that I would just like to bring to your attention, and there may have been one or two others which I think, if there is general agreement, can be set right.

I have some residual objection to the rule that we are giving Mr. Speaker. If, in fact, he has the responsibility finally to expel a member from the House, that such an expulsion is for the remainder of the session. That is a substantial penalty indeed in these days when the sessions last for almost a full year and would be tantamount to making a seat vacant.

My own view is that, following such an expulsion—and I would hope that it never would occur, but in the event that it might at some time in the unforeseeable future—the House should have the final judgement as to the length of the suspension. I suppose, because of the power of the House, that in fact essentially could be undertaken in the way the rule is presently written.

The second thing that has given me some concern is rule 47(c) in which, if I may be permitted to quote briefly:

If unanimous consent, as required by clause (b), is refused, if the bill is a government measure, it will be referred to a committee of the whole House, or to a standing or select committee, as the minister having charge of the bill designates.

There have been occasions in recent history in this House where, in the view of at least some members of the House, the bill should have been referred to a standing committee which would permit public representation rather than referral to the committee of the whole House. I did not object unduly to the power that this rule gives the individual minister to refer the bill because, as I see it,

would be possible in the next subsequent session for any member of the House to get up under the order "motions" and without notice present a motion that would refer the bill other than the way the minister had dictated. It may be that notice is required, but I understand we have removed the necessity for notice under most circumstances. This is one area where I feel that we must be prepared, and I hope that the members of the government will be prepared to refer the bill to a standing committee in cases of doubt so that public representation would be possible.

The third objection of a general nature—well it actually is a more specific one—is under section 10 where the standing committees are organized. We know in the House that it has been, and is still under these new orders, the responsibility of the leader of the government to undertake the organization of the standing committees; and it sometimes is postponed unduly. As a matter of fact, during the present session some of our standing committees have not yet been organized; and we are all aware of the examples—the standing committee on health is one. It is my feeling that the orders might very well contain the requirement that the Clerk of the House would automatically convene these standing committees within a specific period of time, let us say 10 sitting days following the naming of the committee members by resolution of the House.

The last specific objection I want to bring to your attention, sir, is right at the end of these new rules where the duties of the legislative counsel are laid down and they say specifically: "The office of the legislative council shall:

(1) Prepare and advise upon such legislation as may be required by the executive council or any member thereof."

As I understand that, that would be any member of the executive council. This is unchanged, basically, from the old rules and it has been our custom, and it has been the custom of the legislative counsel, to give assistance in the preparation of bills and motions to any member of the House, and I would expect that this would be essentially unchanged. I wanted to mention this so there would be no doubt about it and that the services of the legislative counsel would be available to us all.

Having put these objections on the record, sir, I want to make it clear that there has been a most useful exchange of views in the development of the new rules. I would say that all people concerned, as individual members and representing the three parties, and

representing the government and the opposition, have, I would say, been in a position to give and take. The result is not something that has been vitiated by this process but in fact it has been strengthened. For that reason I feel that the work of the House will be improved by the adoption of the rules.

I do not agree with the Prime Minister that the aim is to expedite the work. I think perhaps he might, in his more subjective moments, feel that it is our purpose, and it would appear to be our purpose, to do more than expedite it from time to time.

Our purpose on this side, in our understanding of the democratic tradition, is to see that the business of the province has the widest possible discussion and attention, not only by the members of the House but by the people in the community. I believe that the rules we now have them will accomplish this. I do not associate myself with a desire to expedite the business particularly, but I do believe that the rules will improve the consideration of public business here and actually improve the involvement of the citizens and taxpayers in the day-to-day business that we undertake.

**Mr. T. Reid:** On a point of order, sir!

**Mr. Speaker:** Point of order!

**Mr. T. Reid:** My point of order relates to the question period, and it is that I believe you have made, to my knowledge—I may be incorrect of course—new rulings concerning the question period and I was wondering if I am correct in making the following interpretation.

I asked you privately, sir, a number of questions, and my understanding of your ruling was that if a member asks a supplementary question, therefore by that fact he goes to the end of the list and cannot initiate a question of his own; secondly, that the leader of the opposition parties can intervene at any point to push another private member further down the line; and thirdly, sir, I must not act like the hon. member Grey-Bruce (Mr. Sargent) in this House.

I wonder if you could clarify those points and whether you were going to be consistent in the future on those new rulings or whether we should perhaps discuss those points?

**Mr. Speaker:** Well of course the hon. member's recounting of our private discussion is not accurate in my view; it may be from

**Mr. Sopha:** It was not so private, I could hear half of it from here.

**Mr. Speaker:** Yes.

My view, of course, is that all the members on both sides of the House must have an opportunity to ask questions and no member should be given an undue opportunity, either by supplementary or other questions, to have more than a reasonable share of the question time. Today the hon. member had asked a question. True it was a supplementary, but he had asked a question and he was on his feet and so was the member for Welland South (Mr. Haggerty) behind him. Certainly I felt the member for Welland South had the right to ask a question in preference to the member for Scarborough East; and I shall continue to use my judgement in trying to give members a reasonable opportunity to ask questions, no matter who they may be.

Now with respect to the leaders' questions: the unwritten and unsigned but observed rule is that the leaders of the two opposition parties have preference, not only in this House but I understand that that is so in other Parliaments of this kind. Unless I am instructed by the House, or by the whips who speak for the parties, to do otherwise I shall continue to follow that course of action.

**Mr. Bullbrook:** Might I speak to the point of order, sir?

I want to query a view in connection with your final comment. Does this mean that the hon. member for York South after he has carried out his function of asking the first questions for the New Democratic Party, can we then look to you to recognize him before anybody else thereafter?

**Mr. Speaker:** Of course that does not apply only to the member for York South. If it applied, it would apply to the Leader of Her Majesty's Loyal Opposition.

**Mr. Sopha:** Could we get back to—

**Mr. Speaker:** Are we back to our motion or has the hon. member for Sudbury a question on that?

**Mr. Sopha:** I wish to make a brief comment.

Reference has been made by the Prime Minister to the work of the committee and by the Leader of the Opposition to the fact that the committee is continuing its investigations into the procedures and the efficiency of the standing committees. I should like to draw the attention of the Prime Minister, through you, sir, to the fact that in the report the initial report we made to the House, there was a recommendation directed toward the creation of a standing committee which would

involve under its responsibility the right privileges and perquisites of members, and those things directed toward making the performance by members of their political responsibilities more efficient. As recently last week, by unanimous agreement of standing orders and procedures committee the chairman of the committee was invited to approach the head of the government to him whether that recommendation might be implemented at an early time so that members of the House might be served the vehicle of such a standing committee which could, after due deliberation, come with and advise Mr. Speaker, insofar as within his precincts, concerning the right privileges and working conditions of members.

I cannot resist adding that the matter we have recently assumed something of a great importance in that circumstances may have arisen where all members of the House might wish to have a vehicle whereby to set out their own views and desires in connection with incidents of the House and within its precincts might be made known before rulings are made which would effect their

I would like, on my own initiative, to consult the Prime Minister at this time whether such a committee will be created and have involved upon it the powers which I have outlined very briefly?

**Mr. Speaker:** The member for York South is on the motion now?

**Mr. MacDonald:** Yes, on the motion, Mr. Speaker.

I am not going to deal with any of the specifics in the proposed new rules. We have spent a great deal of time on them. There is some that I have some reservations about, but experience is going to be our guide. In the progress we have made to this point, it is very commendable, and since it is accompanied by the continuation of the rules committee, which is a mechanism for reviewing any area in which experience suggests that there might be still further revision, we have various means and means of progressing as experience suggests.

However, there is just one point that I want to raise. We discussed another aspect of the committee's operations informally. My recollection is that we came to an agreement but I do not think it is specifically included in these rules. I wondered if I might raise it now to have it confirmed by the Prime Minister so that it will at least be in the *Hansard* record, and be a guide for u

early as next week when we will need that guidance.

I am referring to the discussion and the agreement that on two of the standing committees—two only, namely, estimates and the committee on government commissions—it was agreed that there might be substitutions of members depending on the business that was coming before that committee. This was in accordance, I presume, with the procedure we used last year; namely, that the whips would submit the substitutions by 5 o'clock of the day preceding the meeting of that committee. If the Prime Minister would care to confirm that, I think it would be useful because we have one such meeting of a committee next week and members are wondering whether or not substitutions could be permitted.

**Hon. Mr. Robarts:** Mr. Speaker, there are various comments I can make in reply to what has been said. I do not propose to deal with the points raised by the Leader of the Opposition. There are points of view I could advance on the matters he has raised. However, I agree with the member for York South.

I do not necessarily agree with everything that is in these changes, but I am prepared to accept them in this form, because, I think, by and large they are sound. I will not express my personal opinion on the various points raised by the Leader of the Opposition, other than to say that I have opinions on each of those points.

I will go along with the member for York South in the opinion that I rather doubt we will achieve perfection the first time around. I have no doubts at all that 18 months from now we will be drawing some conclusions from our experience, which could very easily lead, by consent, to further changes.

To deal with the point raised by the member for Sudbury: the chairman of Mr. Speaker's advisory committee, plus a representative of each of the three parties, and I conferred yesterday. We came to the conclusion that the committee in its present form—that is, in its present formal form—could continue to function.

It was suggested that it be strengthened by the inclusion of two members of the Treasury benches. With this I agree. Of course, many of the decisions that might be reached by that committee will inevitably involve the expenditure of government funds. I see that it might be wise to have representatives on the committee from the government benches, so the extent of some of the requirements for gov-

ernmental spending that might be advanced to the committee could be examined. That is one point.

I was a little disturbed at some of the discussions in the House to the effect that the committee was not being given its proper weight; its opinions were not being given proper attention. I would not want that in the case. I think if the committee is to function it must be recognized that it is the voice of all the members in the area of the conduct of the affairs and the amenities that are enjoyed by the members.

I have appointed two members of the committee, the hon. Minister of Financial and Commercial Affairs (Mr. A. B. R. Lawrence) and the Minister of Correctional Services (Mr. Grossman). I might say the Minister of Correctional Services also sits on the Treasury Board so this committee will have a pip right into the spending body of the government which I think is necessary. I am suggesting to the chairman of that committee, who is the Speaker, that the committee should again take all the material it has been dealing with in the period in which it has been set up and work out its proposals and submit them.

I hope in this way we will be able to solve—not want to use the word solve—I hope we will be able to have a proper vehicle by which the wishes of the members can be expressed. Then those wishes will be considered by the government in terms of its total responsibility in the spending area.

We come to the question of substitutions in the committees. I think my understanding of substitution goes a little bit farther than that expressed by the member for York South. It may be that estimates of the departments will be referred to some of the present standing committees. In that event, substitutions should be allowed in whatever committee that may be. On any standing committee that is dealing with estimates it would be convenient if there were substitutions.

I might suggest this be done by resolution when the event occurs because the committees are established by resolution. I do not want to envisage unlimited substitution on a day-to-day basis. What we envisage is substitution on the committee while the committee is dealing with a particular subject. This, I think, can work out very easily by resolution.

**Mr. MacDonald:** By way of a question, might, of the Prime Minister. If we are referring a departmental estimate, for example, to a standing committee which, in effect, for that purpose becomes an estimate comm-

when we make the reference we can, presumably, pass a motion to make the substitutions for that period.

I am thinking, for example, of the standing committee on government commissions. It may meet next week and be dealing with, for example, OWRC. Now there is a group of people interested in OWRC; the next week, it may be the racing commission.

Does the Prime Minister really want to impose upon the House, the requirement or the necessity of a motion each time to deal with the standing committee on government commissions; or is he willing to permit a continuance of the procedure of last year; namely that the whips could submit to the chairman of the standing committee on government commissions on the day before the meeting, by 5 o'clock, any substitutions that any one of the parties wishes to make?

**Hon. Mr. Robarts:** I think we can work it out. Probably that is the more practical way of doing it. The only point I make is that I am not in favour of uncontrolled—

**Mr. MacDonald:** We agree.

**Hon. Mr. Robarts:**—substitution of members on committees. But I agree with you that the committee on government commissions is in a rather different position because it deals with a whole variety of matters depending upon which particular commission may be before it. I think we can get together. We do not need to debate on this motion. We are agreed on the principle and we can find the best way to doing it.

**Mr. Sopha:** One final word. What bothers me about the characteristics of the committee which the Prime Minister has now endowed with power, is that it does not have the prestige of being a standing committee of this House.

**Mr. Speaker:** Might I point out to the hon. member that this is a debate in the House upon which a member is entitled only to speak once, by the rules of the House.

**Mr. Sopha:** Where is that rule?

**Mr. Speaker:** Not in the House.

**Mr. Sopha:** To which rule are you referring?

**Mr. MacDonald:** It has been traditional.

**Mr. Sopha:** It is certainly not so.

**Mr. Speaker:** I have no objection whatsoever to all the elucidation that is desirable

and necessary with respect to this matter but if there are customs, precedents, rules, then I think we should follow them. There is no question that in a formal debate such as this, in the House, a member may speak but once unless he wishes to express something which he feels has not been properly understood. I believe I am correct in that ruling and I would stay by it.

**Mr. Sopha:** Mr. Speaker, with respect I had almost finished what I was going to say.

**Mr. Speaker:** That is the unfortunate part.

**Mr. Sopha:** I was almost finished, and was pleading with the Prime Minister—

**Mr. Speaker:** The hon. member is out of order and will resume his seat.

**Mr. Sopha:** Why do you have to be that?

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, I would like to address myself briefly to the motion and make two points: firstly, bring to the attention of the Prime Minister, particularly, the fact that oral questions cannot be addressed under the new rules to the chairmen of the various committees. We are upgrading the committees and we are making these committees both standing committees and estimates committees. I think it might be in order for the chairmen of these committees to allow themselves to be asked questions during the oral question period.

The second question that I would like to address to the Prime Minister is could you outline for us this afternoon, or explain in position in regard to, the time allotment. Will the estimates that we have done in the House and are currently doing be subtracted from the 90 sessions? Will some formula be worked out and just exactly how is this time sequence going to work?

**Hon. Mr. Robarts:** I think really we are asking the question as to what would happen to the hours that have presently been spent on estimates to be worked out between us. As far as I am concerned, I will advocate that the hours spent be deducted, because I presume the estimates have been handled exactly the same way they would have been in any event. We were very careful to only the estimates that we knew would go to committee, so—

**Mr. Sopha:** Mr. Speaker, he is speaking twice.

**Mr. Speaker:** He is answering a question. I would point out that the mover of a motion always has the right to reply. Likewise the hon. member is quite entitled to reply to a question, which he is now doing.

**Hon. Mr. Robarts:** Mr. Speaker, this whole procedure, I suppose, is in some respect unusual. I do not think I am out of order, but I will not argue that point because I do not think it is before the House.

Now, where was I?

**Mr. T. P. Reid:** The Premier was talking about time allotment.

**Hon. Mr. Robarts:** Oh, yes. I am prepared to discuss this with the two other parties. But it does seem to me that the hours already spent should be deducted. Because, as I said, we established before we set the order, that the departments whose estimates we have called would not be those that would go before committees.

**Mr. T. P. Reid:** Has the Prime Minister replied to the oral question—

**Hon. Mr. Robarts:** That is another question, Mr. Speaker. We will look at it and see, I will have to check the rules myself for that. I will take it under advisement. What we have done today is not the ultimate nor is it so rigid that we will not change it if we consider it necessary.

**Mr. Speaker:** The motion by Mr. Robarts, seconded by Mr. Nixon, is for the adoption of standing orders as set out in the schedule. Is it the pleasure of the House that the motion carry?

Motion agreed to.

**Hon. Mr. Robarts** moves that when this House adjourns its present sitting thereof, it do stand adjourned until Monday next, April 27 at 2 p.m.

Motion agreed to.

**Mr. Speaker:** Introduction of bills.

#### THE WARBLE FLY CONTROL ACT

**Hon. Mr. Stewart** moves first reading of bill intituled, An Act to amend The Warble Fly Control Act.

Motion agreed to; first reading of the bill.

**Hon. A. Grossman** (Minister of Correctional Services): Do you want me to explain

this bill? Just do not ask me what a warble fly is, that is all.

**Mr. Nixon:** Wait until the warble fly protection society reads about this.

**Hon. W. A. Stewart** (Minister of Culture and Food): Mr. Speaker, may I be permitted to have the support, in sponsoring this bill, of what I would describe as the largest farmer in the province of Ontario?

The Warble Fly Control Amendment simply brings the Act up to date in view of the various and new methods of systematic treatment in the control of the warble fly. It also takes into account the definition of municipalities, since we have brought in larger areas of administration of municipal affairs.

#### THE MINING ACT (2)

**Hon. A. F. Lawrence** moves first reading of bill intituled, An Act to amend The Mining Act (2).

Motion agreed to; first reading of the bill.

**Hon. A. F. Lawrence:** Mr. Speaker, the usual, almost annual, routine housekeeping bill amending The Mining Act; that provisions are added this time, following the announcement in the Speech from the Throne changing the name of the department and the minister to The Department of Energy and Northern Affairs.

**Mr. Speaker:** Orders of the day.

#### THIRD READINGS

The following were given third reading upon motion:

Bill 6, An Act to amend The Trustee Act.

Bill 11, An Act to amend The Judicature Act.

Bill 49, An Act to amend The Retail Sales Tax Act 1960-1961.

Bill 50, An Act to amend The Income Tax Act, 1961-1962.

Bill 51, An Act to amend The Race Relations Tax Act.

Bill 52, An Act to amend The Tobacco Tax Act, 1965.

Bill Pr5, An Act respecting the Corporation of Hamilton.

Bill Pr8, An Act respecting the Corporation of Orillia.

Bill Pr17, An Act respecting the Canadian National Exhibition Association.

Bill Pr20, An Act respecting the town of Georgetown.

Bill Pr23, An Act respecting the city of Barrie.

Bill Pr29, An Act respecting the city of Niagara Falls.

Bill Pr30, An Act respecting the city of London.

Bill Pr31, An Act respecting the city of Sault Ste. Marie.

Bill Pr35, An Act respecting Dennis Realty Company Limited.

Bill Pr36, An Act respecting Wentworth Radio and Auto Supplies Limited.

Clerk of the House: House in committee of supply; Mr. R. D. Rowe in the chair.

## ESTIMATES, THE DEPARTMENT OF MINES (concluded)

On vote 1303:

Mr. Chairman: Page 116, vote 1303:

The member for Sudbury.

Mr. E. W. Sopha (Sudbury): Mr. Chairman, I have had the opportunity of examining the remarks made by the member for Sudbury East (Mr. Martel) last night in written form in the rush copy of *Hansard*.

I want to say to you, Mr. Chairman, and to the House, that the allegations and accusations that he makes in those remarks are so serious, in my view, and are of such a far-reaching nature, that immediate action is called for by this minister in respect of those allegations. They are three in number, and I am not going to attempt to impart to them any greater degree of seriousness the one over the other.

Generally speaking, the quality of the accusations he makes are these:

First, he says—and I paraphrase, but I hope I do so accurately, and I will be corrected if I do not—he says that witnesses were tampered with in some fashion before they were called to give evidence before a coroner's inquest. The import of that means, if he is correct and it can be substantiated, that a grave criminal offence has been committed in an attempt to interfere with the proper administration of justice.

I would think that such an allegation as that, of such a serious nature, warrants imme-

diately action by the Attorney General (Mr. Wishart). And it is incumbent upon the member for Sudbury East to place before the chief law officer of the crown the information upon which he bases that very serious allegation. But an examination of page 1180 of the rush copy of *Hansard* will show that that is the extent to which he went.

Of course, at that point the Minister of Mines (Mr. A. F. Lawrence) said that he would arrange an appointment with the Attorney General where he, the member for Sudbury East, and the Attorney General could sit down together and the information would be provided. One assumes that as a result of such an *ad hoc* meeting that the Attorney General would be put in a position to take appropriate action.

Now, I cannot—yes?

Hon. A. F. Lawrence (Minister of Mines): While the member is on that point, may I say that that meeting has already taken place on the floor of this chamber.

I think it is safe to say the member for Sudbury East confirmed the allegations made last night and supplied me with a name. I have now asked him for, and he has agreed to supply me with, these allegations in writing, names included. I have indicated, in the presence of the Attorney General and in the presence of the member, that this will be turned over to the Attorney General.

Mr. E. W. Martel (Sudbury East): The member for Sudbury goofed on that one, did he not?

Mr. Sopha: Very well. The second allegation he made perhaps also involves the Attorney General.

That was that it was clearly implicit in his remarks, and the innuendo was intended to be drawn, that the inspectors employed by the Department of Mines and responsible to the minister are acting in fraudulent fashion—that they are deliberately preparing the reports of their inspections with the intent that the Minister of Mines will be misled.

It is hard to believe, one says by way of interpolation, that the civil service of the province, which has a high prestige for its integrity, could have within it persons who would be motivated by such base motivations as that, and, for whatever purposes it is done, that the minister to whom they are responsible would be deliberately misled by them in respect of their reports on mines safety. In fact, that amounts to an impeachment of the



integrity of the minister, when carried through to its logical conclusion. Because a minister who has within his employ people like that denotes that there is more than a little degree of carelessness in the administration of his department. And I would think that the Minister of Mines would be commensurately embarrassed by the extent to which the allegation goes.

**Hon. A. F. Lawrence:** Just before the member finishes with that, I stand by what I said last night. As I said it again the hon. member who is making the allegation nodded his agreement.

I said "Someone is lying then. Is this what you are saying?" And the hon. member, I think, indicated his agreement with that statement of mine, that someone is lying—either the people who are furnishing the hon. member with the information or the inspectors of The Department of Mines, who report to me and who furnish me with these investigatory reports. I may say that all The Department of Mines inspectors in the Sudbury area are professional engineers. They are professional men, and are governed presumably by a professional code of ethics. I certainly take seriously the allegations made in the House by the member, and as soon as the estimates are over and I have the opportunity, we will certainly do our utmost, of course, to get to the bottom of the allegations.

If necessary perhaps some sort of a public inquiry will be required. I do not know. I do not want to prejudge that at all. But we have had false information given to us in the past in respect to allegations made in this House, and I am sure there have been errors made in the past in respect to these reports as well. It is a question of the seriousness of the matter, and we will certainly get to the bottom of it.

**Mr. Sopha:** Well one cannot readily believe that it was loose and idle language, just rhetoric that he was using, and I am going to put on the record what he said in that regard. I say that if he is correct in the extent of the allegations he makes, then certainly there must be some portion of the Criminal Code that is being violated, the breach of trust provision.

**Mr. Martel:** It is already on the records.

**Mr. Sopha:** Now let the Attorney General hearken to the exact words he used.

**Mr. R. Gisbom (Hamilton East):** I think you are out of order.

**Hon. A. A. Wishart (Minister of Justice):** Mr. Chairman, that matter is already on record and I am quite familiar with *Hansard*. If the hon. member wants to repeat it is his privilege I presume, but it seems repetitive. I am aware of the matter and have had the meeting. On the other m

**Mr. Sopha:** All right.

**Hon. Mr. Wishart:** I do not object to the hon. member repeating what another member has said yesterday in *Hansard*. I think taking up the time of the House to do something.

**Mr. Sopha:** I will read it, so my report will be complete.

**Mr. Gisbom:** Point of order.

**Mr. Chairman:** Order please!

**Hon. Mr. Wishart:** Repetition!

**Mr. Gisbom:** The minister considers the hon. member is out of order. He is arguing with what has already been said and dealt with in the House. Should he direct himself to the estimates?

**Mr. Sopha:** I can understand the embarrassment of this.

**Mrs. M. Renwick (Scarborough Centre):** Are you on a point of order?

**Mr. Sopha:** I can understand that.

**Mr. Chairman:** All right! The member would appear to be in order. If it is not long we will allow it.

**Mr. Sopha:** Yes. Here is what he said. I do not know how honest some of the inspectors are being with the minister, but I have reason to suspect that they are not quite as frank and with him as they might be. In fact, I am suggesting that they might even be padding the reports. Well that speaks for itself. Now the accusation—it was a big evening for him.

**Mr. Martel:** A big afternoon for you.

**Mr. Sopha:** The third one he made of equal seriousness. He said, in respect to inattention and the lack of care of the national Nickel Company toward the interests of the many thousands of people who are employed by them, in very dangerous undertakings, he said at one point there was a total disregard of top management for the safety of the workers.

And at a second point, he said it is well known in the Sudbury area that Inco puts production over safety.

The clear inference to be drawn by the inhabitants of the Sudbury basin, if by nobody else, is that the profit motive is paramount and that the working of ore body, the production of ore, is the prime motivating principle.

To put it in the vernacular: after that let the safety of the workers be damned!

Mrs. M. Renwick: That is nothing new.

Mr. Sopha: Now I made my position clear last night, I do not have to repeat what I say, but I take the responsibility of saying in the House as the member for Sudbury, so that my position will be clear and unequivocal, that no version of what the member for Sudbury East said last night is true.

Mrs. M. Renwick: Tell us what is not true.

Mr. Gisborn: Prove it!

Mr. Sopha: I go beyond that. This is so serious an accusation made against that company that it is now incumbent either upon the Minister of Mines or the head of the government to commission some proper form of inquiry into the situation to determine once and for all who is correct.

The Minister of Mines is charged by legislation passed by this House, wherein he has imposed upon him the responsibility to see that mining companies work in a safe manner. To that extent he is a policeman. Then when a member on his own responsibility, with his prestige as a member, stands in his place and says that the legislative policy enacted in that statute is being totally disregarded for the pursuit of private profit, there comes a point where the air must be cleared and we must find out.

Now beyond what I said, of course, in defence of the company, and taking the responsibility as I do in saying it, the notion also comes to me that his remarks, wild and irresponsible as I think they are, are a great insult to the many thousands of people who work for that company. What he is really saying, is that those people and their union—and their union, let us not forget that—are engaging in some form of tacit agreement whereby the labour will be provided, and they will work in hazardous conditions, obeying the mandates of the management, and will tolerate a situation in which their lives and safety are almost totally disregarded.

Mr. J. Renwick (Riverdale): Now who is being extravagant?

Mr. Sopha: That is the effect.

Mr. J. Renwick: Now who is being extravagant?

Mr. Sopha: I am telling you. I am damn well going to say what I want to say, so you can go on.

Mr. J. Renwick: As usual.

Mr. Martel: Two-faced as usual.

Mr. J. Renwick: He has made one or two valid points, on which he got agreement; now he has gone beyond the realm of reality.

Mr. Sopha: Are you finished?

Mr. J. Renwick: He always does. Uncontrollable.

Mr. Sopha: Let him go ahead. Eventually like a broken record, he will run down.

Mr. J. Renwick: It will be on record as you can read it tomorrow.

Mrs. M. Renwick: And then talk about the next day.

Mr. Sopha: Any more? Go ahead. Now the distaff side is getting in. Do you have some agreement between you on which one speaks?

Mrs. M. Renwick: On a point of order, Mr. Chairman.

Mr. Sopha: I am going to damn well say what I have to say about this.

Mrs. M. Renwick: Mr. Chairman, on a point of order.

Mr. Chairman: Order!

Mrs. M. Renwick: Mr. Chairman I would like to ask, is it in order that the member for Sudbury is giving his version of the member for Sudbury East's comments in the House last night? Is this in order?

Mr. Chairman: This is in order, in my opinion.

Mrs. M. Renwick: I wanted it on the record.

Mr. Sopha: I take this with extreme gravity. The effect, is what I said. Ultimately—

Mr. J. Renwick: Extreme restraint!

Mr. Sopha: Let *Hansard* record that ultimately, whatever the facts are, I have no brief to hold for the International Nickel Company.

Mr. J. Renwick: You have held a brief for them for years.

Mr. Sopha: I expressed my belief in their attitude towards safety—

Mr. J. Renwick: The record of this House shows it.

Mr. Sopha: —which experience has taught me, which inquiry has brought home to me. I expressed that belief. I firmly believe they have a high desire that the many thousands who work for them, work safely. I have said they go almost to the point of making a fetish of it. Now comes a colleague from the neighbouring constituency who makes it a simple matter in his speech in this House, wherein he says they do not give a tinker's dam for the safety of the workers.

Mr. J. Renwick: The same kind of regard they give for environmental policy.

Mr. Sopha: You support his comments then?

Mr. Martel: You spoke—

Mr. Sopha: All right! We come to this point. The people who work for Inco and all of the inhabitants of the Sudbury basin are entitled to know once and finally which one is right. Is the member for Sudbury East correct when he talks about this callous disregard for safety? Or is the Minister of Mines right, when he says that he is doing the best job that he possibly can to carry out his stewardship?

Interjections by hon. members.

Mr. Sopha: Or is the International Nickel Company right?

Mr. J. Renwick: I think the member for Sudbury East is right—

Mr. Sopha: Go on, run off at the mouth.

Mr. J. Renwick: —and the member for Sudbury is wrong!

Mr. Sopha: I am coming to that point.

Mr. J. Renwick: —the International Nickel Company.

Mr. Chairman: Order, please! The member for Sudbury has the floor.

Mr. Sopha: I was at the point where asking, is the International Nickel Company correct when they say they have a sincere desire that the people employed by them work in safe conditions and follow safe working habits? Or, if you like, is the member for Sudbury right when he says that he expresses his belief there is a valid desire on the part of the management of that company that working conditions and working habits will be safe? I am challenging the member for Sudbury East and the Minister of Mines and indeed the government, to clear their names once and for all, to allay the suspicion, the fears and the anxieties of the people of the Sudbury basin—and in a wider area the people of the province as a whole—so they will know for all time, what the real state of affairs is in the light of this very serious allegation made by the member for Sudbury East.

Hon. A. F. Lawrence: Well Mr. Chairman I have indicated that I regard the accusation by the hon. member in regard to the tampering of the evidence before an inquest, the phrase of the member for Sudbury as extremely serious. As I indicated last night on the floor of the House that is a serious matter now to be substantiated in writing by the member, so that it may be turned over to the Attorney General. Certainly, to suppress evidence before an inquest, or to conspire, without understanding, is a criminal act. I regard it as extremely serious.

Secondly, the allegations of the delinquent misleading of the Minister of Mines by people employed by The Department of Mines, I think, initially must be an internal matter which obviously causes me great anxiety and great concern. Certainly, an investigation must be started, because the hon. member has indicated, I think, in two circumstances, two or three—I will have to go back over *Hansard* and see—that the actual facts reported in the report of investigations by my officers were simply not in accordance with the facts as they actually happened, presumably without the knowledge of the inspectors. I would like the hon. member to clarify that for me. He is shaking his head in the affirmative. I assume the allegation now is being made that they knowingly misled the minister.

Mr. Martel: Might I just answer this?

Hon. A. F. Lawrence: Yes.

Mr. Martel: This is why, Mr. Minister, all my correspondence with you, I have indicated that when your officials are investigating

matters, they question the men actually involved in the complaint at the same time as the company officials are, to prevent this from happening. Now, just for the benefit—

**Hon. A. F. Lawrence:** They are questioned; they are. In all cases they are questioned, but not at the same time.

**Mr. Martel:** At the same time?

**Hon. A. F. Lawrence:** No, not necessarily.

**Mr. Martel:** No. The point I am making, then, is that it should be done simultaneously.

**Hon. A. F. Lawrence:** I do not see that that would lead to the truth.

**Mr. Martel:** Well, Mr. Minister, what I am saying is this: In the presence of the men, your officials possibly are going to get a far different story than what they are getting at the present time. I suggested this to you on many occasions. As I said last night, I am making one overriding point: we have to get at the truth in what is going on in that plant. I do not back down from that, not for one moment. I know from past experience that there have been occasions when your men have been misled. For example, when your men are called in, I am sure they will agree with this.

**Mr. Sopha:** That is not what you said.

**Hon. A. F. Lawrence:** Whoa, hold the horse here now. My understanding—and I think it was the understanding of other members at that time—was that the minister was being misled by his officials. And I am asking you now if the allegation is a deliberate misleading of the minister by his officials? It is as simple as that.

**Mr. Martel:** Right! I think the member for Sudbury, Mr. Minister, should read what I said further on in the statement, when I clarified it when you said it was a report to you. I clarified my position.

**Mr. Sopha:** He started to back down.

**Mr. Martel:** Well, maybe the member for Sudbury should read it. He is good at reading.

**Hon. A. F. Lawrence:** Well, in any event, in regard to the third point, the blanket—

**Mr. J. Renwick:** Mr. Chairman, will—

**Hon. A. F. Lawrence:** May I just finish the third point?

**Mr. J. Renwick:** Mr. Chairman, before the minister deals with the third point, just let me make one point. The member for Sudbury just interjected that my colleague, the member for Sudbury East, backed down.

**Mr. Sopha:** That is what he is doing.

**Mr. J. Renwick:** That is not so. The member for Sudbury East—

**Mr. R. Haggerty (Welland South):** Let me answer.

**Mr. J. Renwick:** The member for Sudbury East has already had the benefit of attacking two members of the legal profession. Now let us not have the legal members of the House dominate the proceedings. The member for Sudbury, in his own way, as an advocate, tried to summarize allegations made by the member for Sudbury East. And I made a comment, by way of interjection, that as usual at a certain point he overstepped the reality of the situation. The next point I am going to make, so that the *Hansard* record will be perfectly clear, is that it is not up to the member for Sudbury East to answer the kind of questions put by the Minister of Mines as to whether or not—using again a technical legal term—the member for Sudbury East stated that the inspectors in the minister's department knowingly—

**Hon. A. F. Lawrence:** No, I said deliberately.

**Mr. J. Renwick:** Deliberately, or whatever those words may mean—

**Mr. Sopha:** That is what he said.

**Mr. J. Renwick:** —misled, and I want the record to be perfectly clear that the allegations made by the member for Sudbury East were made by him last night. They are allegations which require to be elaborated in this House other than the extent to which he chose to elaborate them and not by answering technical legal questions put to him either by the Minister of Mines or by the member for Sudbury.

**Mr. Sopha:** He is taking the fifth, I guess.

**Hon. A. F. Lawrence:** Yes. My worry is to—

**Mr. J. Renwick:** Mr. Chairman, I object. The member for Sudbury can stand in his place and say that my colleague has taken the fifth, then he can say so. Because I happen to be one of the persons who believes that every person has a right to make allegations in

assembly as to what he believes to be true. And, unless the member for Sudbury is calling my colleague, the member for Sudbury East, a liar—if that is what the member for Sudbury—

**Mrs. M. Renwick:** Sit in your seat, Mr. Price.

**Mr. J. Renwick:** If that is what the member for Sudbury is doing, let him get up and say so.

Interjections by hon. members.

**Mr. Chairman:** Order.

**Mr. J. Renwick:** Because, finally, we have—

Interjections by hon. members.

**Mr. D. C. MacDonald (York South):** Why are you so touchy?

**Mr. J. Renwick:** I am delighted to see the member for St. George get some exercise.

**Mr. MacDonald:** St. David (Mr. Price)!

**Mr. J. Renwick:** St. David, excuse me. St. George is the next-door neighbour, as the member for St. David fans himself.

But what we are saying is that it looks very much as though, finally, after many years of trying, there is going to be some kind of an investigation about the International Nickel Company—

**Hon. A. F. Lawrence:** Oh, I have not come to that point yet.

**Mr. J. Renwick:**—and that will be in the public interest. I am suggesting to the Minister of Mines that he not divide this matter up into two or three component parts, one of which will be legally dealt with by the Attorney General, one of which will be dealt with by him as an internal matter and that the general statement made by the member for Sudbury East will disappear into thin vapour. I am suggesting that perhaps the time has come for a public commission to examine all of the allegations, all of the statements which have been made for years about the destruction of the environment, the lack of concern for the safety of the men in the International Nickel Company, the collusive operations, if necessary—if that is the way to describe them—of the members of the staff of The Department of Mines and the whole interrelationship of events which have allowed that International Nickel Company to act in an antisocial way in the Sudbury area.

**Mr. J. E. Stokes (Thunder Bay):** Very put!

**Mr. J. Renwick:** Now, we might just as face up to it: Let us not divide it into three parts, as Caesar divided Gaul, but I deal with it on one overriding, all-embracing inquiry about the International Nickel Company, its relation to the people of Sudbury, its relation to the government of the province of Ontario and the way in which they deal with the environment surrounding their company in that area.

**Hon. A. F. Lawrence:** Well, Mr. Chairman, I say this in the kindest fashion, I hope the member for Riverdale. He indicated the proceedings should not be dominated by the lawyer members. I believe he still practises law. I do not.

**Mr. J. Renwick:** I do not now.

**Hon. A. F. Lawrence:** I just wish that had been here last night to hear the allegations that were made, because, of course, the first and second allegations, as I understand them, in no way relate to International Nickel Company. At least a couple of the allegations were in relation, in the main, to independent contractors who are contractors at Fallbridge and not International Nickel. So, obviously, as I say, in the kindest of fashion, he is still practising law, I hope he is better prepared for his client than he was today.

I think I have dealt with the first two, I am still not clear, in my own mind—and that is why I did not use a legal term—about whether the hon. member was alleging that the members of my staff who report to me on these fatality tragedies were deliberately misleading me or whether they were not deliberately misleading me. If the hon. member for Sudbury East says it is outside of his knowledge whether they are deliberately misleading me or not, that is one thing. On the other hand, I am trying to ascertain if he is alleging that they are deliberately misleading me.

**Mr. MacDonald:** The most important thing, is, are they misleading?

**Hon. A. F. Lawrence:** No, because this relates to the integrity of the men on my staff. This is what we are talking about: the integrity of the professional people on the staff of The Department of Mines. If the leader of the NDP would think for a moment, he would realize that the description “deliberately misleading” goes to the whole root of the matter.

**Mr. MacDonald:** I am thinking.

**Hon. A. F. Lawrence:** If they themselves have been given misleading information and this is being passed along to me, then presumably this attacks merely their competence or their incompetence. But, if he says they are deliberately misleading me, then this goes to the question of their integrity and that is a very serious thing. So, I ask him again, is he saying they were deliberately misleading me or is he saying he does not know?

**Mr. Martel:** Mr. Chairman—

**Mr. Sopha:** Now consult your lawyer before you answer.

**Mr. Martel:** Why does the member for Sudbury not shut up for a change? He has never stopped running off both sides of his mouth since he has been elected. That is not very parliamentary, but somebody that runs off both sides of his mouth all the time, depending on the location where he is speaking, is very—

**Hon. A. F. Lawrence:** Perhaps the hon. member would rather not answer.

**Mr. Martel:** No. I will answer.

Last night I made a statement that, in fact—and I documented it with material that you submitted on the Leandoski case, we will use that—was completely contrary to the facts presented to you in the beginning and to your report, or the report that was submitted to you, and then submitted to me. Subsequent to that a signed statement by Mr. Leandoski himself has been submitted to the minister. I hope he read it today in the old form. Well, it is unfortunate.

This indicated—the signed statement—that the information you presented to the steelworkers and to myself was completely contrary to the report which we had received.

I made the statement at the beginning—and then I clarified it—that I thought you were being misled, possibly deliberately. Then I qualified it by saying, “I think possibly your inspectors are also being misled by the corporation, the International Nickel Company, who, in turn, are then misleading you.”

That is why I suggested that the member for Sudbury read on in the statement, because I happened to have read the statement this morning as well.

**Hon. A. F. Lawrence:** That clarifies it then. You are saying that I have not necessarily been deliberately misled by my inspectors.

**Mr. Sopha:** He says they might even padding the reports. Just a moment.

**Hon. A. F. Lawrence:** Might even be w

**Mr. Sopha:** Padding the reports.

**Mr. G. Ben (Humber):** You know; what have on the shoulders of your suit!

**Hon. A. F. Lawrence:** All right. I thought that was expense accounts.

Now the third general allegation is International Nickel Company are blunders in the field of safety, and they are pure in the field of safety. Quite frankly, Mr. Chairman, I think there is a little bit of political hyperbole mixed up in both of these rather extreme, harsh and strong statements on both sides.

Therefore, if there are political innuendoes involved in this, as I think there are, and one hon. member is so intent upon challenging politically another hon. member in the political arena, why do not both of you resign and let us have a couple of byelections? You can go to the people in Sudbury up there—

**Mr. MacDonald:** Why do you not get on with your job instead of indulging in—

**Hon. A. F. Lawrence:** Because these allegations have been made in the past. There have been inquiries. If I have some specific—

Interjections by hon. members.

**Hon. A. F. Lawrence:** All right. Look at it again from the point of view of somebody over here.

There have been allegations—serious allegations—made in the past about matters such as this. There have been expensive investigations and reinvestigations, in the main trying to pin down some of these allegations which are repeated as hearsay here in this House. Allegations of lack of safety requirements in respect of almost any industrial concern to which they are made here by people who say, “I have been told,” or, “I have been advised.”

Obviously we cannot expect members of this House to have personal knowledge of these things, but when you try to investigate these things, you get shifted off on to somebody else, who shifts it off on to somebody else, who shifts it off on to somebody else. I have a trust and responsibility here, I assure you to attempt, not only to uphold the safe provisions of The Mining Act, but as well to make sure that people are not sent off

wild goose chases that have their real origination and initiation in some political atmosphere, rather than a safety atmosphere.

I have said this before, not only to the hon. member, but to the executive of the organization in the Sudbury area which backs him so strongly on these things. We had a judgement call on my part in a great many respects—some of the allegations which the hon. member makes, quite frankly, are not worth tracking down. Others certainly are, and I have welcomed the allegations. This is my responsibility.

At no time last night did I hear of any specific allegations being made against Inco. They, in the main, were in relation to independent contractors. Independent contractors, if I remember rightly, who at this time are not working for Inco, but who are working for Falconbridge.

If there are general allegations being made against any industrial concern, and certainly any mining company, which should be fulfilling the requirements of The Mining Act, let us have the specific details. Certainly it is my duty and responsibility to chase down these things and finally pin the truth to the wall, but it is a pretty hard thing to do when we have these general allegations.

**Mr. Sopha:** May I ask you a question? Have you ever attempted to track down the allegation he has made that people are secluded and put in a place called "Hernando's Hideaway"?

**Hon. A. F. Lawrence:** Yes, I have been in "Hernando's Hideaway".

**Mr. Sopha:** Just a moment. The accusation he made—in order that they avoid the rigours of the compensation rates. Have you tracked that one down?

**Hon. A. F. Lawrence:** Yes, I have been in it. Within a week of the original allegation, I believe, being made, I was in "Hernando's Hideaway".

This is a room attached to one of the plants on the property of the International Nickel Company where they put what they can claim as light duty people. They do light work there and light duty, not only as part of their therapeutic treatment, but also to get them back on the job so that they can haul down their full pay.

**Mr. Sopha:** So there was no substance to his allegation?

**Hon. A. F. Lawrence:** No substance in my mind, to that particular allegation. I think I fulfilled my trust and responsibility in this office by going up there myself seeing that.

In general I have attempted, Mr. Chairman, to track down these allegations.

**Mr. Chairman:** Order please!

**Mr. Martel:** Just a minute, Mr. Chairman on the point of order.

The minister has just stated that he has visited "Hernando's Hideaway" and that in fact, the men are doing light duty and that there is no substance to the allegation I made which I documented with at least eight cases. I could document a third right now.

**Mr. Chairman:** This is not a point of order. If the member disagrees he may rise and the minister is finished and refute the allegation.

**Hon. A. F. Lawrence:** To be perfectly honest, I forget where I was. But in any event, I think in chasing down those allegations, I should say there have been several allegations that I personally have attempted to chase down and which certainly my staff have investigated and reinvestigated. That is why I felt such concern in respect of the second allegation that misleading information was coming to me.

Where we have traced these things down in the past, I have been satisfied, and the officials have been satisfied, that there have been no offences committed against the Mining Act and, in fact, the safety provisions in respect of Inco and in respect of Falconbridge have not been broken at all. But it is also my duty and responsibility, with those statutes, or those regulations, or codes that have been broken, to see that those are prosecuted. Certainly there have been prosecutions where we have been convinced that those items have been broken.

I am afraid, for the hon. member to stand up here in the House, as he did last night, and say that, "Inco has the worst record in the world; they care less about the humanity of the workers working for them"; I must agree with the hon. member for Sudbury that they do put production before safety.

I am sorry; I hope I still have an open mind about it. I think in this position I have an open mind. I have no axe to grind for Inco, but also—very important—and perhaps in grave distinction to the hon. member—I have no axe to grind against

either. Therefore, in all impartiality I have attempted to investigate these things and in every case that I have, I have been convinced that there has been no breach of the Act. Where I have been convinced that there has been a breach of the Act, the guilty people have been prosecuted.

**Mr. Martel:** Mr. Chairman, on the subject of "Hernando's Hideaway." I documented, last year when I made this charge, eight cases of men with broken legs, or broken arms, who were returned to work within one day. They did not work. They were willing to meet the minister. Now, whether the minister says he went to "Hernando's Hideaway"—they have one in each of their plants, Mr. Minister. They have one in Carson. I have a sworn statement upstairs from Mr. Chayka if the minister wants it.

I have the evidence of at least 30 cases of men who have had either broken legs or broken arms who returned to work within one or two days, at most. They do not work; they are brought to work in cabs or by car. I suggest that the statement I made last year with respect to this matter be checked out again because, I think, Mr. Minister, you are not being quite fair.

These things are happening. We can produce people who have been involved. I put eight on the record last year alone. I can produce a lot more, because on that occasion I had at least 30 with me. I am saying that the member for Sudbury, if the minister will recall, last year, was going to check with Jack Pigott whether they were bringing these people in or not and whether they were coming in cabs.

**Mr. Sopha:** I did and he denied it.

**Mr. Martel:** The member will get his say, he manages to. Whether they were being brought in cabs; whether, in fact, they did not even punch their own time cards. This is actually going on, Mr. Chairman, and the minister cannot say it is not.

**Hon. A. F. Lawrence:** No, I am not saying it is not.

**Mr. Martel:** But it is just not facts. They are not working. They might reach a point eventually when they will work, but I am saying for the first number of weeks they do not do a single, solitary bit of work.

**Hon. A. F. Lawrence:** I am saying that each one of those allegations the member made last year was checked into. Medical

records and written medical opinions were shown to the people of the department indicating that they were returned to work on the medical advice of their doctor.

**Mr. Martel:** I have the forms upstairs. If you want, I will go and get them. Some of these men I know personally, like Mr. Keene and Mr. Size. You might check with Mr. Size, Margaret Street, Sudbury, and ask him how much work he did for the first four weeks and when he came in and why he came in. It had nothing to do with pay, because the take home pay is almost the same, exclusive of income tax and other deductions. They go to work and do nothing.

**Hon. A. F. Lawrence:** Is the hon. member saying they were not placed in these positions and these structures because of medical advice, or for any therapeutic reason whatsoever by the company? Is he saying that he has inspected the medical records, the medical opinions, on this?

**Mr. Martel:** I am saying I have the forms upstairs and so on. I talked to the men about why they went back to work. I gave you the names, Mr. Size and Mr. Chayka. The reason I raised that matter last year, Mr. Minister, is that I had just finished fighting a compensation case for Mr. Chayka, who stayed in "Hernando's Hideaway" and who eventually went back underground and did not come there for a while. Mr. Chayka did not work from 1964 until 1969 and I won his compensation case on appeal; last December the final decision came in. Mr. Chayka never got a cent of compensation and that is the point I was making.

It is fine if it is a broken leg. And that is the point I was making—it will heal. Mr. Chayka went back to work, or attempted to, and he stayed in the hideaway. When it came time to fight this case, Mr. Minister, the company that fought him the hardest was the International Nickel. When I took it before the compensation board last year they not only had their doctor and safety supervisor there, they brought a lawyer in from a firm in Toronto.

They fought that man the hardest but he won the case and he got a settlement at last. I am saying this is what I object to. When I said then is what I object to—that if you take a man in, that is fine, but do not fight him before the compensation board. That is the point I was making last year. Do not fight him before the compensation board



**Hon. A. F. Lawrence:** I am not going to comment on the actions of any company before the workmen's compensation board. A: I do not know enough about it; b: it is outside my jurisdiction.

**Mr. Martel:** What I am saying to you is that the company cannot have it both ways.

**Hon. A. F. Lawrence:** What I am saying to you is that there were medical opinions, medical evidence, available; that what the company was doing in taking those men back on to the grounds of the company was really in the men's own interests. I have been convinced of that.

On any of the names you have given to us, I have evidence presented to me that that was the case; enough to be convincing for me.

**Mr. Martel:** How many men did you talk to?

**Hon. A. F. Lawrence:** I am not too sure, but on the names that were mentioned, the medical records were certainly looked at, in any event.

**Mr. Martel:** Whose medical records?

**Hon. A. F. Lawrence:** The medical records—

**Mr. Martel:** And whose doctors?

**Hon. A. F. Lawrence:** Whose doctors?

**Mr. Martel:** Yes, whose doctors are they?

**Hon. A. F. Lawrence:** Do they not have a choice of their own doctors?

**Mr. S. Apps (Kingston and the Islands):** Am I on the stand between two members or are we having a debate through the chair?

**Mr. Sopha:** You do not add anything to it by that intervention.

**Mr. Apps:** That is all right. I cannot understand either one of them when they talk together.

**Mr. Chairman:** Order please! The discussion is in order.

**Hon. A. F. Lawrence:** Mr. Chairman, my understanding of these matters is that, by law if not by right, the workers have their own choice of medical attendants upon them. As a matter of fact, I think that is in our regulations. Maybe I am wrong there, but my understanding is that the practice in any

event, is they have medical advice of their own choosing in these things. Am I wrong about that?

**Mr. Sopha:** You are right.

**Mr. Chairman,** one final word, the men for Sudbury East referred to the fact he had challenged me, or said that I was going to inquire of Mr. Jack Pigott about the existence of "Hernando's Hideaway." For the record, Jack Pigott is the general manager of the works in the Sudbury basin of the International Nickel Company of Canada Limited. I did, immediately after those allegations were made in the House. Mr. Pigott told me during that conversation that he was aware of the nature of the assertions made by the member for Sudbury East and that immediately he knew of them he called in the department heads and asked them if there was something going on of which he was not aware. I think the way Mr. Pigott put it was he said to the department heads: "Is there something you are keeping from me in the existence of this place?" He said that as a result of this investigation, he was satisfied there was nothing whatsoever of substance to support an insinuation that people were being put in a secluded area to avoid the rigours of the compensation law.

One final word about Mr. Pigott. He is a local person, born and bred in Coniston, but has come to a very high position in the International Nickel Company; a man who is regarded with the highest esteem by everyone, and I might say the people of the United Steelworkers have a very high regard for Jack Pigott. To know the person, to be aware of his qualities, is to know that the guy has such a streak of human decency about him that you could not believe he would tolerate any conditions that would pose a hazard to the people who work for him. He prides himself on the fact that he knows many of the older employees by name and is able to address them by their first name. If I could believe of anyone else they could tolerate conditions such as were described by my friend from Sudbury East, the last person who would tolerate them would be Jack Pigott.

**Hon. A. F. Lawrence:** I am not going to choke off this discussion but it is your turn we are using. Let me reiterate that if the hon. member will present me with the facts, the names and the dates, in respect of the suppression of evidence before the inquiry this will certainly be presented to the Attorney General, No. 1. No. 2, as a result of what he said last night, there will certainly

be an investigation by me in regard to the competence of the inspectors in the area. I wish he could be a little more forthright in regard to some of these allegations that he has made, but in any event, if he has further information he wants to give to me I would be glad to take it rather than take the time of the House.

**Mr. Martel:** Might I just add one comment? Mr. Chairman, I detailed only five cases to the minister last night—not even five, four.

**Hon. A. F. Lawrence:** Three.

**Mr. Martel:** Three, and then we went on to sulphur and the requests I made there, and I detailed those very carefully last night, Mr. Chairman.

**Mr. Chairman:** Vote 1303 carried?

**Mr. D. Jackson (Timiskaming):** Mr. Chairman, on 1303. I was on my way up when you carried it.

**Mr. Chairman:** Vote 1303.

**Mr. Jackson:** I have a very short presentation to make and it is on silicosis. The minister has money in this vote for an investigation into the incidence of silicosis. Last year when this was brought up, the minister said the investigation was really a review of departmental records of silicosis.

**Hon. A. F. Lawrence:** Was the hon. member here last night when we discussed that?

**Mr. Jackson:** No, I was not here last night.

**Hon. A. F. Lawrence:** We did have a discussion about that. I think if he looks in *Hansard* he will find more up-to-date comments on both sides of the House. We simply have not had a further report yet back from Dr. Patterson; that is, in essence, what it was. But in any event let me undertake this to him: The safety provisions of The Mining Act, as the hon. member knows, are going before a committee of this House. If he wants to bring the subject up, then we can discuss it. Again, I am not trying to choke off the discussion, but perhaps if he reads the discussion that took place in the House last night on this subject, what he is going to ask may have been answered then.

**Mr. Jackson:** That satisfies me, Mr. Chairman.

**Mr. Chairman:** Is vote 1303 now carried?

**Mr. Ben:** No; on 1303, Mr. Chairman am sorry.

First of all I want to say I sat patiently last night and today listening to this discourse—

**Hon. A. F. Lawrence:** It was patiently.

**Mr. Ben:**—and I am afraid that I with all kindness take you to task—

**Mr. MacDonald:** The member must long it.

**Mr. Ben:** I do not wish to prolong it what has been happening in this House that people have been getting up and reading letter after letter and called it documentation. To begin with, Mr. Chairman, to letters like that is contrary to the rules.

**Mr. Gisborn:** When is the member's campaign payment from International N due?

**Mr. Ben:** You see what a facetious asinine statement comes from that section of the House, Mr. Chairman. The rules prohibit the reading of letters in the House unless you are willing to substantiate their accuracy yourself. Members are not permitted to quote from documents unless they put them in their own words, nor are they permitted to read letters. The rules are rather specific that. I resent the intellect of most of the members of the House being insulted by people from the left of us here getting up and reading some letter, signed by some signature which is never proved, and saying that is proof, or that is documentation.

**Mr. Martel:** It is a sworn statement.

**Mr. MacDonald:** The member spends time collecting money by swearing to statements.

**Mr. Ben:** Mr. Chairman—

**Mr. MacDonald:** If he would spend time—

**Mr. Ben:** You see, this is the kind of that comes out of the House, Mr. Chairman. The hon. member for York South says I'm not doing money swearing to documents.

**Mr. MacDonald:** On a point of order, Mr. Chairman. The hon. member rose to complain about the prolongation of the debate by the reading of things that are out of order. I suggest what he is talking about has nothing to do with the estimates before us. He is out

order and I suggest that you should call him to order, then, on his own terms.

**Mr. Ben:** Well, you see the veracity of the people over there, Mr. Chairman. I did not speak about the prolongation of the debate. I raised objection to the reading of letters and documents in this House, which is contrary to rules. I did not mention prolongation of the debate whatsoever.

Furthermore, on a point of personal privilege, the member for York South said I make money signing these declarations or affidavits. There again, he has no compunction about making a statement regardless of whether it is true or not. It so happens that it has been my practice in my profession that I do not charge people who come in to have affidavits sworn. I do it as a public service, more or less. But this is neither here nor there. I just wanted to point out that there is no accuracy, or little accuracy, in the statements that emanate from that section of the House.

**Mr. Chairman:** I think we should get to the estimates.

**Mr. Ben:** I am not passing judgement on the correspondence that was passed. I do not know who was at fault or who was not at fault. I think it would have sufficed for the hon. member for Sudbury East to have got up and said, "Look, Mr. Minister, you got one version from your people as to what occurred here. The correspondence I have on hand gives me another version. Somebody is not being absolutely accurate in the presentation of the facts. It is essential for the safety of the people who work in the mines of the province of Ontario that we find out what the true circumstances are. Mr. Minister, will you give this House your undertaking that you will initiate an investigation into the affair to see that the interests of the miners are being safeguarded and that in the future you get accurate reports as to the safety conditions that exist?"

This is what we would have done.

Mr. Chairman, to the minister, I expressed, and I was quite willing to do it last night, my lack of knowledge in the mining industry in the detail that perhaps, as a member of the House, I should have. Talking about safety, in his reports from the mine inspection branch, the minister stated that each mine has to give a report as to the conditions inside the mine, and in some cases the reports have to be semi-annual, or in other cases they are quarterly. If you would have the minister refer to page 162, Mr. Chairman, and this is the report that I had in my hand last night

which the minister did suggest that I refer to. It states on page 162:

A record of the development and operation at mines is kept by the inspection branch and summarized for publication in the annual report of the department. Employment and accident statistics are tabulated and published in addition to reports of fatal accidents, fires, and prosecutions.

Then it goes on: **DUST CONTROL IN MINES**

The required semi-annual dust survey of working places in all mines and ore treatment plants was carried out by the inspectors with the record being made available to the inspection staff. Dust surveys of uranium mines which are required quarterly were continued.

The question I want to ask arising out of that particular statement, Mr. Chairman, through you to the minister, is that in the light of modern repeating computer mechanisms, why are these reports not made continuously? When I use the word "repeater", what I am signifying is that you could have a unit in the mine but it repeats some place in an office.

**Hon. A. F. Lawrence:** Constant monitoring.

**Mr. Ben:** Constant monitoring where there is a continuous graph of the air conditions, the fume conditions, the dust conditions. Why should all mines in Ontario, operating naturally, not be compelled to have instruments in their shafts or in their—what do you call them?—levels?—slopes or whatever it is, underground repeating equipment that would monitor and give a permanent record of the conditions that prevail inside the working areas of these mines 24 hours a day? Then that record would be available to the minister's inspection staff.

Perhaps they could inspect or review the monitoring data quarterly. I am not too well versed to know how often it would be necessary to review it in order to keep close control on conditions, but at that time the minister would not have the member for Sudbury East saying that the department's inspectors got there a half an hour late, or a day late, or somebody tipped the compartment off and it changed the conditions. The graph would be there regardless of when the inspectors got there.

As a matter of fact, in essence it would have one of the minister's inspectors on duty 24 hours a day. Would the minister comment on that?

**Hon. A. F. Lawrence:** With regard to that, this is exactly what we are reaching for.

now have one constant monitor available to us, and as I say, I spent, believe it or not, almost a year and a half scouring the earth—not personally; by mail and inquiries and what not—attempting to find just such a machine. To my utter amazement we could find nothing in the United States at all that would do the job as far as SO<sub>2</sub> is concerned, and hardly anything at all in Europe or Britain that would serve the purpose.

Anyway we have now got one. We are not at all sure that the machine we have had for a few months is the proper machine. Once we are convinced that it is the proper one for SO<sub>2</sub> monitoring, then, presumably, if the House votes the necessary money we will enlarge the scope of that.

In regard to dust control in mines, this is something else again. There is all sorts of equipment of the nature that the hon. member has indicated that measure dust and various types of dust, but the place that we want it is right at the mine face where the men are working. Things change. They not only change from week to week and day to day, but even from shift to shift.

It has been considered very, very seriously by the officials in the department and been rejected as just too unwieldy, too inflexible and too expensive for what it can be used for.

The actual physical location changes so much that we are convinced that it is not necessary. If we were convinced it was necessary we would do it. But the expense and the inflexibility of those systems have been the main factors in not proceeding with that type of equipment. We feel that what we have is pretty satisfactory.

Mr. Ben: Perhaps, Mr. Chairman, the minister did not understand the full import of my using the word "repeating." In using that word, I visualize that in today's technology you could have a portable unit which you could take to the very face of the mine, a working face, which would through radio communication repeat—

Mr. B. Newman (Windsor-Walkerville): They take them on the moon.

Mr. Ben: That is correct. The hon. member—

Hon. A. F. Lawrence: This is done as far as portable equipment that takes a single reading. As a matter of fact, this is what the mine management people are required by our regulations to do, and these are reported back to us. But it is not a constant monitor-

ing; it is not something that is going all the time.

Quite frankly, we have not had much of the way of complaints even from the member for Sudbury East in respect of dust control. We have had no real operating problem in respect of dust control since the days of the uranium mines. We have strict ventilation requirements now in mines; we like to think these are the best in North America. People from all over the world come here to look at the systems we require in these things.

Again nothing is perfect, but we feel we have beaten the dust control problem. It was quite prevalent here 10 or 15 years ago as a result of the filtering, the ventilation system and the constant testing that had to be done. It is not a constant monitor, but I am making myself clear to the hon. member and I think I am.

Mr. Ben: You are making yourself clear that is the reprehensible part. Mr. Chairman the minister is making himself clear and I am rather hurt by his using the phrase "expensive." What is the value we put on human lives? Why always this phrase "expensive". If, as the hon. member Windsor-Walkerville pointed out to us, we could have repeating monitoring from the moon—we can leave instruments up there to feed their quota—

Hon. A. F. Lawrence: All right, give me the NASA budget and we will do it.

Mr. Ben: Let me finish, I listened to you patiently.

Hon. A. F. Lawrence: All right, I am sorry.

Mr. Ben: Why can they not do it? I do not for one minute suggest that it would cost all these hundreds of millions of dollars to create such a unit. In today's technology you can get quite a reasonable unit, a computer unit, which you could take to the face of the mine which would continuously repeat-monitor, that is transmit the information from the ore face, and impose it on a permanent graph which would be open to inspection of your department.

When I am upset about it is that we are in terms of billions of dollars. Mr. Chairman, the hon. minister himself made a speech in this House, gloating, or being proud of whatever the phrase may be—let us say he was proud of the fact that Ontario att-

the \$1 billion mark in production from its mineral sources.

Surely, Mr. Chairman, if the production is \$1 billion, the income must be considerable? Surely we are going to put the welfare of the workmen first, their safety first, and try to have continuous monitoring so that they do not have claims against the workmen's compensation board. I point out to you, Mr. Chairman, that one way of making sure that the workmen's compensation board does dispense justice to claimants is to create such a condition that no claims have to be made. Create an absolutely safe atmosphere for Ontario workmen who operate in mines, and I suggest one way of doing it is setting up these computerized monitoring units right at the very face of the mine.

Mr. Chairman, the minister said, with a proud tone to his voice, that we have very good ventilation in our mines. If we have very good ventilation, it means that there is a continuous movement of air—new air is coming in to replace the old. If that is so, then the air that is circulating through the mines is carrying dust—it is moving dust.

The only other solution, Mr. Chairman, is to compel all our workers to work short shifts in mines and at all times be breathing portable compressed air, so that they do not breathe any of the dust that is carried through the mines, either by the ventilation system or by the very nature of the operations. I still submit that when it comes to the safety of our workmen we have got to forget this phrase, "It is going to cost too much."

Hon. A. F. Lawrence: No, just to be fair there, Mr. Chairman, I did dwell, I hope, on the inflexibility of the system, rather than on the cost. I quite agree with the hon. member, but in any event I thank him for his comments.

Certainly the matter, because he has brought it up again, will be given further consideration. But I cannot help but feel that he is putting the horse before the cart, because at the moment, quite frankly, we are not aware of any great dust problem in Ontario mines.

We feel we have the testing problem licked. We feel we have the ventilation problem licked. We feel we have the filter problem licked. We do have the dust control problem licked.

If the hon. member again has instances, or allegations, even as wide as those of the hon. member for Sudbury East, about dust control in the mines—a dust problem in the

mines—please let us have it. If he has some experiences with the workmen's compensation board in some of these dust diseases, I would suggest to him that I am sure the majority of them, if not all of them, refer to a period before 10 years ago.

If he has got some instances right now where there is a dust problem in the mines, please, out with it.

Mr. Ben: Mr. Chairman, I have not "documentation"—and I trust it will be shown in quotation marks—

Hon. A. F. Lawrence: No letters?

Mr. Ben: —no letters to substantiate a case which I am alleged to have made and which was not trying to allege any case today. What has disturbed me—

Hon. A. F. Lawrence: We will look at it.

Mr. Ben: —and has caused me to make these statements is this: Annually, we meet the workmen's compensation board a while ago, a young boy, claiming that people with silicosis have not been compensated adequately. The trouble arises with the workmen's compensation board taking the attitude that the complaint was not occupationally oriented, in other words, that it did not arise out of the course of their employment. My feeling is that we, as legislators in a society, are spending too much time trying to find causes rather than trying to wipe out causes.

Hon. A. F. Lawrence: With this I agree.

Mr. Ben: My feeling on this is that the way to avoid conflicting claims before the workmen's compensation board is to make sure that conditions in Ontario industry are such that nobody can get silicosis or any of these other industrial diseases—and the department take the workmen's compensation board under those circumstances we will not need it. This is why I was prompted to raise the point.

Hon. A. F. Lawrence: Well, I appreciate the hon. member's comments, and that, of course, is why we have retained Dr. Patterson on a \$25,000 study, which we are asking you to approve now to continue the study, as to the effect of dust in the mines on persons who worked in the mines for some years. I repeat, we honestly and sincerely do feel that we have the dust control problem licked at the moment. But, again, nobody is perform-

and if there are instances, we would be glad to hear of them.

**Mr. Ben:** Remember, sire, pride cometh before a fall. So do not become too convinced of your infallibility.

**Mr. Chairman:** The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, even in our part of the country we do have a mine. It happens to be the Siberian type; that is, a salt mine. But I wanted to ask of the minister if there is a noise problem in mines.

**Hon. A. F. Lawrence:** Yes, very much so.

**Mr. B. Newman:** Is there anything that the department is doing to overcome that? Are they laying down rules, regulations, so that—

**Hon. A. F. Lawrence:** Yes.

**Mr. B. Newman:**—we can control the problem and so our people are not confronted with difficulties with workmen's compensation as far as noise is concerned?

**Hon. A. F. Lawrence:** Yes, the noise and vibration problem in mines is pretty terrific. I know the hon. member has been down the salt mines in his own area, and even there the sound bounces off those huge caverns; it is pretty terrific.

No, we are attempting to control this by means of various muffler arrangements on the automated equipment. There are decibel control monitors available in certain places in respect of where we think the dangers are. In some cases, the men are required to wear earplugs or earmuffs and are warned about it before they go in, and in all mines, I believe, these sound deadeners for their ears are available, if anyone wants them. I think we require them to be available.

So the noise and the vibration problem, as far as the workers are concerned in the mines, is a very real problem.

**Mr. B. Newman:** May I ask of the minister if it is feasible at all to have portable types of sound-absorbing barriers to overcome this problem?

**Hon. A. F. Lawrence:** Yes, this is done in certain cases.

**Mr. B. Newman:** The last question I wish to ask of the minister. The salt mine in the Windsor area used to be quite a common and popular tourist attraction. They had visits to the mine on a fairly regular basis. All of a

sudden, they have been precluded from doing these. Is it some regulation on the part of the department that forbids that?

**Hon. A. F. Lawrence:** No, it certainly not. We are imposing tighter control tighter regulations in respect of safety violations all the time. As each year comes along, we like to think we increase our knowledge and we certainly pass this along to management in the form of instructions and suggestions.

I do not believe that any requirement this department can be blamed for that. As a matter of fact, we are trying to do just the opposite. We are trying to make more of the companies conscious of the need to improve their public image and the knowledge of the public in respect of the mining industry.

I will certainly try to ascertain from the company in Windsor why this has happened. I am sure they have very good reasons, let me find out for the member and I will let him know.

**Mr. B. Newman:** May I ask of the minister if he has an inventory of abandoned mine shafts themselves that could be used as raid shelters?

**Hon. A. F. Lawrence:** I can remember that in this House 10 years ago, I think it was, when the great EMO thrust was made. There were suggestions that those mines in the Goderich area and in the Samia area could be used.

I do not think anyone was really worried about the members of the Legislature. They were more worried about the documents. I remember rightly, there was some suggestion that these things could be used as bomb proof shelters for documents—you know, if the mean governments would fall if there were not the paper work.

At one time I think there were very complicated plans drawn. I must admit they dated my entry into the cabinet by a couple of years. There were other plans made for us all to be moved holus-bolus up to Canada. Borden and the thought was also expressed that if the Bomarc missiles were now being dated, that, somehow or other, we would be carrying on our deliberations in that gap hole in the ground at North Bay.

But at one time this was very seriously considered and looked at and plans were drawn. I am sure somewhere in the departmental archives of this old building, those plans still there.

**Mr. M. Gaunt (Huron-Bruce):** Can you imagine us sitting in the Legislature in the Goderich salt mine?

**Hon. A. F. Lawrence:** We would be worrying about the mercury, would we not?

**Mr. B. Newman:** Mr. Chairman, may I ask the minister if there have been any studies undertaken by the department concerning the use of abandoned mines as waste disposal sites?

**Hon. A. F. Lawrence:** Yes, very much so, in co-operation with OWRC.

In general—there are exceptions to this—but in general we have said “no”, because it would be a very unique mine where the water table problems would not be present, or the ground formation, rock formation, would not be porous.

This is not true in all cases. There are quarries being used within 100 miles of this city as very admirable disposal sites, but in general an abandoned mine is not suitable for these purposes.

**Mr. B. Newman:** I thank the minister.

**Mr. Chairman:** Anything further under vote 1303? If not, shall vote 1303 carry?

Vote 1303 agreed to.

On vote 1304:

**Mr. Chairman:** The hon. member for Rainy River.

**Mr. T. P. Reid (Rainy River):** Ah, we have been waiting a long time for this, Mr. Chairman, a long time.

I would like to ask the minister a number of questions. Perhaps we could start with mining claims in Quetico park and the policy of the department in regard to claims in the park as a whole.

This matter has been raised in the Legislature before. It has been brought to the minister's attention, and he said he was going to look into the situation. It is my understanding—

**Hon. A. F. Lawrence:** No, no!

**Mr. T. P. Reid:** All right! Let me put the question this way. International Lithium Corporation, I believe, has applied for some patented claims in Quetico park—

**Hon. A. F. Lawrence:** Who has?

**Mr. T. P. Reid:** International Lithium Corporation; some licences of occupation.

**Hon. A. F. Lawrence:** Really—I am trying to be fair to the member—but this matter came up in the question period on at least two occasions in the last three months. Both cases exactly the same answers were given to the members who asked the questions. I do not know whether the hon. member was here or not. I have nothing to add to those statements.

The outstanding leases, or the outstanding licences, in Quetico park are old licences and contain a right of renewal. They were granted, either before the park was in existence, or during the war at the insistence of the federal government. In no case has mining production started.

These things are there. We feel that we cannot cancel them. In the meantime, we have blocked any actual mining operations because the parks regulations do not permit the operations to take place. Therefore, I think I said in answer to a couple of inquiries from the member for York South that we feel that we have effectively stopped this threat and this danger to the park.

Certainly the public policy of the government of Ontario is that there should be no mining operations in any provincial parks.

**Mr. T. P. Reid:** All right! May I ask, then, was International Lithium granted the licences of occupation?

**Hon. A. F. Lawrence:** Yes, because they come up again every so often and there is a right of renewal to them. They merely permit them to explore and prospect.

Of course, once they do that, and if they find—

**Mr. MacDonald:** The minister is too busy not to know that his statement is an excuse for them to—

**Hon. A. F. Lawrence:** I am not saying—

**Mr. T. P. Reid:** Can the minister explain to the member gradually, because he becomes confused—his terminology?

You say it allows them to prospect and explore. What do you mean, first of all, explore? Does that include drilling, diamond drilling, tree blazing, staking, or what?

**Hon. A. F. Lawrence:** All it gives them permission to do, I am told, is to renew their exploratory rights. Which they have been doing.

**Mr. T. P. Reid:** But it does not allow them—presumably they could carry on surveying?

**Hon. A. F. Lawrence:** Presumably they could carry on EM surveys—no, I am told they cannot even do that. I was under the impression that they could carry on some type of survey work as long as it did not really affect the environment in any way. I am told they cannot even do that.

All they have the right to do, presumably, is to continue to renew these things. We feel we have to let them do that, because if we attempted to step in to take that right away from them, we would have to compensate them and we do not want to.

**Mr. MacDonald:** Why?

**Mr. T. P. Reid:** The member for York South is absolutely correct, and for once I find myself agreeing with him. Surely there is a basic contradiction—and it is not even a contradiction, it is wholly ridiculous, the minister's stated, enunciated policy is that there shall be no mining in a provincial park.

May I ask the minister, why then, these companies and people continue to renew these licences? There can only be one reason, and that is that they know that under pressure, this government and this minister are going to allow this kind of exploration and development to take place. That can be the only reason.

Let me ask the minister another question in this regard. Is the minister aware as to whether the boundaries of the Polar Bear park in northern Ontario have been withdrawn for this park?

**Hon. A. F. Lawrence:** If they have been withdrawn?

**Mr. T. P. Reid:** Redrawn.

**Hon. A. F. Lawrence:** Redrawn.

**Mr. T. P. Reid:** Yes.

**Hon. A. F. Lawrence:** No, I am not aware of that. I am aware that there was no very definite definition, no legal definition, of the boundary of Polar Bear park. When a park is set out now, what we attempt to do is to move in first, to make sure that there is no great potential or likelihood of mineral deposits in the area. While it is not a strict requirement of the parks integration board, it is one that certainly this department likes to see fulfilled.

There was a tentative boundary set down, a line sort of drawn on maps in respect of what some people thought Polar Bear park should encompass. Once the biologists got to work, and once those of us who are

concerned about the protection of the skyline up there got to work, and once our geologists got to work on the area, then matter was finally determined, I think within the last couple of months. The boundary of Polar Bear park have now been set. I believe the order-in-council has gone through. Now I am told the order-in-council has not gone through even yet. I think a final determination of the boundary has now been made. So there has not been a redrawing of the boundary; there was no boundary there before.

**Mr. T. P. Reid:** This starts to sound like something out of the Howdy Doody show. Last year the Minister of Lands and Forests (Mr. Brunelle) stood on his feet in his place and made a great announcement that we were going to have one complete natural park in the province of Ontario and that park to be Polar Bear park. At that time the minister provided us all with a map of what exactly this park was to be, and as I understood it, the boundaries in which it was supposed to be encompassed.

My question to the minister is, is he telling us that those boundaries were laid down, that this was the sort of park that existed only in the mind of the minister?

**Mr. B. Newman:** Parks by headlines.

**Mr. T. P. Reid:** Parks by headlines! To do everything else by headlines. Now, is that the case? A year later the Minister of Lands stands on his feet and says, "Well, we have redrawn the lines—"

**Hon. A. F. Lawrence:** No, I did not do that.

**Mr. T. P. Reid:** Well, I am sorry.

**Mr. R. F. Nixon (Leader of the Opposition):** The minister said there were no lines.

**Mr. T. P. Reid:** There were no lines to begin with, is that the idea? So we have a park encompassing thousands of square miles, perhaps, and will it be cut down to the size of a doughnut, perhaps, when the minister is finished?

**Hon. A. F. Lawrence:** No, the actual determination of the boundary as I have said it—and perhaps I am treading into the jurisdiction of another minister here—but the determination of the boundary, as far as the public have been involved in any event, is much larger than that originally indicated, and it covers far more nesting and waterfowl pla-



and far more shoreline than originally indicated.

**Mr. T. P. Reid:** Is this due to the minister's initiative?

**Hon. A. F. Lawrence:** In part.

**Mr. T. P. Reid:** I am glad to hear that. Really, I must commend the proposed minister of mines and northern affairs because he has done a great job since he became appointed. He has managed to get—

**Mr. P. J. Yakubuski (Renfrew South):** Just finding that out?

**Mr. T. P. Reid:**—his oar into everything concerning the north and unfortunately; pardon me—

**Hon. A. Grossman (Minister of Correctional Services):** Is that not the point of having a minister of northern affairs?

**Mr. T. P. Reid:** Yes. Well, we would like to think that perhaps the people in the north have a little more knowledge at the moment about the north than the minister does, and he seems to be stepping on the toes of his cabinet colleagues.

**Mr. Yakubuski:** He is pretty sharp. He is with it.

**Mr. T. P. Reid:** Let me ask the minister this question; let us get down to the basics. Has the redrawing of the boundaries of Polar Bear park excluded a certain area in which there are some mineral finds by some private companies in the province of Ontario?

**Hon. A. F. Lawrence:** No. It has excluded certain areas where there is certain aerial exploration work taking place—

**Mr. T. P. Reid:** And not on that basis—

**Hon. A. F. Lawrence:**—by the department. We think there are some interesting areas up there that make no difference as far as the concept or the area of the park itself.

**Mr. T. P. Reid:** In effect, what this government has done is that a year ago it came to this Legislature and said, "This is a new provincial park, a complete wilderness park, that will be untouched by any human endeavour. There will be no hotdog stands, there will be no asphalt drives up to the place or quarters of The Department of Lands and Forests, it will be a natural—"

**Hon. A. F. Lawrence:** Well, I do not think anybody ever said that; do not put false words

in the mouth of anybody. If I had my way there would be a four-lane highway right to it, quite frankly.

**Mr. J. R. Smith (Hamilton Mountain):** I am for the minister.

**Mr. MacDonald:** Did anyone see the Minister of Highways (Mr. Gomine) shudder?

**Hon. A. F. Lawrence:** But I am not having my way.

**Mr. T. P. Reid:** And right at the end of highway we would have a great big open

**Hon. A. F. Lawrence:** As a matter of fact I wanted to call it the William R. A. expressway.

**Mr. T. P. Reid:** Yes, well I can understand that. I notice we have a St. Lawrence loop over in the other building. I wondered what was named after the minister.

**Hon. A. F. Lawrence:** No, my father.

**Mr. T. P. Reid:** The point is simply that a year the Minister of Lands and Forests made a statement concerning a provincial park in the province of Ontario. It was my understanding that this was to be a completely primitive park, that it would be untouched by any human development, that it would be kept primitive for the wildlife that existed there and the ecology of the area would not be disturbed and so on. Now the minister—and I will not use the word of my father from York South—got his oar in there and changed what would seem the whole concept of the park.

**Hon. A. F. Lawrence:** No, I have not changed the concept of the park.

**Mr. T. P. Reid:** But the point is simply this, the minister has renewed the licence of occupation of the people who have mineral claims in Quetico park.

**Hon. A. F. Lawrence:** I have what?

**Mr. T. P. Reid:** These licences have been renewed; these exploratory licences. The minister said that.

**Hon. A. F. Lawrence:** Yes, that is right.

**Mr. T. P. Reid:** All right! The only conceivable reason they would bother to renew these is in the hope that one of two things will happen: one, that the minister will change his mind, and I am afraid that he is going to do that from what I conceive of his previous

attitude; or secondly, that perhaps the boundaries of Quetico park—

**Hon. A. F. Lawrence:** No. There was a third alternative.

**Mr. T. P. Reid:** The minister has demonstrated this already. He has it with Polar Bear park. There is nothing there at the moment.

**Hon. A. F. Lawrence:** There is a third alternative.

**Mr. T. P. Reid:** What is that?

**Hon. A. F. Lawrence:** The other alternative, I suppose, is that International Lithium Company is hoping against hope that we will be replaced by some weak-kneed bunch of nitwits.

**Mr. MacDonald:** Why does the minister not predict when?

**Mr. T. P. Reid:** If they think there are any weak-kneed nitwits in the province of Ontario weaker than the bunch that is sitting over there, they are more divorced from reality than the minister is. Let me make that point. I want to say to the minister, and to the other members of the government benches who are here, that the people of the province of Ontario have little faith in the ability of this government to organize and protect and develop their natural resources, and it is because of attitudes such as the minister has displayed here today—

**Hon. A. F. Lawrence:** The hon. member should make up his mind.

**Mr. T. P. Reid:** What does the minister mean, make up my mind? Is there a contradiction in what I said?

**Hon. A. F. Lawrence:** Did the member not say “protect and develop”?

**Mr. T. P. Reid:** Yes I did. Some you have to protect, some you have to develop.

**Hon. A. F. Lawrence:** Oh, all right.

**Mr. Nixon:** Have you got that clear?

**Mr. T. P. Reid:** You see, you have a one-track mind. Development, to you, means asphalt highways. You would have a four-laner in all the parks in Ontario.

If I could stand the minister's company that long, and vice-versa, I would like to take him on a canoe trip to Quetico park for a week. Perhaps that little experience might soften his attitude.

**Hon. A. F. Lawrence:** I have been to Quetico park.

**Mr. T. P. Reid:** And you have obviously

**Hon. A. F. Lawrence:** Come on now, have gone there once. It does not make a mighty pioneer and hunter, you know.

**Mr. T. P. Reid:** No, it does not. It certainly does not. It certainly did not do anything for you, so we must agree that that is true.

But I have lived in that country all my life and it seems strange to me that in a day and an age when we are trying to get people away from the city, when we are trying to provide them with recreation, when we are trying to provide them with a natural experience, this minister and the rest of that bunch are here, to use only the words of the minister, weak-kneed, which I do not think is parliamentary—

**Hon. A. F. Lawrence:** I did not call you weak-kneed.

**Mr. T. P. Reid:** Would the minister agree that we are trying to provide this kind of experience and that you are standing there and saying: “Well, this does not matter, we would rather have a four-lane highway run through there and maybe all kinds of motels, courts and hotdog stands and all that Harvey's hamburgers on every corner, lots?”

**Hon. A. F. Lawrence:** If that is the attitude you can do today, forget it.

**Mr. T. P. Reid:** You know I follow in the footsteps of the member for Sudbury. I do go on like this unless I am provoked, and I have not heard the kind of nonsense from any of you over there that we get from the minister. No wonder the Algonquin Woods League and others are worried about the future of their plans when the minister displays an attitude like this.

**Hon. A. F. Lawrence:** That is silly!

**Mr. T. P. Reid:** That is silly, is it? Well, you can read the press and you can listen to the people—if you would listen, instead of telling them, “Make up your minds”, and adopting the arrogant attitude that you have.

You know, you are the best thing that has happened to the opposition in the north. Every time you open your mouth, we are in a better shape. There is a little poem by Rol

Service and it goes something like this and I will repeat it for the minister's benefit:

There are strange things done 'neath the midnight sun,

By the men who toil for gold;

The Arctic trails have their secret tales

That would make your blood run cold.

The northern lights have seen queer sights,

But the queerest they ever did see;

—was the night that John Robarts appointed Al Lawrence minister of northern affairs, because who knows less about the north than thee?

Well, as the member for Sudbury would say, I stand in my place and I tell the minister that he had better examine his attitude.

Hon. A. F. Lawrence: I am sorry; better what?

Mr. T. P. Reid: He should really take the time, not to try and outmanoeuvre the Minister of Lands and Forests, but to re-examine his position re the north and the development of the natural resources in that area.

Mr. Chairman, I would like to go on to something else. I would like to get into item 5—access to resources. I would like to know just exactly how the minister—

Hon. A. F. Lawrence: Are we going through these in order?

Mr. T. P. Reid: We have not so far. In this Act, I would like to ask the minister a number of questions as to resources.

First of all, how is a decision or policy made as to the allocation of this money? Does it have to go through the NORTC committee before the funds are allocated, or is this a decision wholly made at the minister's discretion?

Hon. A. F. Lawrence: You mean the allocation from us on the roads, or how the committee gets the money in the first place?

Mr. T. P. Reid: No. I want to know how the decision is made to allocate the money voted to the minister. How do you decide which projects—

Hon. A. F. Lawrence: We make a presentation. By "we", I mean the committee, through the chairman, makes a presentation to the Treasury Board prior to the making up of the budget. We base that on what we feel the needs and the construction pro-

gramme should be in the forthcoming financial year.

Mr. T. P. Reid: That is not exactly what I am asking. What I am asking is: you always have more requests to fulfil than you have money in resources. How do you decide among the dozen or two, which ones are

Hon. A. F. Lawrence: I am sorry. Do you mean the payment out by the committee in respect of individual road applications? That has to go before the committee of cabinet called the northern Ontario resources transportation committee, of which the Minister of Mines is apparently the chairman.

Mr. T. P. Reid: The individuals, or companies, involved, or requesting such a road do they necessarily appear before your committee? Do they make a submission to you?

Hon. A. F. Lawrence: No, it can be done by brief, or by letter, or by memorandum. They usually do appear.

It need not be from individuals out of the government service either. We are not branching out into new concepts in respect to that committee's work, so that these final allocations can be done on the basis of representation to us by governmental departments as well.

Mr. T. P. Reid: May I ask specifically, the minister made a decision on the road between Sioux Lookout and Sturgeon Narrows Timagami Mines?

Hon. A. F. Lawrence: That is the road Highway 599, you mean?

Mr. T. P. Reid: Yes.

Hon. A. F. Lawrence: No, we have not made a final determination as yet in respect of that road, but we are looking very very closely right now at several alternate locations.

Of course, we have to know the route that thing is going to take before we can decide on what the cost of it is going to be. . . . We cannot decide on the final question of approval or a nonapproval in respect of a fairly large road allocation such as that until we know what the cost is going to be.

At the moment, we are very seriously having them looked at for us by The Department of Highways for a possible location.

Mr. T. P. Reid: Thank you. May I ask then, in the mining report—the "Ontario Mining Department of Mines Review"—you mention

the feasibility study of a proposed highway between Highways 17 and 11 in northwestern Ontario. Can the minister indicate at what stage that feasibility study is at and when hopefully, it will be completed? It is the Ignace to Atikokan, or Fort Frances to Dryden road.

**Hon. A. F. Lawrence:** Are you talking about a projected link between Highways 11 and 17?

**Mr. T. P. Reid:** Right. It is on page 191.

**Hon. A. F. Lawrence:** Right. I am informed that the tender for construction has been let for the first 10 miles of the road which may—

**Mr. T. P. Reid:** Can you give me any—

**Hon. A. F. Lawrence:** I am sorry—which may possibly end up as being the eventual link between 11 and 17.

**Mr. T. P. Reid:** You are talking about—

**Hon. A. F. Lawrence:** —but there are a number of other alternatives there as well.

**Mr. T. P. Reid:** When you say “the 10 miles”, you are talking about the ones into the timber limits of—

**Hon. A. F. Lawrence:** The 10 miles on which a tender has been let?

**Mr. T. P. Reid:** Yes.

**Hon. A. F. Lawrence:** That really is all that this committee would be involved with. We have to make sure that what we do, hopefully, can be later incorporated into the highway programme of the hon. Minister of Highways (Mr. Gomme). That is certainly a very major factor when these resource roads are looked at and in some cases can up the priority or lower the priority as far as we are concerned in these matters. In this particular case, because there are a number of alternatives there, and because of the need to get into the timber limits that we have let, the first 10 miles of what may or may not eventually be the connecting link have been proceeded with.

**Mr. T. P. Reid:** Can you give me any indication when the feasibility study will be—

**Hon. A. F. Lawrence:** On Highways 11 and 17? In the report, page 191, the middle paragraph.

**Mr. T. P. Reid:** Page 191?

**Hon. A. F. Lawrence:** Right. I am surprised if there is any indication that committee has been doing any feasibility study on the link between Highways 11 and 17, but just let me check.

**Mr. T. P. Reid:** Well, this is your committee.

**Hon. A. F. Lawrence:** Beg your pardon.

**Mr. T. P. Reid:** This is a subcommittee.

**Hon. A. F. Lawrence:** I think there would be an eventual responsibility to provide a link between 11 and 17 in following the highways programme. It is not under the resources committee. We may be co-operating there, but you have caught me on something that I am ignorant about. The thing that we have actually committed ourselves for is a 10-mile link into the Ontario Minnesota Pulp and Paper Company Limited.

**Mr. T. P. Reid:** Are you trying to tell me then that the information in the middle paragraph is incorrect?

**Hon. A. F. Lawrence:** Let me just try to find out where it is.

**Mr. T. P. Reid:** Page 191. The middle section.

**Hon. A. F. Lawrence:** Yes, I am telling you that information is incorrect.

**Mr. T. P. Reid:** It is? There is no study?

**Hon. A. F. Lawrence:** No, nothing conducted by the committee. We are co-operating with The Department of Highways in such a study but—

**Mr. T. P. Reid:** Is The Department of Highways doing such a study?

**Hon. A. F. Lawrence:** Yes.

**Mr. T. P. Reid:** Well, that is nice to know you learn something new every day.

**Mr. Stokes:** They tell that to the chamber of commerce.

**Mr. T. P. Reid:** You learn something new every day. May I ask by way of information from the minister—who writes this report and who reads it?

**Hon. A. F. Lawrence:** Well, obviously the minister should read it.

**Mr. T. P. Reid:** I hope you do not write it too, or we are really in trouble.

**Hon. A. F. Lawrence:** No. Let me check into this and I will report back to you. There has always been, of course, a continuing study, as I understand it.

**Mr. T. P. Reid:** How about that!

**Hon. A. F. Lawrence:** A continuing study of that link? No, I think there has never been a study.

**Mr. T. P. Reid:** There have never been studies?

**Hon. A. F. Lawrence:** There has never been a study—

**Mr. T. P. Reid:** There has never been any co-operation.

**Hon. A. F. Lawrence:** —on a link between Highways 11 and 17.

**Mr. T. P. Reid:** May I ask the minister then if he could provide me with copies of these studies. I have been trying to see them for two and one-half years.

**Mr. B. Newman:** Better get together there, boys.

**Mr. T. P. Reid:** Would the minister accede to the more than reasonable request of mine that I have a chance to see these studies, no matter where they originate?

**Hon. A. F. Lawrence:** These are studies that we have attempted to look at in building resources roads. They are not necessarily the linkage studies between 11 and 17. As I say it is not the duty of this committee to provide—

**Mr. T. P. Reid:** You must have been a ballroom dancer at one time.

**Hon. A. F. Lawrence:** No, not yet, but I am learning.

**Mr. T. P. Reid:** You are learning! Well, let me ask the minister—

**Hon. A. F. Lawrence:** Anything that the committee has in respect to these studies I will certainly be glad to get for the hon. member.

**Mr. T. P. Reid:** I would appreciate that. Just one more brief question and statement. Can the minister explain to the House the ground rules for applying for, or for getting approval of an access road? What criterion has to be met?

**Hon. A. F. Lawrence:** Yes. The non-application comes into us from the chamber of commerce, a member, a company, a concern, in some cases the town council something like that. We immediately far out to the department on the committee. I have a secretary to the committee. My duty is to take it back to their department and report to the committee about the benefit that will accrue in respect to their specified departmental needs and the future of their particular operation.

What we are looking for now are multi-roads in the hope that the roads that we have will serve the tourist industry, the mining industry and the timber industry. Not in all cases, of course, can those uses be utilized at the present; some of them, perhaps, not even in the future, but this generally is what we are hoping for.

Again, it is a question of setting priorities. We had to decline one request that I know the hon. minister is very interested in, but we have to look at what we believe to be in the public interest in general and hope that, if the full cost is going to fall on the taxpayer, it is not just going to serve narrow interests either a geographic or economic way. We are trying to spread what little money we have around as widely as possible to produce the most benefit from it.

**Mr. T. P. Reid:** That is very admirable sounds very fine but I fail to see how in most of these cases, where you are going to be able to do that and set that criteria. The minister knows what I am talking about when I am talking about the Rainy River road, north of Rainy River. That would open up some lakefront property that could be developed for the tourist industry, because the tourist camps on the American side has about 100 camps over there and about two camps on the Canadian side.

We are losing revenue, employment, income, the whole business because the Americans have had the foresight to develop the property while the township and the unorganized areas there cannot afford to do so. I want to ask the minister today if this committee will reconsider this application, if you will allow me as a member for the area to submit the application from the chamber of commerce at Rainy River for the committee consideration?

**Hon. A. F. Lawrence:** We have reconsidered that at least three times in the last year, I believe. The last time was the last meeting of the committee. We have had further reports in from several of the departments

The idea originated with the chamber of commerce and we had verbal, personal chamber of commerce representation, as the hon. member knows, before the committee. It has been considered and it has been reconsidered and the reconsideration has been reconsidered again. There are only 24 hours a day and seven days a week. We really just felt that this would not provide enough economic benefit to all concerned at this time to enable us to proceed with that road.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** Mr. Chairman, I want to return briefly to the question of mining claims in provincial parks. I have no particular desire to be quite as sharply personal in my comments with regard to the minister—

**Hon. A. F. Lawrence:** Thank you.

**Mr. MacDonald:** He is an ingratiating guy. Even when he is wrong, he is wrong with a brilliance and a panache that sometimes dazzles one over here.

**Mr. T. P. Reid:** That means when you are wrong, you are really wrong.

**Hon. A. F. Lawrence:** I am sorry, I would rather have someone insulting me.

**Mr. MacDonald:** What I wanted to say was that the minister has never done a graver injustice to himself than by his comments with regard to government policy in connection with mining claims in the parks. Now some other ministers in this cabinet I could quite see get up and repeat as illogical, as unconvincing a statement as the minister did. But this minister does not believe it. He cannot believe it.

**Hon. A. F. Lawrence:** I have never said it was logical. All I said is that it works.

**Mr. MacDonald:** It does not work. Well, it may work for the moment, but the point is that it raises so many questions with regard to what really are the motives of the government, what really are its future intentions, that this minister would be at least a little bit apprehensive, even be a little bit ashamed about it. For example—I do not want to spend a great deal of time on this—if your policy is that there be no mining in provincial parks, why renew the licences?

**Hon. A. F. Lawrence:** It was written into the original—

**Mr. MacDonald:** Look, if you are going to have no mining in provincial parks, whether

it was written in originally or not, we happen to be responsible in the province of Ontario for the implementation of public policy. Every time you renew a licence—the hon. member for Rainy River is dead correct—only interpretation can be put on it: namely, you can be pressured into changing your policy, and, therefore, in changing the policy they are going to have their foot in the door. Alternately, some time in the future the government is going to change its policy, these people want to have their foot in the door; they want to have a head start on other people by saying, "Oh well, we have had a claim since 1932 and therefore we are going to continue to operate."

To show you how unfair the minister is being to himself, he then said: "If we can't pay the claims, we have to pay them compensation." Why, in heaven's name, would we have to pay them compensation? Public policy says you cannot even explore this; you cannot develop it; you cannot ever do mining in it. What is the value of it? What is the compensation? Minus \$5?

**Hon. A. F. Lawrence:** No.

**Mr. MacDonald:** It is certainly not worth anything—you are hoisted on your own petard—unless you are going to change your policy in which you are permitting them to have their foot in the door. Let us not argue the theory and thresh this straw for very much longer. If the government means it, that there shall be no mining in public parks, can you pay those claims. And if there are some legal problems, some statutory problem, what are we here for? We are changing statutes; we are rearranging boundaries; we are wiping out municipalities; we are creating new municipalities. These claims are worth paying because they can never be developed; therefore, there is no compensation.

I say to the minister that he should stop playing games on the issue. If this is your policy, as you stated it, then bring the statute into conformity with the policy so that you do not raise legitimate doubts in the mind of everybody. Then we will not look at you and wonder if you are putting us on a tightrope with that kind of an explanation.

**Hon. A. F. Lawrence:** I would like to make two comments, if I may. No. 1: I think there has been legal precedent to indicate that the ownership of an exploratory licence, even though you may not be able to do anything with it, is a proprietary interest in the land that is compensable.

**Mr. MacDonald:** Look, we grant these licences.

**Hon. A. F. Lawrence:** Oh yes, and we get into terrific legal problems. All I have been hoping, quite frankly, is that this thing gradually would die away and these people would fail to renew one year or alternatively, as happened yesterday, we would receive a letter from them indicating perhaps their interest in selling or—what is the term I am looking for—in turning them back to the Crown.

**Mr. MacDonald:** Reverting?

**Hon. A. F. Lawrence:** Right. Somehow or other the interest would revert to the Crown. So perhaps our policy on it is working. That is all I can say.

**Mr. MacDonald:** Is it working?

**Hon. A. F. Lawrence:** It is working, because—

**Mr. MacDonald:** You were renewing them last fall. That is not reverting.

**Hon. A. F. Lawrence:** Well, it is working through there in any event.

**Mr. Stokes:** Are they paying the land rentals on these?

**Hon. A. F. Lawrence:** Yes.

**Mr. Stokes:** I would like to get into another area covered by this vote with you and your seat-mate and your namesake. I drew his attention to a problem that had been brought to my attention last weekend by a mining engineer, and it deals specifically with two mining properties in northern Ontario. In fact, they are in my riding—

**Hon. A. F. Lawrence:** I thought we were going to quit by five o'clock!

**Mr. Stokes:** —up in the Nakina area and close to the Anaconda property. The names of the companies are the Northwest Territories Copper and the—

**Hon. A. F. Lawrence:** Northwest Territories Copper?

**Mr. Stokes:** Yes. And the other is Paulpic. Apparently the Ontario Securities—

**Hon. A. F. Lawrence:** Paul P-i-c-k?

**Mr. Stokes:** P-i-c, I think it is. One of them has \$200,000 to spend on exploration. This mining engineer I spoke to said, "There

is every likelihood that there would be mine there, if they could raise the necessary capital—could go in and develop it properly. The other one has \$250,000 waiting in wings, and apparently the Ontario Securities Commission will not permit them to market stocks until they can get the necessary capital to develop this in an orderly fashion. I have already sent an inquiry to the hon. Minister of Commercial and Financial Affairs (Mr. A. B. R. Lawrence), and I am wondering if you ever get any requests for assistance from mining companies to intercede on their behalf with the Ontario Securities Commission to permit them to raise the necessary capital in an orderly way and in a way that meets the requirements. But for some technical reasons apparently they are not able to do this. Now do you intercede on their behalf?

**Hon. A. F. Lawrence:** Well, I get lots of requests. Sometimes prospectors and developers at conventions start lining up at my doors to come in to complain about one aspect or another of the mining industry. And particularly the complaints about the securities commission—if my colleague will not mind me saying so—start flowing in pretty thick and heavy sometimes. In no case have I interceded. In a very small number of cases has the argument been compelling enough for me to collect up the papers from the individual concerned—and they usually are individuals, not corporations, by the way—and I have sent the papers along to the minister. I do not think that actually has happened since my friend who now occupies that portfolio, has been there. But in his predecessor's time there were two or three instances where I certainly did feel that some sort of an injustice had occurred. I did not put that in the form of any letter; instead I just sent material along and said that the things had been claimed to me, that the injustices had taken place because of securities commission action and would the minister look into it. In some cases that has been applied, and in other cases I am not too sure what has happened, to be perfectly honest. But I do not feel it is my position, as Minister of Mines, to intercede in the deliberations or the determination of what really is far more than just a purely administrative body within another department. My relationship is strictly on a minister-to-minister basis. I do not think I have sent anything along to the chairman of the commission that I remember. Is that what you are after?

**Mr. Stokes:** One final question: could you give us a breakdown on the \$5 million that

is going to be spent on the access to resources programme?

**Hon. A. F. Lawrence:** Yes, we have not spent it all yet, of course, since you are going to be voting it today. We have two types of programmes, we have a non-shareable programme and a shareable programme. The non-shareable is where we do not share the cost with anybody else.

We are pushing the road north from Balmertown and we estimate that this year we will be spending \$865,000 on that. We are pushing the Pickle Lake road north, which is really the same road—hopefully sometime in our generation they will join. That accounts for \$705,000. There is a connection from mile 74 on territory road 800—that is the Spruce River road—to the Armstrong-Hurkett road, and that is only a gravelling operation; the estimate there is \$50,000. We are doing certain pre-engineering and survey costs over the entire route on a resource road from Timmins to Smooth Rock Falls, and we estimate that will cost about \$50,000. That is the shareable programme; that is \$1,670,000.

Now there are various arrangements that we get into with corporations to pay part of the cost of the road only such as the South Bay mines road into Confederation Lake and Uchi Lake.

**Mr. Stokes:** That is Selco is it not?

**Hon. A. F. Lawrence:** That is Selco. From Ear Falls to approximately mile 45 is going to be 100 per cent shareable. The cost of that will be about \$275,000. Then from mile 45 for another 2.5 miles, it is going to be on a 50 per cent shareable basis with the company because we felt the long road almost in to the company's property is going to open up a tourist area. It is going to open up timber areas, and there is more than one mining company involved.

So we have entered into a special deal in which they guarantee to us that they are going to be in production within two years. On that basis, we are willing to bear the full cost of that 45 miles; but the other 2.5 miles is strictly for their assistance and that is 50 per cent shareable. There is another \$20,000 going on that, so that makes a total of \$295,000 on that Uchi Lake and Confederation Lake road.

The other one was the one I was just discussing with the hon. member for Rainy River. That is the Manitou concession road into the Ontario Minnesota Pulp and Paper

Company concession from Nickel Lake Highway 11—approximately 18 miles east of Fort Frances—northerly 10 miles. We are spending on that, we have estimated, \$900,000.

The Metagamí lake mine road, that is from Highway 599 into Sturgeon Lake, is approximately 12 miles in length; that is a 50 per cent shareable deal. We have estimated \$180,000 on that and we have stuck another \$25,000 as anticipated payments to be made on miscellaneous smaller requirements. One is in respect of the Copper Lode mine, one in respect of Extender Minerals, and one for the Thunder Bay amethyst mine, which I think the hon. member has spoken to about. We put down a grand total there of \$25,000.

Then we have anticipated expenditure of \$200,000 that could come in respect of pre-engineering work and the completion of the survey work from Sioux Lookout to Highway 599. That would also include the commencement of clearing works on the Timmins-Smooth Rock Falls road. Also we have a carry-over of expenditure from the previous year of \$50,000, so that total expenditure which we feel we are committed to date, of that \$5 million which we are asking you to vote, are \$3,360,000. I have no doubt at all that within the next couple of months, people will be skinning their knuckles off knocking on the doors.

**Mr. Chairman:** The hon. member Humber.

**Mr. Ben:** I have a number of questions, Mr. Chairman. One is arising out of the portion on access roads. The minister has said that certain of these roads are on a shareable basis and the minister just finished saying that in one instance he is putting through a road that is the undertaking of a company that it will go into production within two years. The question, relating to this particular matter, is this. After they do go into production, will that company pay for the road?

**Hon. A. F. Lawrence:** No, this is strictly a shareable. This one is a complicated one. It is the first one of that concept that we have gone into. It is a multi-use road. It is going to serve not only the mining industry but not only one mining company; it is going to serve other mining companies in that area. It is going to open up a tourist area. It is going to open up timber limits.

Now, because the one company, namely Selco was the first on the scene and will



the first one in production, by pushing the road in we are very materially assisting that particular company. But also we thought it was very unfair for that company to bear what normally happens, namely, 50 per cent of the capital costs of the construction of the road. Because once it is built and once they get into production, other people are going to be utilizing it.

This Uchi Lake road was the first one on which we changed the jurisdiction of the committee. We said to them, "All right, if you will deposit with us certain bonds or"—actually it was a bonding arrangement—"for your 50 per cent shareable capital cost of that road, we will now go ahead and build it. Now, if you come into production within two years and if other people as well use the road"—and we are pretty sure that this will happen in any event, so really what we are hanging on them is their undertaking that they are going to be in production within two years—"then that bonding arrangement gets cancelled. Now if you do not go into production, or if other people do not use the road, or if other industries are not opened up, then we use your 50 per cent bonding arrangement to help pay the shareable cost of the arrangement."

**Mr. Ben:** Mr. Chairman, this leads the government to be accused of favouritism. It is easy to say it is going to be a multiple-use road, but on the other hand it could be simply a cover-up or an excuse to help out Stelco.

**Hon. A. F. Lawrence:** No, no, not Stelco, Selco. S-c-l-c-o. That is right. This is an exploration mining company.

**Mr. Ben:** What does Selco stand for?

**Hon. A. F. Lawrence:** It is actually a subsidiary of Standard Trust—Selection Trust, I am sorry—of Great Britain, but they are people who have been over here many years. Do you want me to regurgitate their prospectus for you? They spent over \$14 million in Canada in the last three years in exploration costs alone, and the mining industry in general was just overjoyed when these people stumbled on the Uchi Lake thing. They have a very good reputation in the mining industry and we were overjoyed that they found that area and opened it up. We are doing everything we can to assist them in the opening up.

**Mr. Ben:** Fine! What does the agreement provide with reference to defining other users? For example, I could go up there to

see what it is like and they could say I built the road, or the hon. minister.

**Hon. A. F. Lawrence:** No, there has to be some permanent type of operation or concern that is going to help open up and develop the area. In other words, it has got to be some sort of a permanent resort or work while commercial summer camp and/or timber has got to be some type of timber work developed along that road when it gets opened up.

We are confident not only will those things happen but, as well, other mining companies are almost on the verge of announcing production plans so that this is going to be eventually, a highway that will be part of the highway system. Our problems now are involved with following that green belt east further north than this.

**Mr. Ben:** Surely the minister is not suggesting that if someone sets up a commercial hunting camp that that is going to be deemed to be a user of this road to the degree that Selco would be excused from paying the 50 per cent?

**Hon. A. F. Lawrence:** Yes, exactly that.

**Mr. Ben:** Good grief, it would pay Selco to subsidize somebody up north there, say, "Here is \$5,000, go and open up a commercial fishing camp." They would subsidize themselves 50 per cent of the cost of the road. And the minister nods his head—does he say it is a possibility?

**Hon. A. F. Lawrence:** No, I say this is possible, and it does not worry me in the least.

**Mr. Ben:** It does not worry you in the least?

**Hon. A. F. Lawrence:** No, we have enough discretion built into the thing, one way or another.

**Mr. Ben:** What is the time limit specified in the agreement between this province and Selco as to when another industry must locate in the area in order to have the bond returned?

**Hon. A. F. Lawrence:** First of all, the agreement is a two-year item. They have to come into production within two years; that is two years from the completion of the road by the way. And within that period there may be other users. As a matter of fact, it is really a reconstruction, in the main, of an old logging road. I have been over it and looked at it myself. Since the announcement

last year of the renovation and the rebuilding of this road, four resorts have located along that road already.

The hon. member may not like it—I do like it. I think that this is part of opening up the north; this is part of development in the north. Quite frankly, I do not see his objections at all.

**Mr. Ben:** I will tell you my objections, Mr. Chairman. Mining complexes are permitted to write off their exploration and establishment costs over a period of three years, I believe, is it not?

**Hon. A. F. Lawrence:** Some of them!

**Mr. Ben:** For three years they can write off all their costs.

**Hon. A. F. Lawrence:** Not all of them.

**Mr. Ben:** It is quite conceivable that the companies can get back all their costs in those three years and that the mine is of such poor quality that in the next year or two it is exhausted. They do not lose anything because in the first two or three years they got back all their initial investment and they got a small profit over the next two years.

Here, you are not asking them to pay for the road, or amortize the cost of the road over the first three years of operation, as they are doing with the mill and their exploration costs. So it is quite conceivable that you put in the road and you pay for it all by yourself. They go into production. They produce for three years, which gives them ample time to write off the costs of their investment and to take a small profit. They say, "Goodbye, Al Lawrence," or "Goodbye, Charlie" and you have put in a road and all you have along there are a few tourists camps and you say that is opening up the road.

**Hon. A. F. Lawrence:** No, opening up the north.

**Mr. Ben:** Yes, opening up the north.

**Hon. A. F. Lawrence:** These are part of the factors and part of the information that we have at hand when we make these decisions. Some of them get right down to a strict judgment call but, quite frankly, I feel it is the role of government to be building services such as roads. I do not think it is the role of the resource industries to be building these things.

As a matter of fact, there is not agreement about this either, but I do not think we should be permitting companies to be build-

ing their own townsites any longer. I think this is the role of government. There is no stricter control in that way, too.

**Mr. Sopha:** Everybody agrees with you.

**Hon. A. F. Lawrence:** No, not everybody—

**Mr. Ben:** Surely you are not serious about that?

**Hon. A. F. Lawrence:** The role of government is to build these roads to open up the north. This is the chance we have to take—that it is going to be on a very impermanent operation. In most cases we attempt to check that out. That is why we need to have more information on these things, sometimes, when we do make these decisions. That is why, sometimes, there are maddening delays in respect of these decisions simply because we do not have enough information.

**Mr. Ben:** What you are suggesting is that you are quite prepared to have another fiasco or another series of fiascos like Elliot Lake?

**Hon. A. F. Lawrence:** Yes, sir—

**Mr. Ben:** —pouring taxpayers' money into this? And the mines are going out of business—

**Hon. A. F. Lawrence:** Absolutely!

**Mr. Ben:** —there is no work they can stimulate. People move out, lose their investments because you decide to gamble with the money of the taxpayers of the province of Ontario. How do you know how long a mine is going to last so that you can spend the taxpayers' money on building town sites?

**Hon. A. F. Lawrence:** You had eight conditions there. Let me answer yes to each of them. I agree; it is worth the gamble.

**Mr. Ben:** That is a worthy gamble to make is it?

**Hon. A. F. Lawrence:** Yes, sir.

**Mr. Ben:** All right. What they say about this government being in the hip pocket of the Bay Street barons is undoubtedly true because that is all you are, their handmaidens and their servants. That is a fact.

**Mr. Sopha:** It is in his constituency, is not?

**Mr. Ben:** That is right, it is in his constituency and now one can understand it.

is a complex going in there; we have no guarantee how much mineral is going to be taken out of there. All we have is an agreement that they will go into production within two years. The minute they go into production within two years, they have satisfied that particular aspect of it.

**Mr. Sopha:** Who was that?

**Mr. Ben:** Selco, on Uchi Lake.

**Hon. A. F. Lawrence:** One of the best mining developments that has come along.

**Mr. Ben:** Look, they may be the best mining developers, but I pointed out that they could go into production in two years; they could get back all their investments within three years, tax free. They could operate for another two years and then the mine could be exhausted.

**Hon. A. F. Lawrence:** It could be.

**Mr. Ben:** In the interval, no other industry will locate there except the tourist camp that you mention.

**Hon. A. F. Lawrence:** No, no!

**Mr. Ben:** Mr. Chairman, the minister has already mentioned that this is an extension or widening of an existing lumber trail—

**Hon. A. F. Lawrence:** You are forgetting about the timber.

**Mr. Ben:**—which means that people going to the tourist camps could have used that road anyway. They could have used that road anyway. As a matter of fact, a lot of them go north because they can use some of those old lumber trails. I asked the minister when must other industry locate in there, and all he said is by the time they have the two years. Already they have the lumber camps there.

I pointed out that Selco could pay somebody to establish a tourist camp and that would be deemed, according to the minister's own words, another industry, and therefore does not have to pay for half of the road. We have a situation of opening up a road and paying for it with the taxpayers' money. No wonder one is suspicious when one looks at it. To begin with, in a period of crisis, when the provincial Treasurer (Mr. MacNaughton) is saying that we have to tighten our belts and we have got to cut down on our expenditures, the minister's department

expenditures are increased almost 100 per cent, from five and some odd million to million. All right, let us say 70 per cent

**Hon. A. F. Lawrence:** No, no, stick to 100 per cent!

**Mr. Ben:** All right, 100 per cent! But biggest increase is on these access roads.

**Hon. A. F. Lawrence:** Yes.

**Mr. Ben:** From \$1.2 million, I believe, some figure close to that, to \$5 million, 300 per cent increase. Now, just a minute. We are not against industry legitimatizing settling in the north. This government has given over \$10 million to people to settle in the south when the place we should be encouraging them to go is up north. I believe me, I am not like the member Grey-Bruce (Mr. Sargent), or wherever it is. I do not think that Toronto is keeping all the money. I believe that we earn whatever we have in Toronto from all of Ontario, and they own Toronto just as much as we do, and we own the northland just as much as they do, and we ought to work hand in hand.

My objection to this, Mr. Chairman, is that I believe that the minister and his fellow cabinet ministers are hand in glove with the Bay Street barons to use the taxpayers' money to open up what could be moose pastures to take the poor suckers down on Bay Street. The minister has offered no assurances on how long the mine will operate if it is developed; he has told nothing about how much minerals there are there; whether it is expected to operate for 10 or 15 years, or even seven and a half years, to amortize the cost of the road, that is what you are amortizing here.

**Hon. A. F. Lawrence:** We are not amortizing.

**Mr. Ben:** This is what we object to. You are selling us a bill of goods, and when you open up the crate we are going to find nothing in there but excelsior. Unless the minister gets up and satisfies us differently, this whole item ought to be deleted unless we have assurances that the people up north are getting value for the moneys that they vote for him.

**Hon. A. F. Lawrence:** Oh, man, do not tempt me! But I will not be cruel about it. First of all, I indicated to you that we certainly take a good look at the reserves and the permanency of these things before

make the decisions. And in Selco's case—I do not want to sound to be a puffer, as far as stock on the exchange is concerned—we were certainly satisfied that was a very viable, worthwhile economic development to take place there before we even got involved in it.

Also, I deny that we are in anybody's hip pocket or I am under the control of Bay Street, or any of the usual phrases that are really flowing out at me on this thing. Regardless of that, even if I was, I happen to believe that every buck spent in northern Ontario for any type of road to any place at all is an investment, and not an expenditure. I do not care where it goes. I do not care where it ends up.

With the potential of the northland and the great need there for transportation facilities, I do not care where the road goes or even where it starts. Eventually some day that is going to pay very handsome dividends, if not for the hon. member then for the hon. member's children.

Now our trust and our duty here, I hope, is to make sure that we set priorities. We sensibly and realistically look at the cost benefits of these things, and this is what we do. I have tried to indicate that to the members. I hope we do not abridge that trust, and I hope we look at it in a responsible way. But I am very glad to have the member's remarks on record, and I can assure him they will be distributed.

**Mr. Ben:** Mr. Chairman, I am grateful for the minister's honesty that he does not care where the road goes, whether it starts at nowhere and goes no place, or vice versa. This is something that was scaring us. We thought that is how he operated, that he did not know where he was going or where he was coming from, and he has simply confirmed this. We have no objections to spending money where roads go from place to place.

**Hon. A. F. Lawrence:** You are speaking for others now.

**Mr. Ben:** But we object strenuously to them going from nowhere to no place, and this is what the minister says he is going to do. I have a few more questions. This has to do with activities by mining divisions, Mr. Chairman. I am rather curious why, for instance, in the eastern Ontario mining division there were 2,919 mining claims recorded, 2,197 cancelled, and, on the assessment work done, there was a total revenue of \$105,408 and change. In the Kenora mining division

there were 2,264 mining claims recorded, 2,802 cancelled, and the revenue there only \$41,503, less than a percentage decrease.

In the Larder Lake mining division there were 3,404 claims recorded, and 5,000 cancelled, there were more diamond drilling days and more geophysical surveys than in the eastern Ontario mining division. Yet the total revenue from the Larder Lake mining division was only \$77,197.

In the Patricia mining division there were recorded 11,634 claims, cancelled 3,137 claims. There were 84,652 days of diamond drilling and 12,592 geophysical surveys, but the revenue bill was \$149,214.

The inconsistency goes right through to Porcupine mining division, the Red Lake mining division, and the Sault Ste. Marie mining division. Why is there such a discrepancy in the revenue that you derive? There is no consistency between the number of claims that were filed and the number of diamond drilling days, or the manual labour days, or the geophysical survey days. Is there not some kind of a formula that keeps the revenue more consistent than it is?

**Hon. A. F. Lawrence:** Well, the revenue from the various divisions is not directly related to the number of claims recorded in any given year. The fees may bear a relationship to the number of abstracts required, transfers put through on existing claims, and other such matters.

As I understand your question, you are saying there is an inconsistency between the revenue in these divisions and the number of claims recorded. All I am saying to you is that the fees which make up the revenue are the result of many things other than the number of new mining claims recorded.

**Mr. Ben:** Mr. Chairman, if I may be just a little more specific, then I promise that I will try to end it, would you turn to page 10 of your report and you will see the eastern Ontario mining division. I am going to be comparing the eastern division with the Larder Lake mining division.

The mining claims recorded in the eastern Ontario division were smaller than the number of claims recorded in the Larder Lake mining division. The mining claims cancelled in the eastern Ontario division were fewer than in the Larder Lake mining division. The mining licences issued were less—561 to 165—but the miners' licences renewed in the eastern Ontario division were considerably higher than those renewed in the Larder Lake mining division—more than three to one and almost three to one. Application

for leases were less in the one than in the other.

When you get to the assessment work, more manual labour days were performed in the Larder Lake area, more diamond drilling days, more physical survey days, more geo-physical surveys, more land surveys and more power equipment. Yet the revenue from the eastern division was some \$30,000 more than from the Larder Lake mining division.

**Hon. A. F. Lawrence:** You have picked the wrong one by comparing the eastern Ontario mining division with anything else because this one includes Toronto. It is southern Ontario really.

The large revenue, or large revenue-producing prospect, is accounted for by the fact that it is here that company miners' licences are sold. In other words, there is far more revenue from that source in the eastern Ontario division than there is in any of the other divisions, and that accounts for the discrepancy.

I see the discrepancy now that you are referring to it. But compare Kenora with Larder Lake or Patricia with Red Lake or something like that; I think you will find it evens out a little more. But to compare it to the eastern Ontario one, which contains the commercial centre of the province, is not realistic.

**Mr. Ben:** Well, Mr. Charman, here again I said I was going to sit down. But if we want to compare the Patricia mining division with the Larder Lake mining division, again in the Larder Lake division there were a total 130,185 days of assessment work recorded—

**Hon. A. F. Lawrence:** There is no revenue involved in assessment work.

**Mr. Ben:** Well, I do not know. I am just trying to point out to you that if you compare the figures for the two I am referring to—the Larder Lake and Patricia mining divisions—in the Larder Lake mining division they recorded 130,000—

**Hon. A. F. Lawrence:** I am saying to you there is no revenue involved in assessment. That is an item that bears no relationship at all.

**Mr. Ben:** Where does this revenue come from? Is it from mining claims recorded?

**Hon. A. F. Lawrence:** Yes. Every time there is a recording of a claim; every time

there is a permit or licence sold; every time there is a transfer. I will give you the schedule of The Mining Act if you want.

**Mr. Ben:** How much are miners' licences

**Hon. A. F. Lawrence:** Individuals, companies, \$100.

**Mr. Ben:** I still do not understand it, Chairman. Comparing the Larder Lake with the Patricia divisions—

**Hon. A. F. Lawrence:** May I say this? You are asking for an explanation; I am giving it to you. Believe me. Is there an allegation that there is something wrong or are you just wanting an explanation?

**Mr. Ben:** I want an explanation.

**Hon. A. F. Lawrence:** All right. The explanation is simply that the total days, as far as the assessment work is concerned, bears no relationship to the revenue. The revenue comes from the total number of claims recorded, the miners' licences issued, the miners' licences renewed, the applications for leases, the transfers of ownership of leases, the claims. There are certain fees and permits in respect of log recordings and matters such as that. But, strictly speaking, the actual days of assessment recorded in each mining division bear no relationship to the revenue. We do not charge them for every area where they come in and indicate they have done assessment work. There is no relationship whatsoever.

**Mr. Ben:** One last question. What do you estimate to be the revenue for the present fiscal year, the year for which we are voting?

**Hon. A. F. Lawrence:** Well, that was answered in the very first vote. I think it is going to be about \$34 million this year in relation to the total revenue of the Department.

**Mr. Chairman:** Vote 1304 agreed to. This completes the estimates of The Department of Mines.

Hon. Mr. Welch moves that the committee rise and report that it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, on Monday the House will resolve itself into committee of supply, after the orders of the day have been reached, and consider the estimates of The Department of Civil Service, to be followed by the

estimates of The Department of the Provincial Secretary.

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

Motion agreed to.

**Mr. Speaker:** This House stands adjourned until 2 o'clock. p.m., Monday afternoon.

The House adjourned at 5.55 o'clock,



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Monday, April 27, 1970

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 27, 1971

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our guests today in the east gallery are from Hamilton District Christian High School, Lorne Park Secondary School in Mississauga and General Crerar Public School in Scarborough; and later, in the west gallery, from Sir John A. Macdonald Collegiate Institute in Agincourt and from Brampton Centennial Secondary School in Brampton.

Statements by the ministry.

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, I am pleased this afternoon to announce, along with the announcement being made in Fort Frances today by Mr. Juan del Valle, president of Ontario-Minnesota Pulp and Paper Company, that a \$45,000 kraft pulp mill will be built at Fort Frances, Ontario.

**Mr. T. P. Reid** (Rainy River): Forty-five million dollars!

**Hon. Mr. Randall:** Forty-five million dollars.

Construction of the pulp mill will begin in May on the site adjacent to the company's existing groundwood pulp and paper mill. The kraft pulp mill is scheduled to begin operating in late 1971.

The new facilities will produce 500 tons per day of fully bleached and semibleached kraft pulp, most of which will be used by the company's paper mills at Fort Frances and Kenora, Ontario, and that of its affiliate at International Falls, Minnesota.

The kraft pulp mill at Fort Frances will be equipped with one of the pulp and paper industry's most advanced systems for air and water pollution abatement. The system will include a low odour recovery boiler which, in combination with high efficiency scrubbers and electrostatic precipitators, will almost eliminate the odour traditionally associated with the manufacture of kraft pulp.

Water pollution abatement equipment will include primary and secondary treatment. The cost of the entire antipollution system is \$5.3 million, or approximately 13 per cent of the total cost of the new mill.

In making the announcements, Mr. Valle commented that the co-operative effort of the provincial government were instrumental in making it possible for O-M to build a new kraft pulp mill at Fort Frances.

O-M's kraft pulp mill will benefit people of Fort Frances and northwest Ontario most substantially. The new facility will employ more than 550 people, including those employed both in the mill and woods. The annual payroll to support additional work forces is expected to exceed \$4 million.

**Mr. Speaker:** Before we enter on the question period, I wish to draw to the attention of the members that the new order call for a 45-minute question period.

Oral questions.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question of the Premier resulting from statements made by him at a municipal-provincial conference of last week. What kind of a timetable can be assigned to the acceptance made by the Premier of the process to "deconditionalize" the grants that are available to the municipalities?

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, the results of that conference will have to be examined. I could not begin to give you a timetable at this stage.

There were many decisions made and ideas advanced. And of course, as I said in my closing remarks to the conference, all of these will have to be examined very carefully. It will be some time before we can give you the answer.

**Mr. Nixon:** A supplementary question would the Premier consider expending some financial assistance to an overall co-ordinating group among the municipal associations which would not include representatives of the government—so that they might be able to do research and order their proposals, both to the provincial and to the federal government?

**Hon. Mr. Robarts:** All these matters are under consideration.

I think it became obvious at this conference, Mr. Speaker, that the municipalities need better research available to them than they have had in the past if they are to prepare statements of their own positions; but all these matters are under consideration.

**Mr. Nixon:** I have another question for the Premier, Mr. Speaker.

Has he instructed any members of his staff, or the cabinet, to take any action with regard to the closing of the Erie Flooring and Wood Products, of West Lorne, Ontario—a corporation owned by Erie Diversified Industries, of Toronto—which has given five days' notice to 142 employees that they will cease operation Wednesday of this week?

**Hon. Mr. Robarts:** Mr. Speaker, I heard this report on the news when I was in London over the weekend. That, plus the report in the morning newspaper is the only information that I have on the subject.

However, the Minister of Labour (Mr. Bales) has gone into the matter. Perhaps this question could be directed to him when he comes into the House.

**Mr. Nixon:** A supplementary question, Mr. Speaker: would this closing with such short notice of a company that is in fact still viable—that is, it is still retaining its other manufacturing commitments and processes—not give greater thrust to the needs that the Premier has already recognized for legislation requiring specific and substantial notice before such a closing is undertaken?

**Hon. Mr. Robarts:** Mr. Speaker, we are looking at such legislation, as I mentioned in the House before, but there are some real difficulties. I think a plant the size of this one cannot, for instance, be compared with one of the larger plants.

It is difficult to know the circumstances surrounding the closing. It is difficult to know to what financial depths they would have to be in to give three months' notice, and so on.

There are a whole host of elements in the situation but certainly, as I said in the House before and as I will repeat now, we are trying to develop some means whereby we can require maximum notice to be given, so that we will know what is going on in these circumstances; but there are problems.

**Mr. J. P. Spence (Kent):** May I ask the Premier if he has been informed that the municipal council of the village of West

Lorne, which only has a population of 100 has not been notified by the company that they are closing out?

**Hon. Mr. Robarts:** I believe I heard the mayor knew about it, but has not been notified officially.

**Mr. Speaker:** Has the member a supplementary?

**Mr. B. Newman (Windsor-Walkerville):** Yes, Mr. Speaker.

I would like to ask the Premier if he is sending representatives from the government to look over the financial picture of the corporation to see if there is any reasonable justification for it closing down so abruptly.

**Hon. Mr. Robarts:** Mr. Speaker, I do not think we have the right under any legislation of which I am aware to examine the books of this company. Certainly it is not my intention to do that.

**Mr. Speaker:** The member for Riverdale has a supplementary?

**Mr. J. Renwick (Riverdale):** No.

**Mr. Speaker:** Then the hon. leader.

**Mr. Nixon:** Thank you, Mr. Speaker. I have a question of the Minister of Finance and Commercial Affairs.

Is the minister considering the introduction of legislation, or perhaps just regulation, to control the control of credit agencies of various kinds in the province, as recommended by the reform commission as long ago as 1968?

**Hon. A. B. R. Lawrence (Minister of Finance and Commercial Affairs):** We have certain controls now with relation to credit agencies and, in view of the more criticisms that have appeared in the past and the burden of some of the questions raised in this House, I have undertaken an immediate review within the department of this question of broadening our licensing powers and the holding of those aspects relating to the divulging of information.

At the moment I am assured that the bulk of the agencies having this kind of information are prepared to divulge information—turn over the file, as it were—on request. The problem here is that presently we should have some teeth in our statute which would ensure that what they are doing voluntarily can be perforce effected through compulsion if necessary.

**Mr. T. Reid (Scarborough East):** May I ask a supplementary on that, Mr. Speaker?

Is the minister aware that the association of credit companies requires a person who wants to look at his file to first of all sign away his basic right to sue? Is the minister aware that this is what is required before a person can see his personal file in a credit company?

**Hon. A. B. R. Lawrence:** I am advised that this was the case up until fairly recently and, as a result of criticism and discussions, I am told by these credit people that they will no longer require, as they once did, an affidavit, or since then, a waiver.

The real problem is that we have not really established what degree of disclosure the person involved should be entitled to, and this is where we are having to look at the question. When they say they will give them the information, as they say now without a waiver or an affidavit, I am still uncertain as to whether the private individual is getting the whole file as distinct from a selected portion of that particular file. This is what we are looking into at the moment.

**Mr. Nixon:** A further supplementary: is the minister satisfied with the review of the situation that was provided for the administration two years ago under the auspices of the law reform commission, or is he **undertaking further surveys and further investigation** into the matter?

**Hon. A. B. R. Lawrence:** I can only repeat, Mr. Speaker, the last point, that as far as I know the critical question is how much of the particular file is made available. The decision that will have to be made is one of policy; and that is whether or not we will by statute force the disclosure of a total file, rather than permit the subjective judgement of the company or operator to be the important factor.

**Mr. Nixon:** I think it is called a review of the file rather than an examination.

**Hon. A. B. R. Lawrence:** That is the question.

**Mr T. Reid:** May I ask a supplementary on this, Mr. Speaker?

Is the minister aware that the credit company will change information in the file only if it judges itself that the file is somewhat misleading? In other words, there is no third-party arbitration.

Is the minister considering setting up, perhaps, a registrar of data surveillance in the

province to which an individual could apply if he feels the credit company has something which injures him or is incorrect?

**Hon. A. B. R. Lawrence:** That is a proposal, Mr. Speaker, I believe we would certainly have to consider.

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

**Mr. J. Renwick:** Mr. Speaker, I had a question of the Prime Minister.

Is the Prime Minister aware of any negotiations of any kind which are taking place with respect to the continuing operation of the Dunlop plant on Queen Street?

**Hon. Mr. Robarts:** No, I am not, Mr. Speaker. I am not aware of any negotiations at all. Mr. Japp spoke to me in Brantford and said that he was going to do something about it. That was a very casual comment made after we had a question period, but apart from that I am not aware of anything.

**Mr. J. Renwick:** Mr. Speaker, I had another question of the Prime Minister.

Would the Prime Minister consider the appointment of a select committee of the assembly for the purpose of looking into questions of industrial pollution in the province, with an obligation to report in the near future to deal mainly with the question of the apportionment of costs as between industry and the public treasury on the one hand; and with the whole question of whether or not these purposes should be achieved through tax incentives, or alternatively through some form of direct subsidy or assistance?

**Hon. Mr. Robarts:** Mr. Speaker, that is a very broad question and those are very broad terms of reference. Many of the matters the member mentions are presently under intensive study by this government, and also we have taken certain steps to deal with some of the matters that he does mention. At the moment, I have not given any consideration to the appointment of a select committee to look at the matters that the member mentions but they are all being studied by the government.

**Mr. J. Renwick:** Mr. Speaker, I had a question of the Minister of Trade and Development. Would the minister comment about the announcement of a new rent schedule applicable to public housing in the province announced in Ottawa last week, as to whether or not it conforms roughly with the submissions made by the Ontario Housing Corporation to the federal government on the

question, and also as to when it may be expected that it would come into effect?

**Hon. Mr. Randall:** Mr. Speaker, we made submissions last November and I did not hear from Ottawa. I read it in the press, the same as the member did. We received the full details from Central Mortgage and Housing Corporation in Ottawa just this morning. My people are now going over them to see where we agree and where we do not agree. I think in the main the concessions made are what we have been asking for, and I would be inclined to believe that if there is to be any meeting of the minds on some things we did not agree on previously, Mr. Andras will welcome any of our suggestions for making changes. However, until it has been examined, I cannot tell what is in the agreement; I just read what is in the newspaper.

Insofar as its application is concerned, again when we get through reading the details today, I will probably have more information for the member tomorrow as to when it can be put into effect. But I would think that now it has been announced, it will be put into effect as quickly as the bookkeeping can be done.

**Mr. J. Renwick:** Mr. Speaker, as a supplementary question, would the minister table in this House the agreement that has come forward from the federal government, along with a copy of the submissions originally made by the government to the federal government on this question?

**Hon. Mr. Randall:** Now that it has been made public, there is no reason why we would not.

**Mr. Speaker:** Has the member for Riverdale completed his questions?

**Mr. J. Renwick:** Mr. Speaker, I have one further question of the Prime Minister. Would the Prime Minister consider the establishment of a public or crown corporation with provision for participation by the people of the province of Ontario for the purpose of acquiring the 25 per cent of Denison Mines Limited, now owned by Roman Corporation and available for sale?

**Hon. Mr. Robarts:** I certainly have not given that proposition any thought, Mr. Speaker. I would be happy to give that some consideration.

**Mr. Speaker:** Has the member for Algoma a supplementary question? Is it a supplementary question? No. Well then has the leader of the Opposition a supplementary?

The member for Carleton has the floor.

**Mr. W. E. Johnston (Carleton):** Mr. Speaker, a question of the Prime Minister. Can the Prime Minister inform the House what position of the government of Ontario regard to a bridge across the Ottawa I announced by the federal government a few days ago?

**Hon. Mr. Robarts:** Mr. Speaker, I believe was on Friday that a release was made from Mr. Marchand's office saying that the federal government, through the National Capital Commission, is going to build a new bridge between Ottawa and Hull. He said in his announcement that the National Capital Commission has been authorized to contribute some \$10 million toward the cost of the bridge.

Let me put it this way, that while they are paying for the bridge, inevitably its construction is going to involve the question of access, and the whole traffic pattern of the city of Ottawa, and the Ottawa region. Of course, this government will be involved through the subsidies that we grant to highway construction within the cities, so from that point of view we are interested.

I would say there has been one meeting which some highway people from this government were present, but there has been no discussion or consideration of how this bridge will fit into the total pattern of the city of Ottawa. There was a very comprehensive study made—a total traffic study of Ottawa some years ago, to which we contribute quite heavily. I am told that this bridge will not necessarily fit into that plan. There are a great many unanswered questions as far as this government is concerned.

At the conference last week the city of Ottawa and the regional government of Ontario expressed some apprehension about this might mean to them in terms of what will have to do to accommodate the traffic on the Ottawa side of the river. I would say that in the release which came from Mr. Marchand, he said,

Although certain discussions have taken place between the National Capital Commission and provincial, regional and municipal representatives, a number of points remain for final settlement.

That is a masterpiece of understatement, Mr. Speaker. There are quite a few points that remain for final settlement, but we are prepared to sit down and discuss these with the federal government in order that we

assess what the total impact of the construction of this bridge will mean, not only to this government but to the city of Ottawa and to the new regional government that has been established there, in fact, established to deal with just such matters as this.

**Mr. Nixon:** I take it the Premier is not opposed to building a bridge.

**Hon. Mr. Roberts:** Not at all.

**Mr. Speaker:** The Leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, I have a question of the Minister of Labour who has come in since the earlier part of the question period. Can he make a statement with regard to the announcement in West Lorne of the layoff of over 140 employees of the largest single production and manufacturing firm in that town?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, a statement at this point would be very brief. I saw the announcement in this morning's paper and my officials have been in touch with Canada Manpower. They are sending representatives into the plant directly to assist in the registration of these employees. Our officials are co-operating with them to see what retraining facilities or assistance may be needed. I will have more information, perhaps later in the day or tomorrow, but at the moment I do not have any more than that.

**Mr. Nixon:** A supplementary question: the minister could then verify that there was absolutely no communication between this company, which has its head office in Toronto, and either himself or any of his colleagues with regard to this layoff, which was announced on Friday to take effect Wednesday of this week?

**Hon. Mr. Bales:** Mr. Speaker, I confirm there was no communication with me. I have not canvassed all my colleagues in reference to that, but I do not think there was any notice.

**Mr. J. Renwick:** Mr. Speaker, by way of a supplementary question: does the Minister of Labour know whether or not there were any negotiations taking place between the local of the carpenters' union and the company in view of the pending expiration of the existing collective bargaining agreement?

**Mr. Mr. Bales:** Mr. Speaker, that is a separate matter.

Our conciliation branch had been looking into this particular situation, and I have

requested a report in reference to that well. There had been some discussions that field. I cannot go beyond that at the moment.

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

**Mr. I. Deans (Wentworth):** Mr. Speaker, have a question of the Minister of Municipal Affairs. Is the minister satisfied that the commissioners who were appointed to study the Hamilton-Wentworth-Burlington region had sufficient expertise to perform the task?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Am I satisfied? Is that question? Yes, I think so, Mr. Speaker.

**Mr. Deans:** May I, by way of a supplementary question then, ask the minister if he would care to comment on the remarks of the hon. Minister of Energy and Resources Management (Mr. Kerr), who indicated that he is not satisfied that they had, and, in fact, stated so publicly.

**Hon. Mr. McKeough:** I think the Minister of Energy and Resources Management is quite capable of answering questions himself.

**Mr. Deans:** If I might ask one further supplementary question then. Is it common practice for the cabinet to be divided on these questions?

**Mr. Speaker:** Order, order! Has the member for Rainy River a supplementary?

The member for Algoma.

**Mr. B. Gilbertson (Algoma):** Mr. Speaker, I have a question of the Minister of Trade and Development in regard to Blind River. Are there any negotiations going on with the federal government in requesting a special assistance grant for Blind River, or would he have any information of any negotiations going on with the federal government?

**Hon. Mr. Randall:** Mr. Speaker, we had a cabinet committee on Blind River some year ago under the chairmanship of the Minister of Municipal Affairs. We have had a number of discussions with Ottawa, with Mr. Marchand's department.

We met Mayor Venturi on, I believe, November 6, on November 12 we wrote Mr. Marchand, stating that in view of the impending closing of the lumber mill at Blind River should be considered a special area. We received a reply from him on March 25 in which he said they could consider Blind River for designation a

special area. However, he did say that if we had any hot prospects for Blind River, he would be glad to reconsider the matter. I might say that this week we are having our people get another letter away to Mr. Marchand, pointing out that we think we have a prospect or two that could fit into Blind River and asking him to reopen the case.

In the meantime, we had the Ontario Development Corporation people go up and take a look at the potential of the town. One of the difficulties is that it has no sewage system. It has no natural gas and that would eliminate some of the major companies that may want to locate in that area. However, as they have an Act in Ottawa called The Administration Act which will help finance the infrastructure of a town, we think this is something that perhaps Mr. Marchand should have a look at. We are making our feelings known to him this coming weekend.

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

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, I have a question of the Attorney General. Why is it that the county courts in the province of Ontario do not pay interest on money that is paid into court; and is the Attorney General aware that the bank gets this money interest free? In the county of York alone it is \$1 million.

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, my understanding is that money that goes into county court decisions in estates does bear interest. I will look into the matter to see if there are some circumstances in which the money does not bear interest. I will check into it.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Financial and Commercial Affairs regarding the insect killer Vapona Strip, marketed by Tuco Products company. Is the minister aware that this contains dichlorvos?

**Hon. A. B. R. Lawrence:** Excuse me, I did not hear—

**Mr. Burr:** The question is regarding the insect killer Vapona Strip which is marketed by Tuco Products company, and my question is: is the minister aware that this contains dichlorvos, a nerve gas, which can cause chromosome breaks, and is he aware that the Canadian product has no—

Interjections by hon. members.

**Mr. Burr:** Is he aware that the Canadian product has no hint of danger, no warning, caution, on the outside of the package, that the warning on the inside is by no means as arresting as the one in the American counterpart of this product which says on the outside—

**Mr. Speaker:** This is not a proper point for a question. The member has asked his question properly now. He does not need to elaborate further. The minister has the time to answer.

**Mr. Burr:** Mr. Speaker, on a point of order, can I not tell what the American one is?

**Mr. Speaker:** You do not need to tell me what the American has. What you are asking the minister is whether he thinks that the Canadian one is as good as the American one and the minister has ways of finding out what the American one is. If we spend our time making statements, we will not have as much time for questions in our 45 minutes as we would otherwise.

**Hon. A. B. R. Lawrence:** Mr. Speaker, briefly, no, I am not aware. But I might say by way of comment, suggest that at this particular point when we are dealing with the question of whether or not a product is hazardous, there is complete and adequate jurisdiction at the federal level.

As a matter of policy, I would not think that we should look to it for action prior to us moving in any residual sense. I would suggest, Mr. Speaker, and this applies to other questions involving hazardous products that I would hope the federal authorities would deal with hazardous products and legislate prior to us considering moving into the products field and duplicating it or fusing it at the provincial level.

**Mr. Burr:** Would the minister not think that the consumer, and this is his department, is entitled to know before he buys a product that there is a danger in its use? When he gets home and breaks the label, he may not be able to take it back.

**Hon. A. B. R. Lawrence:** I cannot quarrel with that at all, Mr. Speaker, but I think the long run, as a matter of policy, we should look to the ample authority that rests with the federal government to deal with hazardous products on a Dominion-wide, common-wide basis.

It would strike me as a field that we should move into only if the Dominion government

fails to act under its legislation. Evidence of failure to act within a reasonable time, of course, raises another issue.

**Mr. Burr:** A final supplementary: will the minister draw this to the attention of the ministers in Ottawa?

**Hon. A. B. R. Lawrence:** I certainly will, Mr. Speaker.

**Mr. Speaker:** The Minister of Lands and Forests—a supplementary?

**Mr. G. Ben (Humber):** Yes, may I ask the minister what, in his opinion, is a reasonable time to review the circumstances and the fact? This government has been pressed and pressed and—

**Mr. Speaker:** Order! That is not a proper ending to the question; the first part of the question is all right.

The Minister of Lands and Forests has the answer to—

**Mr. Ben:** Well, is he going to answer my question?

**Mr. Speaker:** If the minister wishes to answer he may, but he gave no indication he was going to.

**Hon. A. B. R. Lawrence:** I can only suggest, Mr. Speaker, that I think we should avoid, if possible, having the 10 jurisdictions in Canada running off in 10 different directions in relation to the testing of hazardous products.

**Mr. Ben:** Why do we not all run in the same direction then?

**Mr. Speaker:** The Minister of Lands and Forests has the answer to a question asked by the member for High Park.

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in reply to the question of last week from the member for High Park with reference to the township of Longford, on whether The Department of Lands and Forests has taken any action in relation to opening of land in Longford township, I can advise that the township of Longford is privately owned, being one of a number of townships granted by the Crown in 1865 to the Canada Land and Emigration Company Limited, a company formed to promote emigration to Canada and place settlers.

The successor in title and present owner is Longford Reserve Limited, which purchased the township from one J. D. Tudhope in

1926. The department has recently carried out a study of the recreation potential of land in this township for public purposes. The values for fish and wild life appear to be quite high but those for timber, agriculture, parks and recreation lands are not so high that they would warrant any serious consideration for acquisition at this time. There is no public land in this township available for summer cottages as it is privately owned.

**Mr. M. Shulman (Park Park):** A supplementary, Mr. Speaker: Is there no way, inasmuch as this is good for fish and wild life, that the public can be allowed into at least a portion of the township?

**Hon. Mr. Brunelle:** Mr. Speaker, it is privately owned land. The hon. member may know that we now have authority to make agreements with private land owners. Again, the private land owner has to agreeable to this. We certainly will be pleased to look into it.

**Mr. Speaker:** Any supplementaries?

If not, the Minister of Trade and Development has a correction, or a statement to make with respect to a previous answer given by him.

**Hon. Mr. Randall:** Mr. Speaker, I am reminded by my hon. friend from Algoma that I said they had no sewage system at Blind River. They have a sewage system but no sewage disposal plant; that is the problem there at the present time. I just wanted to correct the record.

**Mr. Speaker:** The member for Port Arthur?

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a question for the Minister of Trade and Development, as a result of the Prime Minister's announcement at the provincial-municipal conference that a northern development corporation would be established. I wonder if the minister could tell the House how much money that corporation would have to work with and what its budget would be. If we cannot know now, will we be able to know and what percentage of the directorate of that corporation will be northerners?

**Hon. Mr. Randall:** Let me say I believe all the directors will be northerners, perhaps with Mr. Etchen, the managing director of ODC, on the board also in order to create the liaison that is required between the two boards.

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Insofar as the sum of money is concerned, no sum has been set. Let me point out that this is not unusual because we are given it by the Treasury in a fixed amount of money at the beginning of the year, and when these projects get under way, sometimes a cash flow is not needed for eight, 10 or 12 months.

I think I can refer back to the EIO programme. We started in 1968 and I do not believe we used any more than \$3 million cash by the end of '68, but the commitments were there. Therefore, we keep the Treasurer advised of what our commitments are and our budget is adjusted accordingly, so I do not think you need to worry about having sufficient funds. I have already discussed that with our friends in northern Ontario and assured them that we will carry on with that programme.

**Mr. Knight:** Thank you. I would ask a supplementary to that, if the minister will accept it.

Since hopes are running so high as a result of this announcement, could the minister tell us when action in connection with this corporation will start? When will it move into effect? When can we expect to see some benefit from it?

**Hon. Mr. Randall:** Let me say now that the EIO programme has been working in northern Ontario since 1968 and there is no intention on our part to slow that down. We will continue and then transfer the action to the new body when it is formed and established in northern Ontario.

In my department, we have already taken action to move our trade and industry man into Minneapolis-St. Paul, and we hope to have another trade office in northern Ontario to work with the minister of northern affairs and mining, with a closer liaison between the man in the midwest states and the man in northern Ontario. They, in turn, will co-operate with the board of directors of the new northern development corporation so the action, as far as getting industry is concerned and helping northern Ontario, is already there.

**Mr. Speaker:** Has the member for Rainy River a supplementary?

**Mr. T. P. Reid:** Yes, Mr. Speaker. Will the minister consider appointing to the board of directors of the northern development corporation, all members of the Legislature, of all parties, across the north?

**Hon. Mr. Randall:** I will take that question as notice.

**Mr. Speaker:** The Leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, I have a question of the Attorney General.

Is he aware that the present delay in family court in Toronto for the hearing of a show cause summons is substantial? As a matter of fact, a recent application for a date for hearing resulted in one being set in July. Is there some action that he can take, because the serious needs that are often part of this sort of action result in there is a delay, in substantial hardship to women supporting families without sufficient funds from the fathers.

**Hon. Mr. Wishart:** Mr. Speaker, I am sure that most cases are not heard on the first instance for the very good reasons of obtaining evidence, and so on. I was not aware that there was undue delay. However, I will look into the matter at once and if there is such, to see what the cause may be.

**Mr. Speaker:** A supplementary? The member for High Park.

**Mr. Shulman:** Did the Attorney General not receive a letter on Friday from one Mr. Howe on this subject, pointing out that the delay was now some three to four months?

**Hon. Mr. Wishart:** Mr. Speaker, I was in Toronto on the late plane Friday night and at that time I had not seen the correspondence. I have been too busy this morning to get into the correspondence from my desk.

**Mr. Speaker:** A supplementary? The member for Humber.

**Mr. Ben:** Is the minister also aware that the magistrate's court in Willowdale, on April 13, 1970, the first available trial date for motor vehicle offences was June 29, 1970?

**Mr. Speaker:** The member for Brantford has a supplementary?

**Mr. M. Makarchuk (Brantford):** No.

**Mr. Speaker:** Have the members for Scarborough Centre or Rainy River supplementary questions?

A supplementary from the member for Scarborough Centre?

**Mrs. M. Renwick (Scarborough Centre):** Mr. Speaker, would it be possible for the Attorney General to confer with the Minister of Justice and Family Services and see that the number of government cases of show cause warrants that are coerced are reduced to nil? The



no longer continue the government practice of having wives produce show cause warrants before they can claim under The Family Benefits Act?

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, I wonder if I might be allowed the privilege of answering that?

**Mr. Speaker:** No, but perhaps the Attorney General will answer it. If he wishes to direct it to the Minister of Social and Family Services, he may do so.

**Hon. Mr. Wishart:** Thank you, Mr. Speaker. I would repeat the answer I gave to the Leader of the Opposition. I contemplated a discussion with my colleague but I would refer this specific answer to him.

**Mr. Speaker:** The Minister of Social and Family Services has the floor.

**Hon. Mr. Yaremko:** Mr. Speaker, for the benefit of the hon. member for Scarborough Centre, Ontario is the only province that has a procedure—I underline that, the only province in Canada that has a procedure—whereby a deserted mother, once there has been an order, can assign her payments to the department. From there on, she need not have any part in the procedures.

**Mrs. M. Renwick:** Mr. Speaker, that was not my question.

**Mr. Speaker:** The member for Brantford, a supplementary? The hon. member for Humber.

**Mr. Ben:** Yes, sir, I have a supplementary. Since the hon. Minister of Social and Family Services volunteered to rise and make that—

**Mr. Speaker:** Order! If the hon. member would ask a question.

**Mr. Ben:** Is the Minister of Social and Family Services aware that, notwithstanding the statement he made, wives are still compelled to appear in family and juvenile court to give evidence on a show cause summons against the husband notwithstanding any subrogation that the minister may have received?

**Hon. Mr. Yaremko:** Mr. Speaker, I have not had any deserted mother complain to me in this regard.

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

**Mr. Makarchuk:** Mr. Speaker, I have a question of the Minister of Trade and Development.

In view of the Barber commission statement recently, suggesting that Manitoba a logical place for the establishment of agricultural equipment manufacturing industries, in view of unemployment, would the minister immediately initiate talks with these industries in Ontario in order to ascertain the plans for the future in possibly eliminating the unemployment that is in existence now?

**Hon. Mr. Randall:** Mr. Speaker, I do not know quite how to answer the hon. member's question. I did not hear the first part of it. I do not think any implement manufacturers are moving from here to Manitoba that I know of. Unemployment in that industry faces the same difficulty as many other industries at the present time, in view of the federal government's attempt to curb inflation. There have been some layoffs, and I think the implement industry is hurt because of the lack of sales of wheat. So it is automatic that some of these plants are closed down.

I think it is a temporary situation and I am inclined to believe that our federal friends in Ottawa recognize how far they can go. Perhaps, in the next month or so they will change their minds and we will get some of the plants operating again. I think there are going to be some layoffs in many other industries in the next few months, perhaps in the next few weeks, unless some of these plants are changed. But I do not see an exodus of farm implement companies to Manitoba, more than to any other province. I think they are established here; they have their manufacturing facilities here, and I would not think they would gain anything by moving the plants out of here and going to Manitoba.

Of course, as you know, we do not encourage them to come from any other province into Ontario.

**Mr. Speaker:** Has the member a supplementary question? If not, the Minister of Social and Family Services has a reply to the question asked by the member for York South (Mr. MacDonald).

**Hon. Mr. Yaremko:** Mr. Speaker, the member for York South inquired on April 11 about the amount in the new general welfare assistance schedule for the pre-added budget for a family consisting of two adults and three children—four aged nine and under and one aged 16 or over. The weekly and monthly amounts for such a family were clerical employees.

in the schedule. The amount of \$55.80 should have been \$63, and the amount of \$242 should have been \$271. Amendments to correct the errors have gone forward to Treasury Board and cabinet. I anticipate that the amendment will go into effect on May 1, at the same time as the new regulations become effective. Nobody will get less than they obtained before.

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

**Mr. B. Newman:** I have a question of the Premier: is the Premier aware of the tough stand recently taken by the governor of Michigan concerning mercury pollution, and of the fact that the Wyandotte Chemical Corporation was identified as the major mercury polluter in Michigan? Is the Premier aware that the state is now relaxing its original tough stand and intends to drop a court injunction, which forbade the Wyandotte Chemical Corporation from dumping mercurial poisonous waste into the Detroit River?

Second, will the Premier contact the governor of the state of Michigan, and ask him not to take his contemplated action?

**Hon. Mr. Robarts:** Mr. Speaker, I was not aware of these facts and I will take them into consideration.

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

**Mr. F. Young (Yorkview):** Mr. Speaker, I would like to ask a question of the Minister of Labour in respect to the reported layoff of 30 to 40 production planners at the Orenda engine plant in Malton. Would the minister comment as to whether or not the layoff has been this extensive, and is it the beginning of a closing-down of production, or at least the diminution of production in this plant?

**Hon. Mr. Bales:** Mr. Speaker, I will have to obtain information on that, and I will be in touch with the hon. member.

**Mr. Speaker:** The member for Rainy River.

**Mr. T. P. Reid:** I have a question, Mr. Speaker, of the Minister of Lands and Forests. Can the minister indicate to the House what boundary changes were made in Polar Bear Provincial Park; and were they done under the aegis of his department?

**Hon. Mr. Brunelle:** Mr. Speaker, I hope to have a statement to make in the near future with reference to the boundaries of Polar Bear Park.

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

**Mr. Shulman:** I have a question of Minister of Health, Mr. Speaker. Is the minister aware that OHSIP has now received over one million claims that were sent in error and that should have been sent to various insurance companies? If the minister is aware of this, what has been the cost of re-routing this one million-plus claims?

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, I am not aware at this time of the number. I am sure that there have been claims mailed to our Ottawa central office that should have gone to one of the designated agents. In the initial working-in of the plan this was bound to happen. The cost I do not know, but the situation, I am assured by our people, is being straightened out. There will always be some claims, however, that will be sent in error, and this will be—

**Mr. J. Renwick:** An excessive number.

**Hon. Mr. Wells:**—very, very few compared to the number that are being processed each day.

**Mr. Shulman:** As a supplementary, Mr. Speaker, is the minister aware of bulletin 4-007, which was received today by a doctor in the province, signed by Mr. A. Board of OHSIP, saying that over one million claims had now been received in error, and they were quite upset about it?

**Hon. Mr. Wells:** No, I would not be aware of this, Mr. Speaker. These bulletins go out on a regular basis from our administrative officers and they are sent out to correct a very error that the member draws to my attention. I am sure that they will have the effect of doing this.

**Mr. Shulman:** A supplementary, Mr. Speaker: would the minister not agree with me that one can avoid this bureaucratic snafu by eliminating the insurance companies?

**Hon. Mr. Wells:** No, I could not agree with the hon. member, Mr. Speaker.

**Mr. Speaker:** The member for Scarborough Centre. Has the member for Scarborough Centre a supplementary question?

**Mrs. M. Renwick:** Thank you, Mr. Speaker.

**Mr. Speaker:** Is it a supplementary?

**Mrs. M. Renwick:** It is a supplementary about those errors that are being processed.

**Mr. Speaker:** What is the cost of an error that is processed? It must be at least \$25; would it be more than \$25?

**Hon. Mr. Wells:** Mr. Speaker, the errors would not be processed. The cards would be noted and returned. If they were, I could not tell the member what the cost would be.

But I can just assure the members that, at this point in time, the designated agents are doing a good job for us under this plan. Administratively it would be impossible for us to handle it all at the present.

**Mr. Speaker:** There have been sufficient supplementaries. The member for Scarborough East has the floor.

**Mr. T. Reid:** I have a question of the Minister of Labour, with regard to the bargaining units for faculty members of the colleges of applied arts and technology in the province. Is the minister proposing legislation that will make it quite clear that the labour relations board will determine, according to common labour practice, which organization of faculty represents the majority of faculty?

**Hon. Mr. Bales:** Mr. Speaker, I would take that question as notice. It is a matter of government policy.

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

**Mrs. M. Renwick:** A question of the Minister of Social and Family Services: is the minister in a position now to break down his rough figures which he gave in an answer on April 9, in *Hansard* No. 33, page 1307? He used the rough figure of \$7 million for the provincial government's portion to be borne in the increase in the welfare allowances as of May 1, in answer to the member for York South.

The breakdown that I think is necessary, Mr. Speaker, is family benefits, general welfare assistance and nursing care. Then there is probably a figure in there for the new income changes, which would bring it up to the exact total.

**Hon. Mr. Yaremko:** Mr. Speaker, I want to make sure I have the hon. member's question clear. The sharing arrangement is of course that with the Ottawa government we share, on The Family Benefits Act, 50-50. On the general welfare assistance it is 20-30-50. Is that what the—

**Mrs. M. Renwick:** Mr. Speaker, the minister answered the member for York South April 9, saying that the provincial government section, or portion of the amount to be borne by the province, would be approximately million.

It is the \$7 million, Mr. Minister, that I think should be broken down into the figures and into each department and into the difference between nursing care and other figures that you have to consider.

**Hon. Mr. Yaremko:** I shall take the member's question as notice.

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

**Mr. Spence:** Mr. Speaker, I have a question for the Minister of Trade and Development.

Will the minister have his officials visit the Erie Flooring Company, in West Lorne, which have announced that they are closing the plant on Wednesday, to see if this plant could be assisted some way, in order to be kept in operation?

**Hon. Mr. Randall:** Mr. Speaker, I might say that the Ontario Development Corporation has been in touch with the company. They applied for a loan, I believe it was early 1968. We gave them the application form and they went back.

We did not hear from them for several months and then they came back with a request for a larger loan. In the interim the president of the company died, and from that time on the company seemed to get into management difficulties. We have heard more from them until the announcement last week.

But I have talked to the Trade department. I have asked them to get into West Lorne and see if there is anything they can do for them. As soon as we read the announcement in the press, our people were on the way down to West Lorne.

**Mr. Speaker:** The question period has expired.

I think just before we move on, it would be only fair for me to call to the attention of the House a matter which occurred last week when one of the members, the member for Scarborough East, was unhappy about his position. I have had *Hansard* checked since then and I find that, next to the party leaders, the member for Scarborough East has caught Mr. Speaker's eye, both in questions and supplementary questions, more

more times than any other member in the House.

I want to assure him that he will continue to have his fair share of question period time.

**Mr. Nixon:** They must have a substantial staff over there.

**Mr. Speaker:** The Attorney General has an announcement which he would like to make and which should have been made in the period for ministerial statements. Have I the unanimous consent of the House to revert to that order so that the Minister of Justice may make the statement?

**Mr. Nixon:** What is it about?

**Mr. Speaker:** I believe, some appointments. Agreed?

Agreed.

**Hon. Mr. Wishart:** Mr. Speaker, I think the members of the House are aware that some little time ago Mr. J. S. Yoerger, QC, was appointed as chairman of the land compensation board. By order in council, six members have now been appointed to form the board. I thought that the House might be interested in those appointments which will be effective as of May 1, 1970.

The persons appointed are, Lionel Latulippe, of L'Original. I might mention that he has been a municipal assessor since 1948, first for the county of Glengarry and since 1951 a county assessor for Prescott and Russell and since 1964 the county assessment commissioner for those counties.

Another appointment is that of Ernest H. Reed of Thunder Bay, who was mayor of Fort William for nine years. He has been a director of the Ontario Municipal Association and vice-president of the Ontario Mayors and Reeves Association.

Another appointment is that of Donald W. Middleton, who now lives in Toronto, but who has been a farmer and for some years was secretary of the Ontario Federation of Agriculture, president of the Ontario division of the Community Planning Association of Canada and vice-chairman of the Conservation Council of Canada.

James McConaghy, who is of Toronto and was an alderman of the borough of East York for eight years; chairman of East York parks and recreation committee; member of the East York planning board and a member of the board of governors of Centennial College.

Col. G. Peter Marriott, whose career has been mainly in military matters. He was some time commander of Camp Shilo in Manitoba and he has been engaged in various public affairs.

George Maxwell Hobart, of London, a lawyer, a graduate of McGill, and a graduate of Royal Roads Military College, in British Columbia. He has been engaged in various community activities and comes to the House with legal training.

Thomas H. Conway, who holds the degree of Bachelor of Commerce but who has spent most of his time engaged as a lumberman, a member of the town council of Barrons Bay and reeve for five years; a member of the Barrons Bay police commission and a justice of the peace for Renfrew county and a director of the Renfrew county Children's Aid Society.

These six members, Mr. Speaker, will be the chairman, will now make a board of six members which was the number recommended as a minimum by the Hon. Mr. McRuer. I would add that it is intended to make one appointment for the position of vice-chairman. He will be a lawyer in accordance with the recommendations of Mr. McRuer. The board is establishing its office at 10 King Street East. As I said, the appointments will be effective May 1.

Mr. Yoerger, the chairman, informs me that he has a programme of information and training for the members of the board, who will be taking over shortly the work which is presently being carried on by the Ontario Municipal Board, as provided by The Enforcement of Municipal Procedures Act.

I propose, Mr. Speaker, to give this information now to the press.

**Mr. Speaker:** Petitions.

Presenting reports.

Hon. Mr. Welch presented the annual report of The Ontario Department of Labour for the fiscal year ending March 31, 1969.

**Mr. Speaker:** Motions.

Introduction of bills.

## THE PROVINCIAL PARKS ACT

Hon. Mr. Brunelle moves first reading of a bill intituled, An Act to amend The Provincial Parks Act.

Motion agreed to; first reading of the

**Hon. Mr. Brunelle:** Mr. Speaker, the purpose of this bill is to provide statutory authority for the creation of terms of reference of advisory committees on provincial parks.

**Mr. Speaker:** I am not sure whether the Attorney General was motioning at me with a bill, or at a page.

**Hon. Mr. Wishart:** Mr. Speaker, no. I was trying to engage someone else's attention.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 12th order, House in committee of supply; Mr. A. E. Reuter in the chair.

## ESTIMATES, THE DEPARTMENT OF CIVIL SERVICE

**Mr. Chairman:** Page 18. The hon. Minister.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Chairman, I am very pleased to table the estimates of The Department of Civil Service for the consideration of the members of the committee.

**Mr. Chairman:** The hon. member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Thank you very much, Mr. Chairman.

Just as the minister was quite brief in his comments Mr. Chairman, I too will not be too lengthy. However, there are a lot of various criticisms that can be levied, and I would assume will be levied by members who will follow after my general comments.

It is just four months since the spending estimates of this department were last debated in the Legislature, so there is less ground to cover this time. This is good. Now, perhaps, we will be able to have a debate on the whole structure and philosophy of the civil service, instead of nit picking.

I should like to begin with a direct quotation from the throne debate speech of the hon. member for Quinte (Mr. Potter):

I am convinced there are just as many empire builders in governmental departments as there are in any business corporation.

The member went on to give an example of a young lawyer whose creative processes began to atrophy at an unspecified time, "drinking coffee and reading newspapers" in the office of the Attorney General.

I can give you a further example of my own, in the same department, of a young lawyer who articulated in The Department of

Justice. As is so often the case with a young person just starting in his chosen profession, he possessed a good deal of initiative and energy. He liked to see a task completed, even if it meant staying an extra hour or so the evenings.

It did not take very long for his superior to point out that this just was not done, if he started to do that he would be, in effect, rocking the boat. He interpreted this to mean that if a little extra time were put in for a few weeks the backlog of work in that particular branch would be cleared away and a significant number of employees would free themselves with nothing to do.

So he played it by their rules and, after being called to the bar, turned down a very attractive offer from this department of government. He is now an up-and-coming lawyer in the city of Toronto.

He left The Department of the Attorney General with a deep admiration and respect for the Attorney General (Mr. Wishart) and many individuals within that department, but with an understated contempt for the file loaders and deadwood within the department. He still wonders how a department that harbours so many incompetents can possibly be in charge of protection of the people of the province.

I am sure that all members of the Legislature are familiar with the "Peter principle" which was set down in book form by L. Peter and R. Hull. It is a most amusing and deadly accurate little book. Briefly stated, the principle is that within business organizations executives are promoted to their level of incompetence.

I am reminded here of the statement in the November issue of the Royal Bank Canada monthly letter:

No man in business or government should offend so long as he cares more about the substance of his job than about its trappings.

The immediate victims of the "Peter principle" are those who have to rely upon the trappings of the job rather than the substance. The real victims are of course coworkers, company or department and the public.

I am not for a minute suggesting that all ministers opposite are incompetent as individuals—not all of them certainly. I will not go so far as to disagree with the popular notion that the deputy ministers are to blame for the chaos within certain departments. I do feel, however, that the smooth flow

communication between the ministers' offices and the departments is going choked off through the efforts of their innumerable lackeys labouring under the titles of executive assistant, special assistant, press assistant, deputy executive assistant, all with secretaries and so on, *ad infinitum*, wending their ineffectual way through endless days of expending energy on masking their incompetence—energy far better spent away from the decision-making process.

It is a well-known fact that rather than dismiss anyone for incompetence, the ministers' offices will simply install the offender in an office with a secretary, several phones and a view and give him something inconsequential to do, meanwhile hiring someone else to do the job that the former had not been able to carry through.

I would suggest to each minister that he clean out his own offices as a step toward better communication with his department and as an example to his branch heads.

I am sure that we are all equally concerned with the duplication of services within the civil service. I must refer again to the speech by the hon. member for Quinte. He voiced the sentiment of the majority of members when he singled out OHSIP, HERB and OHSC. My leader presented a plan to the Legislature which would naturally lead to the amalgamation of these bodies. It is beyond ridicule that the bureaucratic monster should have grown to this extent in the first place, but it is there and something must be done about it. I know that it will mean that some people will have to seek employment elsewhere, but is that not more honest than keeping employees and downgrading them, as happened with the introduction of OHSIP? Is it useless to suggest that the money saved be used to reduce premiums, because regardless of the surplus, it would go to cover up the government's greatest mistake—assessment in county school boards.

However, some of it might go to raise some employees of the government at least to, if not above, the poverty line. I am referring to the cleaning staff, many of whom I am told earn under \$3,000 per year. We have seen them working here night after night and far beyond the time spent here by any member. Surely, they should receive a decent wage for their back-breaking labour. As Bill Prager, the writer for the Windsor *Star* said: "The government is doing its bit to maintain poverty."

Another point is the difference in emphasis placed by the Conservatives upon what are essentially similar positions, similar by virtue

of identical training. Of four advertisements for nurses, one was in research related to recruitment, training, deployment and utilization of nursing talents to serve the health needs of our province—another such one was as a consultant; one as a nursing homes inspector; and one as a nursing education instructor. The two with rather nebulous job descriptions stood to receive \$2,000 per year than those who were expected to follow the gruelling task of inspecting nursing homes of our province, an area many of us feel should be a priority matter—a feeling shared by the hon. Minister of Health (Mr. Wells) before the mantle of office began to weigh too heavily upon his shoulders—and that of training student nurses to work with psychiatric patients.

I fail to understand why the Minister of Health would wish to add more consultants to his staff at the expense of an important training programme, because I do not think he would get a top-notch person to work in the last job I described, that of training nurses for psychiatric work. I will like it to member to decide how well trained the students will be, unless the department is extremely successful and found someone willing to work hard for a relatively small salary rather than sit in the air-conditioned splendour as a consultant.

Another small area that may lead to large problems is that of advertising government jobs. For example, my colleagues and I often are asked why advertisements for assessors for counties hundreds of miles from Toronto are carried in the Toronto dailies but not in the local papers. I realize that there may be a concentration of talent in Toronto and that possibly some of these people may wish to relocate, but should not the areas that are to be dealing with these civil servants be given the opportunity to inform their residents of the availability of these jobs? After all, the decision is made in the same way in the private sector. You may find some unexpected surprises.

We hear many complaints about the inaccessibility of the person outside government who can find answers from the civil service to the simplest of questions. I feel that some departments have made it harder than others. The Department of Financial and Commercial Affairs is very helpful, for example, as is the Treasury department and certain branches of the Trade and Development. It is to this end that my colleague, the member for Downsview (Mr. Singer), has introduced his ombudsman bill year after year. We will hear more of this bill later in this session.

I would like to tie all of these points together and suggest to the minister responsible for the civil service, and to the other ministers, that they take a look at what the federal minister said to his civil servants. He told them that they would have to cut away their own red tape and use some discretion and plan common sense when dealing with the minister or the public. He made it plain that he and his colleagues often found it difficult to get the kind of advice they needed and had to go outside the government for it. He suggested that his department work together to destroy this system that stifles the best talent, brains and intelligence in the country, and called for a freer exchange of information between the minister and any member of his department.

I suggest to the hon. ministers that they take a long look at their departments, cut down the little empires that they have been so carefully constructing and get through to the talent that lies almost dormant within their departments. Perhaps the fragile Productivity Improvement Project will do something to clear away the deadwood. I intend to pursue this with the minister under the proper vote.

May I say, Mr. Chairman, in closing this portion of my remarks, that we, on this side of the House, do appreciate the fact that the ministers are sometimes just as strangled by the red tape of the civil service as we are, but they have a chance to do something about it. Let us hope that they do.

I would like, at this point, to congratulate the government for the action that they took in providing a financial improvement to the lot of many of the pensioners. That was when the pensions or superannuation for many of the civil servants was increased substantially by the announcement of the provincial Treasurer (Mr. MacNaughton). This is appreciated not only by the servants themselves, but also by those of us who know of the contribution the civil servants have made in the past and today find themselves strangled as a result of inflation, which is silently dwindling their incomes. I only would hope that the department would look into a completely new method of calculating pensions and superannuation credits for civil servants so that there would be no need for any type of indexing. I made these comments originally in the debate in reply to the Speech from the Throne, where I suggested all pensions be based on prevailing salaries or wages and on the last or best year of the civil servant's life with the department involved. The formula

also should provide that the individual retiring receive some percentage of his salary retirement, rather than having it based on best five, six, or seven years, and average them out and then giving him 70 or 75 per cent of that, multiplied by the number years' service over 35. They should still have the number of years' service over 35, but so stated percentage should also be used. I have heard the percentage of 70 used—that is, 35/50ths—times 70 per cent—times the salary that they received from the department on retirement.

Using a system like this there would not be the need for any type of index or any type of cost-of-living adjustment, because an individual's pension would always be based on the prevailing wage. He would not have it based only on the year on which he retired, but it would be adjusted annually according to any increments or increases given to the civil servant who has not retired but who is receiving that added salary on the previous year's earnings.

Mr. Chairman, during this session one of the most burning issues with respect to the civil service was the question of freedom of choice as to which union they would join. The Civil Service Association of Ontario has been branded a "company union" by its opponents. This issue resulted in an unfortunate polarization with CSAO and CUPE.

The Liberal Party has stated before, and will state again, that all individuals should have freedom of choice in this matter. It is morally wrong and downright impractical for the Robarts government to turn a deaf ear to the demands that its employees be permitted to join the union that would represent their interests.

The OHSIP crisis brought to the surface many problems that most of us would not think of unless someone brought them to attention. Even before this however, hundreds of employees were faced with similar problems in decreased coverage when the province took over the administration of justice, and later assessment.

For example, on the takeover of the administration of justice, and referring to the county jail in the city of Windsor, many of the employees working for the county at the time of the takeover found that their civil service benefits had been substantially decreased, that they lost some of the fringe benefits. On any takeover, there should be no decrease in fringe benefits at any time or if there is to be a decrease it should

compensated for by some type of an increase in salary.

The last comment that I would like to make refers to the government making money on pay holdbacks. Mr. Chairman, it is the policy of the province to hold back two weeks pay on all civil servants being paid every two weeks. This holdback means four weeks before any new employee actually gets his pay.

There is no good reason for this at all, Mr. Chairman, and this apparently does cause tremendous hardship on people who are joining the service for the first time. There have been many cases of women who are supporting children, either because of being widowed, divorced or separated, having to scramble through periods up until the time they got their first pay as a result of this holdback. There should be some type of an advance made to these individuals, Mr. Chairman.

Aside from the inhumanity, a disturbing factor is that the government makes a considerable amount of money out of this. For example, if they had 60,000 civil servants and the average pay is \$100 a week, if there is a holdback of two weeks on these 60,000 civil servants that means a holdback of approximately \$12 million a year. Taking the \$12 million a year and investing it at eight per cent you can see that the government is actually making—or we might even use the term swindling its own employees out of approximately \$1 million. That is the money that the government makes by having that money and investing it or being able to invest it at eight per cent. When the government purposely holds back pay from its own employees and makes money on the holdback, you certainly cannot agree with that position taken by the government.

I hope, Mr. Chairman, that these few comments that I have made on the introductory remarks of the minister are replied to by the minister, and that other members from this side of the House have an opportunity to make some type of contribution. Thank you.

Mr. R. Gisborn (Hamilton East): Mr. Chairman, this seems to me to be a very exciting and romantic department to deal with, with the lack of any expression from the minister whatsoever in regard to his department. It may be that he is not very proud of this position at this time. It may be that. We would like to hear from him a little later on and we will get some more remarks from the officials under the gallery later on, maybe.

This department, under the estimates, Mr. Chairman, is charged with certain duties. Vote number one says this programme consists of the main office and two active offices supplying administrative and support services for the civil service commission. Under this programme, personnel policies of the government are administered, transactions for all Ontario civil servants are processed and recorded, and control is exercised over requisites and credits.

Under vote 202, personnel management, the programme includes position classification, pay administration and pay research. Other functions include planning and auditing joint council services, arbitration and appeal boards, and employee counselling on problems affecting work performance. Of course we have all the ancillary sections to these votes.

The Provincial Secretary will recall that during his estimates last November 17 I dealt briefly with the contents of the Judge Little report in regard to collective bargaining in the civil service. At that time we had some promises and apologies from the minister that he had just taken over this department.

Of course I did deal with the report at greater length during the estimates of the hon. Treasurer, who had the responsibility that time. During the estimates of the Provincial Secretary on the date mentioned, my comments were:

This whole question of the Judge Little report and if I might, as I comment on the remarks of the hon. member for Perth, also make some reference to the member for Hamilton East on this subject just deal with it this one time.

As was indicated, and I think we want to be about this, it was certainly indicated in that statement, when we made the announcement of the orders-in-council dealing with the Judge Little report; one, dealing with the exclusions from bargaining agent; and the other order-in-council dealing with the whole question of union security.

It was made quite clear, in fact, during the course of the statement itself we highlighted some of the recommendations of Judge Little's report and indicated it was the intention of government, very early in the next session, to introduce legislation by way of an amendment to The Ontario Public Service Act to implement some of these principles, one of which, of course, was the very point that has been stressed, quite properly, by the hon. members who have already spoken—the procedures whereby employees will be able to make the determination.

The determination we were talking about is the determination whether they want these changes brought about, inasmuch as they want to have a compulsory check-off. Did they want to have a continuation of the civil service association as the bargaining agent.



In most cases when we get promises of impending legislation and it does not come about, we can be critical, maybe angry, and ask the government why. In this case, I am happy that we have had no action because, as I said before, I do not know what further action the government can take on the Little report than they have already taken in a unilateral and dictatorial manner by order-in-council, without the right of the members involved to have any clearcut part or participation in the determination of what they wish to prevail as employees in the civil service.

I am going to refer briefly to the report again, not to repeat any part I dealt with previously, but I am going to relate to another report. The Judge Little report was commissioned in July, 1967, and reported in May, 1969. They had some 26 meetings. It is interesting to refresh our memories; in the back of the report it gives a list of the appearances at the hearings. And one large group, the collective bargaining review committee appointed by the Treasury Board, appeared before his honour. Assistants to the committee, 10 of them; the Civil Service Association of Ontario, six of them; the Ontario Water Resources Commission, four of them; the Ontario Housing Corporation, five of them; the liquor control board and the liquor licence board, five of them; the employees' association of the liquor control board and the liquor licence board, five; the college of applied arts and technology; the Niagara Parks Commission; the Ontario Provincial Police; the Ontario Provincial Police Association; the Ontario Hospital Services Commission. Then, of course, the Canadian Union of Public Employees. But the predominant appearances before the committee were those who had an interest in further restricting the rights of the civil service of this province and the position of employer status.

The report also indicates research material that was received. There were nine sources, as indicated by the report: the public service of Canada; the public service of the province of Quebec; the Saskatchewan public service; the federal civil service of the United States of America; the public service of the commonwealth of Massachusetts; the civil service of the state of Michigan; the civil service of the state of Minnesota; the public service of New York state; and the civil service of the state of Wisconsin.

I have checked most of the legislation prevailing in those states and they are as restrictive an employer as anyone could wish to hear about.

It surprises me that the Saul Frank report is not mentioned in the Little report which was commissioned by the government of New Brunswick in June, 1966, and reported in May, 1967. It is a good report that is completely different philosophical approach. It is one that has been implemented now for six months; one that expresses the desire of the government to make the employees of this province first-class citizens with the right inherent in the reference to the committee that they bring about a collective bargaining atmosphere similar to that which exists in the private sector of our economy, the same reference referred to by His Honour Judge Little.

Apart from those recommendations which have already been implemented—the changes and I am in favour of a checkoff for union activities—I am also in favour of the employees having the right to determine what they want to be part of that. As I understand it, after doing some research, they do not have much to say about it. When it was reported to them, it was three days before their general meeting, which is their provincial meeting—I am not sure whether that is a coincidence, a deliberate coincidence or what?

That meant they would have to await the implementation of that order-in-council as being, in general, the wishes of their directors 11 months later, at their next general meeting. I understand there was a balloting done by mailed-in ballots. My information is that very many received the information who were not members of the association. That has nothing to do at this particular time with this minister, but it reflects some of the things that I am concerned about.

In the reports and I want to quote at length from both of them because I am going to point out the difference of the approach in the two reports.

**Mr. Chairman:** I must point out to the hon. member that in accordance with the new rules of procedure, Rule 16(a), a member may not read unnecessarily from a document. Therefore, I would ask him to keep his quotes to a minimum.

**Mr. Gisborn:** I would appeal to you, Mr. Chairman, that those reports are identical reports. One is from the province of Ontario and one is the report from the province of New Brunswick, dealing with exactly the same things. I think to criticize and to impress the government with some alternative action, one has to give alternative pos-

Hon. J. H. White (Minister of Revenue):  
Speed it up!

Mr. Chairman: Of course, if the hon. member had not indicated that he wished to quote at length I would not have stopped him.

Mr. Gisborn: Fine; thanks!

The Minister of Revenue wants us to speed it up.

Hon. Mr. White: Speed it up, you are putting everybody to sleep.

Mr. Gisborn: If we could waste those two days last Thursday and Friday the way this government did, at an exorbitant cost, perhaps we can deal with this department and the employees involved.

The only part I will quote from Judge Little's report—and I think it lays the whole emphasis that I want to make—is on page 40. They are talking about the right to strike in the civil service. Judge Little says this:

In its initial submission to me the association said this:

Speaking of the civil service association:

It is our view that it is most unlikely that any issue in the Ontario public service will result in a strike as long as the parties continue to demonstrate the maturity which has been demonstrated over the past two or three years. It is our view that the effect of the present legislation should remain and provide the right to the party to have recourse to arbitration as a final means of resolving disputes.

It does not really mean very much. They try to make a point, but they did not seem to have the courage to say: "and, of course, including strike action if arbitration fails."

Then he quotes the government representatives who took "this more positive position." This is what the representative of this government said to that commission:

The right to strike should be clearly prohibited in the statutes. Automatic penalties on the bargaining agents for work stoppages should also be provided, which might include stoppages of the checkoff of union dues. Provision should be made for an independent review of the circumstances of the work stoppage when a bargaining agent disclaims all responsibility. Individual violations of the statutes or collective agreements would be dealt with by disciplinary actions, subject to the grievance procedure.

These remedies are felt to be preferable to court action or management grievance arbitration, which are those used in the private sector.

Now that is quite clearly the attitude of government through their spokesman. That is why I say that the report is a *fait accompli*. There is no need for any legislation, as it is. *Status quo* has prevailed. They have secured, locked in, some 50,000 employees and the declaration by His Honour Judge Little that he would like to see a semblance of collective bargaining in the public sector as prevails in the private sector carries weight whatsoever. There is no way that a union outside of the civil service association can organize, as they have many signed up but there is no access for certification whatsoever.

I want to deal briefly with the report of Saul Frankel, who was commissioned and said by the New Brunswick government to bring in his report. I will take the advice of the Chairman and make it as brief as possible when I feel I have made the necessary point. I want to quote the one paragraph—it is a long paragraph but I will stick to the one paragraph—where he talks about the public interest. I will just ask the hon. members if they are interested in the subject, to read the same section in the Little report and find a definite difference in philosophical approach which ends up with a real conclusion based on the reference given to the hon. commissioner:

There is hardly a discussion of employee relations in public service that does not make repeated references to the public interest. It would seem to be incumbent on the commission to the extent that it makes use of this term to attempt to give it some meaning. The term "public interest" is an elusive one and defies precise definition. It all too often lends itself to the rhetoric. To speak of the interest of a highly diversified public as if it were homogeneous is an oversimplification.

There are many individual and group interests in our society that express themselves in a variety of ways; it is this variety that makes for the complex interactions of the body politic. I have searched for, but have been unable to find, a definition of public interest that can be applied with precision to a concrete situation. One might speak of public interest as the aggregate of particular interests. Or, one might see it as the residue of interests that are common to all, or to the majority of a given community.

In either case it must be granted that the public interest would be constantly changing in content, structure and intensity in response to changing issues. A sense or, perhaps, an intuition of public interest is more readily experienced in times of crisis than in times of relative stability. The point, however, is that the public interest is neither determinate nor measurable.

In the area of collective bargaining, one would concede that a strike in public transportation probably engages the public interest more than a strike in liquor distribution. But would this judgement still hold if the transport strike lasted only a day while the liquor strike went on for a month or more? Perhaps a way will be found some day to measure the public interest content of labour disputes.

I want to quote his definition of employees:

It is intended that the statute governing labour relations in the public services should contain the three basic features found in the existing general legislation. It would provide definitions of "employer" and "employee" for collective bargaining purposes. It would require the establishment of special machinery to administer the Act and implement its procedures. It would establish the basic procedures to be followed. There is no intention to recommend the inclusion in the statute of compulsory or unilateral procedures for determining issues which fall within the scope of collective bargaining.

Thus he lays the emphasis that leads to the fine conclusion of the Frankel report.

I want to quote briefly a section in regard to joint consultation—an area which is quite active in both provinces in regard to the civil service association.

A number of general observations about the scope of this inquiry may be made at this point. A significant proportion of the employees who come within the terms of The Civil Service Act are members of the Civil Service Association of New Brunswick. This association declares its major objective to be the promotion of the welfare and interests of its members. Relations between the association and the province have, on the whole, been courteous and respectful. A joint council was established in 1960 to provide a framework for consultation between representatives of the association and the government on matters relating to conditions of employment of civil servants. Joint consultation, however,

does not provide for the kind of participation in determining conditions of employment that are available to employees in the private sector. It allows the government in the last resort, to decide unilaterally what the salaries and working conditions shall be. This was the general pattern of staff relations in government employment in most other parts of Canada. But important changes are now taking place. Patterns of employer-employee relations in government services are evolving on a federal level as well as in most of the provinces. There is a definite movement toward some form of collective bargaining for public servants that would allow for direct negotiations and bilateral determination of the major conditions of employment.

Now they refer to the federal civil service. The only point I want to make about that is it is the best move made in this country regards the civil service, next to that which prevails in the British civil service, in regard to their rights and collective bargaining. The one major fault in the federal civil service approach is that after certification before the opening of negotiations, the union must declare and opt for its right to a strike or submit to compulsory arbitration. That is a very serious flaw in the federal legislation and I am happy that Mr. Frankel does not recommend that, but a better way to suit civil servants.

Just briefly in regard to the definition of compulsory arbitration, and I quote:

It is intended that the statute governing labour relations in the public services should contain the three basic features found in the existing general legislation.

It would provide definitions of employer and employee for collective bargaining purposes. It would require the establishment of special machinery to administer the Act and implement its procedure. It would establish the basic procedures to be followed.

There is no intention to recommend the inclusion in the statute of compulsory or unilateral procedures for determining issues which fall within the scope of collective bargaining.

I want to quote again from page 36 because I get to the final conclusions and recommendations of the report which have been implemented:

The approach to employer-employee relations in the public service of New Brunswick that have been elaborated in

section will undoubtedly seem overly permissive to some readers and too restrictive to others. Your commissioner considered it necessary to recommend procedures that are broad in scope, flexible in operation and in harmony with the general pattern of labour relations that is well established in our society. It must be emphasized again that many of the employees coming within our terms of reference already enjoy full access to the process of collective bargaining available under existing legislation. In recommending that they be brought under a new public service labour relations Act, it is not intended that their acquired rights be restricted. The main object of these recommendations is to provide procedures for collective bargaining in the public service that would encourage the parties to seek a mode of dispute settlement that takes full account of the public interest. Far from being restrictive, this report calls for a major expansion of collective bargaining in the public services. This expansion would be justified by the determination of the parties to display good faith in their employer-employee relationships and to demonstrate a responsible concern for the well-being of their community.

I want to put this on record because it might encourage the minister to read the report, or have his staff read it, and I should assume that they have read it. I would give them credit for that much attention, but if they have read it and if the minister has read it, I do not know how in the world they could make any move at all on the Little report.

I might say at this point, Mr. Chairman, that I was somewhat disappointed that the Liberal Party did not refer to the recommendations that have been implemented by the New Brunswick government. It makes me wonder if it really would go as far as the brief remarks that have been made in regard to the position of civil servants. I wonder if they would go as far as the implementation of the Frankel report—

**Mr. C. G. Pilkey (Oshawa):** Not likely!

**Mr. Gisbom:**—which has been introduced by legislation into the government, and I want to deal with the recommendations because they are important.

**Mr. E. W. Sopha (Sudbury):** Say, you are kind of thin are you not?

**Mr. Gisbom:** Yes, this new suit makes me look like that.

**Mr. Sopha:** I do not mean you.

**Mr. Pilkey:** I was not going to say anything but with a 38 waistline I could not resist.

**Mr. Gisbom:** The summary of the principal recommendations in the New Brunswick report says:

The report calls for a major expansion of collective bargaining in the public service of New Brunswick. The machinery and procedures that are recommended follow the well-established pattern of employer-employee relations in the private sector. There are, however, variations that are intended to take account of the special characteristics of public service employment, particularly in the area of dispute settlement.

The acquired rights of groups already engaged in collective bargaining are fully respected.

A special statute: It is recommended that labour relations in the public service of New Brunswick be governed by a public service labour relations Act.

In its application it is recommended that the public service labour relations Act be applied to employees in the following areas of public service employment: employees of Her Majesty in the right of New Brunswick (civil service); employees of corporations, boards or commissions acting for or on behalf, or as an agent of Her Majesty; employees of school boards, hospital boards and any other board or commission whose funds are derived in whole or in major part directly or indirectly, from the consolidated revenue fund of New Brunswick.

Management personnel should be excluded from collective bargaining on the same basis as in the private sector.

Professional employees, unless subject to management exclusions, should be included within the scope of collective bargaining in the designated public services.

It is recommended that the roles and responsibilities of "employer" for the purposes of collective bargaining be assigned as follows: for government services, the Minister of Finance as chairman of the Treasury Board; for public schools, to the province of New Brunswick as represented by the Minister of Education, assisted, where appropriate, by representatives of the school trustees; for hospitals to the province of New Brunswick as represented by the Minister of Health, assisted, where appropriate, by repre-

tives of the hospital association, or of local or regional hospital boards.

The report shows the reason they have transferred the employer's right to representation to different positions is similar to what we have in existence in Ontario where the union bargains with the boards of governors of hospitals under restrictions or guidelines set down by the Ontario Hospital Services Commission. They take the position that where money is involved, the person who can make the decisions is the person who should head up negotiations.

In the scope of collective bargaining it was recommended:

...that all matters that normally fall within the scope of collective bargaining in private labour relations should also come within the ambit of the proposed Act. Exceptions would have to be made, however, with respect to matters that remain subject to special legislation—for example, superannuation—and with respect to the terms of civil service employment related to the maintenance of the merit system as required under The Civil Service Act.

The continued use of joint consultation in areas that are not subject to collective bargaining should be encouraged.

It is recommended that an independent board be constituted under the proposed Act. This board would be charged with the administration of the Act and the general regulation of employer-employee relations in the public services.

Grievances, of course, would be established under procedures similar to those under general labour relations Acts. The arbitration tribunal will also be established under similar provisions.

On collective bargaining, and this is important:

It is recommended that the proposed Act provide for the following basic elements of collective bargaining which are normally found in general labour legislation:

(a) The right of employees to be members of employee organizations of their own choosing.

(b) The determination of bargaining units and the certification of bargaining agents for the given units.

(c) The implementation of written collective agreements, fixing rates of remuneration and other conditions of employment;

these agreements remaining in force for determinate periods of time.

(d) The elaboration of an orderly sequence of stages in the process of negotiation with a view to facilitating conclusion, renewal or revision of the collective agreement within clearly defined time limits.

(e) The provision of mediation and conciliation services at the request of either party, to assist them in the process of negotiation.

(f) The establishment of conciliation boards at the request of the parties, subject to the discretion of the Employment Service Labour Relations Board. Conciliation boards should report on the facts and make public recommendations.

Resolution of disputes: It is recommended that when the regular process of collective bargaining as outlined above has been exhausted, and if no agreement has been reached, the chairman of the board, upon being notified to this effect by either one of the parties, shall declare a deadlock exists.

After the deadlock has been declared the chairman of the board will require the employer to indicate whether he would be willing to submit the dispute to the Employment Services Arbitration Tribunal for a binding termination.

Mr. Chairman: I would like to point out to the hon. member that his reading of this document is now becoming lengthy and this is an abuse of the rules as I cited earlier.

Mr. Gisborn: All right, Mr. Chairman can refer to the rest of them without my interfering.

At the point where, under the New Brunswick Act, both parties declare that they have come to a dead end in arriving at an agreement, the chairman then declares a deadlock in effect.

Following that, he approaches the employer and asks him if he will submit to final binding arbitration. If he refuses, the union is then asked if there will be a ballot arranged for and conducted by the labour relations boards under the Act, to determine whether or not the employees will submit to binding arbitration, or to take strike action.

The Act provides that there must be at least 75 per cent voting and a 51 per cent majority. With that result they can then take strike action.

If the reverse takes place—that the company agrees to final and binding arbitration—the union then follows the same procedures after another period of bargaining brought about by the chairman of the board. In this way it decides, in a different manner from the federal civil service provisions, that they must opt for strike action upon certification or the opening of negotiations.

They have various periods through the negotiations to determine what action they are going to take. That seems to me to be a method of determining public pressures, public understanding, the seriousness of the dispute, its effect upon the public, its effect upon the civil service as a whole, or in part, and decisions can be made in a more rational manner.

The Act also provides for the change in representation when a group of employees consider that their union has not lived up to its stewardship—has not accounted for its stewardship—and they want a change. They can make application for decertification in the manner that is already provided under the general legislation.

But I would think that this method of freedom of choice—of joining a union of their choice—a more streamlined, orderly, participatory system of collective bargaining. The methods of arbitration under grievance procedure, the option at various stages of taking strike action, or agreeing with binding arbitration, and the right of a choice to change their representation under certain conditions provide an enlightening approach to the rights of civil service in this country.

I would say, on behalf of the civil service of Ontario and all the employees involved, that this minister should discard the Little report and adopt the report of Saul Frankel now in effect in the province of New Brunswick. The Provincial Secretary speaks strongly for human rights and declares everyone's rights as a citizen of this province. He can use his influence upon the government to make sure that the employees of this province are given first-class citizens' rights.

I am sure that he will have nothing to worry about. They have been responsible in the past; this will bring a new enlightenment to their rights. I am sure that the fact that they have not exercised more concern, more militancy, is not because they have not felt the desire, but because of the complacent position they have been forced into over the years of being locked into the civil service association.

I do not say that this kind of a change would bring about the going into other unions by members of the civil service association. It would mean that the civil service association, as a representative union, would have to adapt themselves to new procedures. They would have to do more of their own research. They would have to be more directly responsible to their members.

They would likely have to have an increase in duties. I do not think they can operate properly in the field of direct responsible representatives with the type of dues that they are collecting. They may be. I do not know what services they have in conjunction with their part of the government.

But I would urge the minister to first study the Frankel report. I would like to know, in answer to my comments, whether he has, whether it has been referred to him by the officers? To what degree?

I am sure that the position we are in now with the Little report is it. I do not know what the minister can do in advancing recommendations of the Little report further than he has; or about the devastating statements by government officials that are relative to it—including his own statement that he would not stand for, at any time, fragmentation of the civil service, without clarification.

I do not personally believe in fragmentation of bargaining units, if they are real and are serviced under a union that has knowhow and the wherewithal to do the servicing. But I do not think that the civil service employees in Ontario are in that position.

I think it is too large. There is room for occupational and community interest, geographical interest to be looked at, where there could be four, five, six, seven possible eight bargaining units. All of this kind of change and consideration would be in the interest of the people of Ontario, of the government and of the employees involved.

**Hon. Mr. Welch:** Mr. Chairman, may I be permitted at this stage to reply briefly to the remarks of the hon. members for Windsor, Walkerville and Hamilton East? I would like to start out by making some reference to the comment made by the member for Hamilton East, who has drawn attention to the fact that I introduced my estimates without comments.

I have never been one who was convinced that the quantity of vocabulary really acco-

plished very much. I would not want my silence at that stage to be misunderstood in any way, because I am in fact very proud of the position I have of responsibility for accounting to this House for the activities of the commission and also for The Department of Civil Service. I am very much aware that we have 215 civil servants of a very dedicated nature who are performing the responsibilities of these central agencies.

**Mr. B. Newman:** How many?

**Hon. Mr. Welch:** Two hundred and fifteen. As proud as I am, with respect to the dedication, the loyalty and the devotion of our civil service, we will have perhaps more to say about that.

It has always been my thought, that perhaps rather than try and anticipate what might be of some specific interest to the members of this House by way of general introductory remarks, there was some element of courtesy to await your comments, in order that we could at least exchange some discussion on the matters which you have considered to be of some importance, as we will continue to do as we consider the votes.

**Mr. Gisborn:** Tell us why the precedent has been changed then, only in your department.

**Hon. Mr. Welch:** Each minister establishes this particular procedure himself as to what he might want to do.

With respect to the remarks made by my hon. friend the member for Windsor-Walkerville, may I take them, I think in the order that they were given.

One had to do, if I recall properly, with respect to the efficiency of the service generally. Such remarks as "empire building" were used in that connection. I think it should be clearly understood at this stage in these estimates that the organization of each of the departments of government lies to a very large extent with the departments themselves as to how they feel they can be or should be organized in order to carry out the instructions which are theirs as an operating department.

**Mr. B. Newman:** Are there no instructions issued?

**Hon. Mr. Welch:** As a department of government we provide some advisory services in this connection.

Under, I think it will be vote 202, you will see a planning and audit section of The Department of Civil Service. This particular branch of this department endeavours to pro-

vide a service of investigation and audit reports to the deputy minister of that particular department the results of their as they check job specifications and terms of reference.

In this connection as well, the organization and methods branch of the Treasury Board with its special emphasis on organization the structuring, if you will, of departments once they understand the role to be performed by that particular branch or department also brought into play.

The hon. member for Windsor-Walkerville has, too, already made some reference to the PIP study which, of course, has been organized by the government in order to go into this matter of organization in a very real way.

I think, too, that we should underline another point which the hon. member for Windsor-Walkerville made with respect to salaries. We will come to this, pay and classification, in one of the votes. I said last year and I repeat again this year, that certain is the function of the pay and classification branch, with all the research facilities to satisfy us, as employers, that we are in meeting competition in the way of salaries with similar positions outside the service. I am assured from time to time, as these particular matters are reviewed, that those who are in charge of this responsibility are in making recommendations based on that general standard.

May I make some specific reference to employees to whom the hon. member has made reference; I think it was cleaning staff. I have two rates as far as cleaning staff are concerned. We have our building cleaners who are paid at the rate of \$2.17 an hour, well as the cleaners for our office buildings who come in on a part time basis each week and are paid \$2.17 an hour, and our building cleaners and helpers who do heavier work and are paid \$2.64 an hour. Now, it may be that the hon. member has made reference to the part-time staff who really only work 20 hours a week. I suppose, in calculating the period of time of \$2.17 an hour, it may produce the figure that the hon. member made reference to, but that should be taken into account along with the number of hours that in fact are worked. I think perhaps a fairer comparison is to take the rate of \$2.64 and compare it to what a similar responsibility outside would pay.

**Mr. B. Newman:** A full-time employee would be \$2.64?

**Hon. Mr. Welch:** No, there are two classifications of full-time employees. Those

do the heavier washing work get \$2.64, and others get \$2.17.

Now I only mention those figures; your opinion with respect to their adequacy, your own personal research as to whether or not that compares favourably outside the service, I would be interested to hear your comments on this. I simply repeat, once again, the principle which guides those who are charged with this responsibility in the department is to satisfy us that those who are working for the government of Ontario are paid rates which are competitive with those who are not employees of the government.

**Mr. B. Newman:** Is that competitiveness on a local basis?

**Hon. Mr. Welch:** I think all factors are taken into account.

**Mr. B. Newman:** In other words, there may be a different salary scale for a community like my own, in comparison to a community, let us say, like Ridgeway.

**Hon. Mr. Welch:** No, we establish a rate, and it may be that in many communities the provincial rate could well be higher than the local rate; in fact, I think there is some evidence that this is the case. We have to strike a provincial balance.

Insofar as the advertising policy is concerned, we discussed this before, and I can say of the specific reference the hon. member makes to the assessors that I am quite satisfied there was extensive advertising done throughout the province in papers other than the Toronto press. There are other media involved in this advertising, particularly with respect to the type of employer, or rather the qualifications to be met. I am sure assessors and other people in this type of work have what is called their "trade" magazines or journals or their professional means of communication, and our department is very anxious to make needs in the provincial service known through that media as well.

Then, of course, there is a further decentralization in that, as provincial government needs in certain localities are made known, it is not done through the department at all; it is advertised locally in the papers where these people are in fact going to be performing their responsibilities. But it is my understanding that the hon. member was specifically interested in satisfying himself that job opportunities of a promotional nature were made known generally to all people with those qualifications throughout the province. In the case that he cites, I am

advised that this was in fact very much in case on the instructions of The Department of Municipal Affairs.

The hon. member also raised the question of the pensions of our employees. This is a very topical point because, as you will know—and I will perhaps handle it this way—is a matter which comes under the jurisdiction of the Treasurer. But may I presume to say or rather to remind you at this stage in the estimates, that the Treasurer has announced that the provisions of The Superannuation Act are being reviewed and at that time, if you recall, he did indicate that a task force is being set up in fact considering, among other things, the basis on which these pensions are calculated. It may be that when the Treasurer has his estimates before the committee you might want some progress report on that study, but I do not know, as a department of government, that this consideration is in fact going on.

**Mr. B. Newman:** That is completely outside your jurisdiction?

**Hon. Mr. Welch:** Yes. The other matter I want to make some reference to is this business of employees' pay holdbacks, the fact that there is this holdback of so many dollars before they get their first pay. I am advised that this practice has been in operation now for three to four years; that it was in fact agreed upon between the association and the commission as a policy and as a means of payment, and has been in operation for that period of time. I would simply like to refer that to you at this stage.

**Mr. B. Newman:** Is it not a substantial difficulty with some individuals who, such as a mother, may be employed for the first time and find that they do not receive a cheque now from the government for four weeks? What does the woman do for four weeks? There is the two-week holdback now, then the next two weeks is when she gets paid. Is there not an advance made to compensate her, to help her weather the difficult days?

**Hon. Mr. Welch:** I understand that there is a procedure within each department which places some discretion in the chief administrative officer of the department to make some provision by way of an advance, if there are some serious circumstances there. I am talking now as a matter of general policy which I understand, is not much different in many other places of employment where there is a holdback in order to get themselves established on the payroll. But I am sure that a situation like the one you mentioned, in a



particular department, the deputy minister, in consultation with his personnel people, would have some discretion to make some temporary arrangement there.

**Mr. B. Newman:** But the government still has the use of the holdbacks which amount to \$12 million a year.

**Hon. Mr. Welch:** I must say I am at some disadvantage; I have not calculated that amount. Perhaps the matter can be answered at this stage that, as far as the principle or general policy is concerned, this was agreed on, and any personal circumstances, such as you mention, could be accommodated.

**Mr. B. Newman:** You would accommodate personal circumstances?

**Hon. Mr. Welch:** Right!

Now I just want to go on, if I can, at this stage, to the comments of the member for Hamilton East. I would like to start by saying that it certainly is the intention of the government to proceed with legislation to provide for collective bargaining as far as our employees are concerned. This legislation, by way of honouring the commitment contained in the announcement to which the hon. member makes reference, will be introduced by the Treasurer.

I mention that at this stage because—and I say this only as a matter of information because I know it is perhaps difficult to see where those places might come in various estimates—the whole field of collective bargaining in the civil service comes under the Treasury Board vote of the Treasurer, so you will have an opportunity at that time to share with the Treasurer your views with respect to the collective bargaining procedures.

I say that because, in addition, at the time of the introduction of the legislation to which I have just made reference, there will no doubt be ample opportunity at that time, Mr. Chairman, for the views of all members of this House to be expressed on the principle of collective bargaining and the procedures on the second reading of the Treasurer's bill. At this time, I am quite sure, there will be a very detailed discussion of all of the matters to which the hon. member for Hamilton East has made reference.

I am sure the hon. members would agree, Mr. Chairman, that when you assign a responsibility like the one assigned to Judge Little when he was commissioned to conduct his study, you expect the commissioner to discharge his responsibility in an objective way

and to submit his report for the consideration of the government. The Judge Little report followed Professor Frankel's report and I can only assume, without asking Judge Little, that he had read Professor Frankel's report and that many of us have. It is one report among many reports, including Judge Little's report, and I think it is a very important area.

As you know, this question of the size of the bargaining unit, the procedures to be followed by any employees in the determination of the bargaining unit, and all matters which are usually encompassed in that area of consideration in the private sector were touched on by Judge Little, with his recommendation that we would provide some form of a procedure, some vehicle, by which this could be accomplished in the provincial service. So as I have mentioned, the House will have ample opportunity on two occasions both at the time of the second reading of the Treasurer's bill and in the Treasury Board estimates of the Treasurer, to discuss the whole matter of collective bargaining in the civil service.

I wanted to make that mention at this stage because perhaps, Mr. Chairman, some hon. member would agree that with respect to particular opportunities yet before the House it might not be necessary to go into this matter in any further detail at this point in the committee of supply.

**Mr. Chairman:** On vote 201?

**Mr. Gisborn:** Mr. Chairman, I want to point out what might be a misunderstanding by some hon. member. What might have appeared to be or what might have been disparaging remarks in my opening statement certainly were not a reflection on the civil service officers. They were made to the minister because of his silence in regard to the report and the promises that he made last year at that point.

Now, I just turn to the estimates of the Treasurer and I cannot find anything in them that would refer to what the minister has said, that the whole thing will come under that department. Where do we find the collective bargaining? You are right, you do not get the difference, you are handling the civil service.

**Hon. Mr. Welch:** Mr. Chairman, when you look up the estimates of the Treasurer, some hon. member has my assurance that is where it comes and there is no question. Under the estimates of the Treasurer, which start on page 181, I draw particular attention to

Treasury Board and advisory services, which are there if you will give me a chance to look them up—page 185, staff relations. I have a different numbering system. Would you give me a minute to find—vote 2409, staff relations.

**Mr. Chairman:** I think we are a little confused with the member's—

**Hon. Mr. Welch:** Yes, there is a little confusion because I am a year ahead of my staff here. Page 193 in the estimates that are before the hon. member—staff relations.

**Mr. Gisborn:** Is the minister telling me that under that vote—staff relations; salaries, travelling expenses and maintenance—we debate the whole collective bargaining of the civil service and its makeup?

**Hon. Mr. Welch:** That is what the minister is saying, yes. That is part of the Treasury Board vote. That is exactly how it was done last year, Mr. Chairman.

**Mr. Gisborn:** I think you will find if you look back to last year's estimates, the first vote has reference to civil service and collective bargaining.

**Hon. Mr. Welch:** Yes, well I think it is wise to discuss it just for a minute. I think as the colleagues of the hon. member will know, we made that clear last year so that there would not be any misunderstanding and there would not be anybody caught between the traces saying that he was not able to discuss this matter.

The point I am making is that so far as management participation in the field of collective bargaining is concerned, this is a function which we have. After all we are the department handling the civil service commission; but I am talking about collective bargaining procedures, the whole process, and the comment which the hon. member made comes under that vote of the Treasurer.

On vote 201:

**Mr. Chairman:** The member for Oshawa.

**Mr. Pilkey:** Mr. Chairman, let me say first of all that I believe we should have some discussion on this whole area of collective bargaining, and I think that the Provincial Secretary, who is charged with responsibility for the civil service commission, should know our position as far as the civil service employees are concerned. Whether it comes under his jurisdiction or the Treasury, ultimately it falls on his shoulders as the

minister in charge of the civil service commission. Let me say first of all—

**Hon. Mr. Welch:** Mr. Chairman, would member just permit me to interrupt for a minute? There is no attempt to cut off debate on this very important issue. There will be before this House two vehicles for full consultation and discussion on this question of collective bargaining. There is going to be a bill introduced to provide for a whole procedure. The second reading of that bill will provide all kinds of opportunities to debate that issue. The Treasurer's estimate will be before the House.

All I am saying is that I am interested from a management point of view in certain views. I think that where some of the confusion comes in is that the administration of The Public Service Act is part of my responsibility, but I think the members can accept my assurances that they are going to have ample opportunity. All I say is, do you want to debate it three times, or will two be enough?

**Mr. Pilkey:** With great respect to Provincial Secretary, it seems to me that we ought to have this opportunity now, before legislation is introduced, at least to put our point of view to the government, and it seems to me we have the opportunity now because you are charged with that responsibility—

**Hon. Mr. Welch:** I am not bringing in the Act, and we are not asking for any motion in these estimates that involves that particular function of government; that is under the Treasury Board vote.

**Mr. Pilkey:** I trust that the hon. minister in charge of the Treasury reads all *Hansard*. I am sure that he does. As a matter of fact I am confident he would not miss a copy even though he is not in the House.

**Hon. Mr. Welch:** You mean you have a speech and you want to give it today, is that the idea?

**Mr. Pilkey:** No, it is not the idea, but the thing is that I think we ought to make our position very clear as far as the collective bargaining right—

**Mr. Chairman:** Order, please! I think you should hearken to the advice of the minister. We do not really want you to spoil all your thunder, give it all away right now. If you have some overall remarks that might apply to this particular department, they would be in order. But to go into it too much

detail, I think, would be wasting your time and the time of the House, if it is going to come up on at least two other opportunities for discussion.

**Mr. Pilkey:** Mr. Chairman, I will try to keep my remarks as general as possible then, and without too much detail. If the Chairman would like to—

**Mr. Chairman:** That is very considerate.

**Mr. Pilkey:** First of all, the Little report, laying down some of the ground rules for future collective bargaining and future representation of the civil servants in the province of Ontario, has many shortcomings. The member for Hamilton East has alluded to a number of them. I say first of all, that the Little report, after making some observation of the Frankel report in New Brunswick, leaves something to be desired.

It seems to me that the Frankel report, and the legislation introduced implementing the report, gives the civil servants in that province—and in a much smaller province than ours—decided advantages in making their determination as far as collective bargaining is concerned. That is what we really should be concerned about, in my opinion.

I think we should be concerned about government employees being expended. In the process of collective bargaining, they should be able to participate in determining conditions of employment that would be consistent with the procedures that are available to employees in the private sector. I do not think anyone should dispute that right of government employees having rights equivalent to those in the private sector. Yet I sense that if the Little report was introduced in the form of legislation, they are not going to have that same right.

Let us take, first of all, the jurisdiction that Judge Little lays out. He did go on to say that some jurisdictions will have 250 employees; I suppose some of them could have less. Yet we find in his recommendations a jurisdiction of something in excess of 43,000 employees.

Let us go back to the Metropolitan case, because I want to make a point. The Metropolitan case appeared before the Supreme Court of Canada and was upheld by the Supreme Court of Canada. Do you know what the argument was? That there was no common interest between the employees who were certified under a craft union because they were not journeymen; they were labourers who were organized. The Supreme Court of Canada threw that certification out.

It appears to me that for the employees in the civil service there should be some consistency in terms of the kind of work they perform. That should be the determination and the criteria used to determine jurisdiction. In that framework, the employees should have free choice of a union they want to join. So that 43,000 employees in different work classifications and no common interest are to be certified as a bargaining unit. Yet you find in the private sector, you know, restaurant workers are usually organized by the restaurant union, the auto workers are organized by the auto workers' union, steelworkers are organized by the steelworkers' union. In other words, there is some compatibility in the type of work that they do, and, therefore, the jurisdictions are set up.

It seems to me that if the Ontario government were sincere in what they were attempting to accomplish—that is, give the employees a free choice to join a union—they would break this 43,000 down so that they would have a legitimate free choice, whether they want to belong to the civil servants' association, or some other legitimate union that is given recognition here in the province of Ontario or Canada.

My colleague also mentioned the right to strike. Mr. Chairman, I really think that the civil servants in the province are going to be given the same type of recognition as other employees in the private sector. In taking into consideration, I suppose, the right to strike with responsibility for vital services, I think that that right should be given. It is the type of legislation that should be introduced, not one that provides for compulsory arbitration.

That brings me to another point. I understand that very recently a decision was handed down—a decision was released—as far as a number of civil servants were concerned, that this document was the result of mediation. Let me point out to the minister that he made the statement just a few moments ago in terms of salaries or pay to the civil servants, that they make a sincere effort to relate their pay to the private sector.

I would hope that this schedule in my bill is not related to the private sector. Some employees earning just a little in excess of \$3,000 a year—some of them \$3,600, \$3,800 a year—with 52 weeks of employment are related to the private sector? Surely not.

I suppose that if I was doing some research, I could go out into the private sector and find some establishment paying inflated wages. I would suggest to the minister

he table in this House the results of their pay research programme and let us look at the comparisons that you make.

I would suggest that if we are going to relate to the private sector, let us relate to the organized workers in the private sector for the civil servants' wages. Let us relate to the organized worker. I suspect very strongly that if you tabled your pay research programme much of it would relate to the unorganized workers who are not receiving equity in our society. It would be very simple for the government to come up with an inferior wage schedule, or salary schedule, as they did. I do not know what percentage of civil servants are receiving wages relative to the poverty line that was enunciated by the Economic Council of Canada. I suspect very strongly that some of these wages are below the poverty line; others just on the poverty line. Yet the government would lead us to believe that they have done some research in that area. The other thing that bothers me about their wage schedule is that I read that they have one, two, three, four, five classifications under the same heading. The question I would like to ask the minister is how does an employee get from one to five? Is it automatic progression or is there some merit system that you have as far as the employees are concerned?

It appears to me that if it is a merit system, that is wrong; there ought to be automatic progression of employees from one level to the other and it should be over a very limited time. Surely, the government would know if someone was hired as a clerk, as an illustration, it should not take much time to find out whether that person was a competent clerk. It should not take that long. I would like to know from the minister, how long they take to make that determination of classification one, two, three, four and five; how long to get to the top of the wage schedule?

I would also like to know from the minister, about the present dues formula, introduced not so long ago; how many people opted out of that? I understand a considerable number opted out. I would also like to know from the minister what the present membership of civil servants is—I mean, those people who signed cards? I recognize that a number of them are paying dues and do not belong to the civil service.

I want to get back again to the question of pay. The minister, when he got up, said that—

**Mr. Chairman:** It seems to me that question about position classification, administration, pay research would be under 202.

**Mr. Pilkey:** I was under the impression that we were discussing the whole of the estimate as opposed to going to 201 or 202.

**Mr. Chairman:** I think if we could just keep in order first of all, it would be a little more orderly. Perhaps, if you were thinking we were going to take all of 201 instead of breaking it up into separate activities.

**Mr. Pilkey:** Could I just make one very brief comment because I want to conclude on this question of pay? The minister is talking about the devotion of the civil servants. You know, that is fine. That is about devotion. It sounds like Florence Nightingale, you know—carrying the loads and healing the sick, but they did not ask any money for it—it was very fine.

**Hon. Mr. Welch:** I happen to believe that.

**Mr. Pilkey:** You may believe it, and that may be devoted civil servants, but that does not give you the right to short-change them as far as their pay shekels are concerned, cause they are devoted people.

**Mr. M. Makarchuk (Brantford):** You cannot eat devotion.

**Mr. Pilkey:** That is right. You cannot eat devotion. They may very well be devoted people, but surely there should be some compensation adequate to maintain a decent standard of living, if these people are devoted as the minister says—and I have good grounds to disbelieve that they are not.

I just wanted to make those comments, Mr. Chairman, because I really do believe that a number of the people that are employed in the civil service are being short-changed, not only on the question of wage and salary schedules but also in the opportunity to participate in their organization, as the employees working in the private sector are under those employees that come under The Labour Relations Act.

I am not suggesting for a moment that that is the answer—that they come under the Labour Relations Act—but what I am saying is that they ought not to be treated differently from those people in the private sector.

I want to make a few other comments before we are going vote by vote; so I will conclude at that point.

**Hon. Mr. Welch:** Mr. Chairman, perhaps, while those figures are left dangling in the air, so that we do not miss this, I think it is important to make one or two points. Surely, the hon. member is going to give the minister and other members of this House credit for the fact that we feel that everybody is entitled to a fair day's pay for his work. I think, maybe, what we had better do is have the records show just exactly the figures that we are talking about so we may get back to them.

**Mr. Pilkey:** Right! Let us have it.

**Hon. Mr. Welch:** In 1969—and I do not wish to minimize it—2.4 per cent of the entire service was on salaries of less than \$4,000 compared to a year before that when we had 6.1 per cent below \$4,000. It is now reduced to 2.4. Surely, this is a fair reflection of the way, that in negotiating procedures to which you have made reference, we are moving along, and also—

**Mr. Pilkey:** Sorry. Could I get that second figure again?

**Hon. Mr. Welch:** Yes. We have 421 of our total employees under \$3,500 which is 0.7. We have another 997 from \$3,500 to \$3,999, which is another 1.7. You add those two figures together and it is 2.4 per cent of the entire service under \$4,000. I am comparing that with a year ago when we were 6.1, and I am suggesting that there is some progress in moving that classification up.

I am also advised on the basis of the research we do—and you are as much entitled to check this as I am—that the average weekly wage, as far as our services are concerned compared to the outside sector, the Ontario government average weekly wage, is \$132.73.

**Mr. Pilkey:** One hundred and how much?

**Hon. Mr. Welch:** \$132.73.

**Mr. B. Newman:** Does that take in department heads?

**Hon. Mr. Welch:** It takes in everybody. Compare it to the Ontario industrial average, as we get it from the DBS, of \$121.52 and the Canadian industrial average of \$117.71. These are figures for your reflection.

Interjections by hon. members.

**Mr. B. Newman:** Mr. Chairman, I wanted to ask the minister what the policy was concerning the recruitment of staff for the civil service. Is that left to the individual depart-

ment heads themselves? Do they have permission from the government to recruit overseas or do they attempt to do all their recruiting right within the bounds of the province?

**Hon. Mr. Welch:** I will answer that question. The staff needs are indicated to a central agency by the departments involved. As far as the Metropolitan Toronto area is concerned, there is a procedure developed within the department of reducing the number of applicants to a certain number and the department is invited to conduct its interviewing with respect to the needs of the department.

Outside of Metropolitan Toronto, as I already mentioned, advertising is done on a local basis and hiring is direct. We are creating a central agency, establishing certain standards and job specifications and carrying out the process of recruitment, particularly here, they are made known to us by the operating departments.

**Mr. B. Newman:** Do you recommend that departments that they advertise or recruit overseas, or is that left entirely to the department itself?

**Hon. Mr. Welch:** In most cases the departments do that on their own. I am advised that we have only on two occasions been involved in that particular specific type of recruiting ourselves. We may be consulted with respect to the extent to which some advertising should in fact be carried out and for any information we have with respect to the facilities used.

**Mr. B. Newman:** Should it not be a policy of the government that they first recruit within the bounds of the province, all circumstances being equal, before they go overseas? We do not want to see our own people with qualifications unemployed, whereas in other instances we find that others have been brought in from overseas. We can refer especially to university professors today, who we bring in Americans when we could hire Canadians.

**Mr. Chairman:** Vote 203 covers recruitment.

**Mr. B. Newman:** I will take it up there.

**Hon. Mr. Welch:** Now that the hon. member has raised that point, so there is no misunderstanding, overseas recruitment of civil servants has the approval of the commission if, in the commission is satisfied the staff is available here. I think that point should be made clear.

**Mr. B. Newman:** Is there any general policy as to the percentage increase in staff that takes place each year? Or is there an attempt to hold back increasing the civil service staff, just as the federal authorities have cut back, as an economy measure?

**Hon. Mr. Welch:** The whole question of complement control would be supervised by Treasury Board as the department that requested the funds that would be necessary to support any complement increase.

**Mr. B. Newman:** Have salaries kept up with the cost-of-living increase?

**Hon. Mr. Welch:** We assume, on basis of settlements which have been arrived at, that we are ahead in this.

**Mr. Chairman:** Vote 201. The hon. member for Oshawa.

**Mr. Pilkey:** Right, Mr. Chairman, I wonder if I could ask the minister if the Ontario government is going to ignore the governing principle in Canada, namely, that groups of employees must be united by a common interest to be certified as a bargaining unit. That is the governing factor, at least this is the premise that we always believed would make a bargaining unit—those that have the common interest. Is the Ontario government going to initiate some other criterion?

**Hon. Mr. Welch:** I could answer the question if it is in order here at this particular time, again simply by indicating that the government's intentions in this regard would be to adopt the recommendation of Judge Little with respect to the bargaining unit.

**Mr. Pilkey:** In other words, you are going to ignore it.

**Hon. Mr. Welch:** No, we are not ignoring Judge Little, we are accepting his recommendations.

**Mr. Pilkey:** But you are ignoring the basic principle that governs bargaining units in Canada, the common interest.

**Mr. Chairman:** Vote 201: The hon. member for Hamilton East is the only member on his feet.

**Mr. Gisborn:** We have not got the 1969 report as yet; I take it we still have to deal with the 1968 report?

**Hon. Mr. Welch:** I am sorry, the 1969 report is not ready yet.

Vote 201 agreed to.

On vote 202:

**Mr. Chairman:** On vote 202, personnel management.

The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, may I ask the minister what is the highest civil service pay?

**Hon. Mr. Welch:** The highest?

**Mr. B. Newman:** Yes.

**Hon. Mr. Welch:** \$37,500.

**Mr. B. Newman:** \$37,500. And what is the lowest? How low does it go, when you get low? That is more than you get, \$37,500. You are worth more than that.

You can give it to me later, Mr. Minister, that is quite all right.

Who does the advising as to how many personnel are to be employed for the various departments? Do the departments do that themselves—advice as to the amount of staff that is to be recruited for a given department, say The Department of Health? They come along and advise you of that, do they?

**Hon. Mr. Welch:** Yes.

**Mr. B. Newman:** They also have their own personnel officer?

**Hon. Mr. Welch:** Yes.

**Mr. B. Newman:** Is there need for personnel officers in each department?

**Hon. Mr. Welch:** Oh, yes. The function and the responsibility of the personnel officer in dealing with the day-to-day requirements of the departments and the material that is required for them, their sick leaves, and these matters are part of that type of personnel supervision.

**Mr. Chairman:** Vote 202. The hon. member for Brantford.

**Mr. Makarchuk:** Mr. Chairman, getting back to the discussion on the salary. The minister gave the figure of \$132.73 as being the average weekly wage. No doubt that figure includes all the section heads, department heads, department heads and so on. It includes overtime, I understand.

**Hon. Mr. Welch:** No.

**Mr. Makarchuk:** It does not include it? In other words, if individuals are employed, particularly in the Ontario Hospitals, who work

on weekends because they are short of staff, this is not included?

**Hon. Mr. Welch:** I am advised that these figures do not include overtime.

**Mr. Makarchuk:** They do not include overtime. Very well. This again does not give a true picture of what the people in the civil service are paid.

Could the minister give an indication of what percentage of people in the civil service are getting under \$3,500? What percentage are getting under \$4,000, up to about \$6,000?

**Hon. Mr. Welch:** Yes, I have that. Perhaps it would be easier to talk in terms of percentages rather than numbers, or I could give both, whichever—

**Mr. Makarchuk:** No. I think percentages would be satisfactory.

**Hon. Mr. Welch:** Point seven per cent of the civil service earn under \$3,500; 1.7 per cent is in the range \$3,500 to \$3,999; 8.1 per cent is in the bracket \$4,000 to \$4,499; 11.4 per cent, \$4,500 to \$4,999; 28.5 per cent between \$5,000 and \$5,999; 15.2 per cent, \$6,000 to \$6,999; 24.8 per cent in the bracket \$7,000 to \$9,999; and 9.6 per cent, \$10,000 and over.

**Mr. Chairman:** Vote 202, the hon. member for Oshawa.

**Mr. Pilkey:** Would it be a fair statement to say that a number of employees have to work overtime to achieve a decent standard of living in the government services? And if that is a fact, how much overtime is worked in the public service?

**Hon. Mr. Welch:** Mr. Chairman, I am sorry, I have no way of answering either of those questions. Even in the private sector, whatever amount of extra work that a person may feel that he has to do in order to maintain whatever his obligations are, I really do not know.

I cannot answer the first or the second question.

**Mr. Pilkey:** I must make this comment because maybe the minister is not aware of it. The information that I received is that a number of employees in the civil service are forced to work overtime to maintain any kind of a standard of living at all. It seems to me that it is incredible that people are placed in such a wage scale, or on such a salary that it is incumbent upon them to work overtime, or excessive overtime.

The other point that I wanted to make on this average of \$132.73. I have in front of me a wage or salary schedule that went into effect January 1, 1970. There is just a great number of classifications there. I do not want to go through each one of them, surely.

But to get to the average, there are a three and a half pages. You have to be a revenue officer, then you become the average and there are about three classifications following that, that is, above the average.

Every classification is below the average \$132.73, going as low as \$63 per week—per week for a clerk 1, male messenger. That was effective January, 1970, and on January 3, 1971, they are going to the fabulous of \$67 per week, in the civil service.

I want to tell you there are astronomical salaries following that—\$73, \$66, \$68, \$77. I do not need to go through them, but there they are. This is, as I understand it, a legitimate wage schedule. Surely—

**Mr. J. E. Stokes (Thunder Bay):** That disgrace!

**Mr. Pilkey:** Surely the government of the province of Ontario—and we are supposed to be the most affluent province in this nation—can find the resources to give our people at least an adequate salary. We are doing that in the private sector where there are strong trade unions; they are guaranteeing that their members get an adequate salary, and the structure continues. Yet, in the province of Ontario we find deplorable, inadequate salaries. It does not matter how you average it out, I am sure that does not convince those people who are below the \$132.73 level that they are getting a decent wage.

I am sure when an employee of this government takes his pay home to his wife and family, she is not impressed by the average of \$132.73; that does not impress her at all. She knows that she needs money to maintain her family, to buy the food, to pay the rent. And it seems to me that they would have a great difficulty in meeting any kind of a standard of living in this province on some of the salary levels that are maintained in the schedule, and I understand these are the schedules, which were effective from January 1, 1970, and they will be revised in January 1971.

I happen to think that it is incumbent upon a government to give their employees an adequate wage so that they can maintain a decent standard of living for their families. I happen to think that it is that important

and surely, if they are providing the kind of service that is needed to run a government and an enterprise as big as this, there ought to be adequate compensation. I am sure that the taxpayers, who ultimately are the employers, do not want people on their staff who are getting an inadequate salary, who are not maintaining a decent standard of living. I think the government has to sit down and take cognizance of that and with a sense of compassion for people who work in the public service.

For too long the people in the public service have been treated as second-class citizens in terms of working conditions and in terms of salary levels, and it is about time that the governments of the day adjusted their thinking so that employees are given compensation that is comparable to the people in the private sector and particularly that is comparable to the workers who are organized in comparable classifications. As I said before—and I do not want to repeat everything I said—it is very simple to go out into the boondocks of this province—I am using the term of my colleague from Sudbury—to find low wage schedules. You can find them if you want to go and look for them. Then make a comparison with the civil servants of this province.

Let us go out and find wage schedules that make the average, or even above the average, in this province in the organized plants and let us make the civil servants' wages comparable to their pay. Then, I think, the province would be doing an adequate job in protecting the employees who have the devotion that this minister alluded to a moment ago.

**Mr. Chairman:** Would the hon. minister care to reply? The hon. member for Brantford.

**Mr. Makarchuk:** Mr. Chairman, on the same point. Using the minister's own figures, you will find that you have got something like 20 per cent of your employees living in poverty; they are getting an income of less than \$5,000 a year, which certainly is less than \$100 a week take-home pay, after you take off the income tax and other deductions.

I am curious to know if you provide any fringe benefits in this case. Do you at least pay their hospitalization and OHSIP payments, because for an individual trying to raise a family, as pointed out by the member for Oshawa, this is an impossibility on that figure. What you are doing here, Mr. Minister, is that you have got about 6,000

people, civil servants of Ontario, that have enshrined in a state of poverty, sustained and aided and abetted by the government of Ontario.

Furthermore, if you add up the figures, or a great percentage of them, will find really that possibly only 35 per cent, or roughly one third, of the people who are working for the province of Ontario are getting anything approaching a reasonable wage, or a wage comparable to what one would get in a unionized shop in a unionized industry. But to two thirds of the people working for you—and you say you have something like 44,000 or 46,000, roughly that would be between 25,000 and 30,000 people—you are not paying adequate wages. And that is a lot of people.

**Hon. Mr. Welch:** Mr. Chairman, just a few comments. The figures are as I gave them. They are based on objective research work with respect to the positions which are being fulfilled and by the job that is being done by the person in the position, on the basis of research into what is being paid to people outside of the government who are doing exactly the same work. I have given you a composite of the industrial composite. These figures are prepared by the DBS, not by us, and certainly they speak for themselves when you compare the weekly salary which the Ontario government pays its employees with the industrial composite. I cannot change the facts; that is where it is.

About 24 per cent of our employees' wages is the percentage price tag we pay on fringe benefits, and the recent fringe benefit settlement was announced by the Treasury some months ago. We pay 65 per cent of their medical insurance, 75 per cent of their basic life, 40 per cent of hospitalization; that was detailed in the recent settlement.

**Mr. Chairman:** On vote 202, the hon. member for Parkdale.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, I have a question of the minister—two or three probably—and I will not get through by 11 o'clock.

**Hon. Mr. Welch:** There is a private member's hour, so perhaps this would be a good time to rise. Were you planning to go back this evening with this department?

**Mr. Trotter:** That is right.

**Hon. Mr. Welch:** moves that the committee of supply rise and report that it has completed its work.



to a certain resolution and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to a certain resolution and asks for leave to sit again.

Report agreed to.

## NOTICE OF MOTION

**Clerk of the House:** Notice of motion No. 3 by Mr. Ferrier:

**RESOLUTION:** That, in the opinion of this House, the government should immediately extend hospital insurance coverage to persons in chronic and convalescent hospitals or in approved nursing homes, who do not require continued medical and skilled nursing care, but whose condition is such that, in the opinion of the medical practitioner, they cannot be returned to their own home or to a home for the aged.

**Mr. W. Ferrier (Cochrane South):** The fact that we are debating this resolution today is clear evidence of the government's callous indifference in meeting the pressing needs of many elderly and chronically ill citizens of this province.

Hardworking, thrifty, responsible citizens continue to use up their life savings and lose their homes to provide nursing home care for chronically ill members of their family or themselves, because this government refuses to accept its responsibility to provide for such coverage under the Ontario hospital plan. Older people who have always supported themselves, and who have set aside something for burial expenses, must go through their final months and years not only broken in health, but with the gnawing pain that their assets are exhausted and that an uncaring state is making them a crushing burden to their next of kin. On the other hand, it is a difficult enough experience watching a loved one suffer a long, fatal illness without having the added burden of poverty rushing upon one to further weigh one down.

Surely our Judeo-Christian heritage has taught us to show concern and to make provision for the old, the weak, the poor, the widowed and the fatherless, as well as the stranger within our gates. If we are really

concerned about the pressing needs of the nursing homes, then we cannot wait longer for this coverage to be extended. We must correct this glaring injustice immediately if we are truly humanitarian.

I happen to believe that the kind of burden placed upon people through an extended period in a nursing home is one that should be borne collectively by the state, and not by the individuals until they are crushed.

Over the years, our citizens have been paying high premiums for their hospitalization without any assistance, on the understanding that when they need hospitalization or extended care, it will be provided for them. How disillusioning it is to find that nursing home care is not covered.

According to an article in the *Toronto Star* of January 24, 1970, The Ontario Health Department's chronic care division defines four categories of health service centres: convalescent, chronic, nursing homes and homes for the aged.

The cost of a bed and other services in a convalescent hospital is paid by OHSC, just like a bed in a regular general hospital. The reason you are put in a convalescent hospital is for the reason indicated by your name—to get better from an operation from a severe illness. Your stay there is usually less than six weeks.

Beds in chronic care hospitals are paid by OHSC. To get in, there has to be something wrong with you that requires treatment. The average stay is about eight months. Now, if what ails you does not respond to treatment, then the price you go, if you can get in, is to a nursing home. And OHSC does not pay the cost, which throws the burden on to the families of the patients or the municipal welfare department.

All nursing homes but one in the province, a community effort in Dutton, are privately owned. There are 464 with a total of 16,544 beds. Only about 1,000 beds are in large (more than 100 beds) corporations. Homes for the aged, like nursing homes, have patients who pay their own way or are on welfare. Most of them have infirmaries which are very similar to nursing homes, except that the level of care needed is not as great as in a nursing home.

A bedridden patient can stay in the infirmary of a home for the aged if he needs only nursing supervision. If he needs more intensive care, he must go to a nursing home. If someone reaches the stage in his illness that active medical treatment is no longer

needed, yet at the same time he needs special nursing care, such as those partially or completely paralyzed by strokes require, in most cases the only place to go is to a nursing home. As I have stated, OHSC does not pay for such care.

This cost, borne by the individual, is crushing, I am sure every member of this Legislature has had constituents come to seek some form of help to cope with such a situation.

**Mr. R. Gisborn (Hamilton East):** That is correct.

**Mr. Ferrier:** The plight of Bill Boulter in getting nursing home care for his wife, Ruth, and his efforts to pay for such, have been forcefully brought before us on more than one occasion by my colleague, the hon. member for Riverdale (Mr. J. Renwick). I understand Mr. Boulter has spent his life savings, that the welfare department has a lien against his house and, according to an article in the *Toronto Daily Star*, "he does not think he will ever see a day when his finances are in excellent shape."

In the same *Toronto Daily Star* article of January 24, 1970, Ted and Phyllis Neilson,

had to sell their bungalow last fall to finance the cost of keeping Phyllis' elderly mother in such an institution. It was that or deep debt.

They pay \$4,380 a year to keep Mrs. Daisy Hand, 84, alive and as well as can be expected in a single room, facing a brick wall in an old house on Spencer Avenue. That is just the rent. They have paid about \$100 for drugs since September 13 when Mrs. Hand was admitted. With their bank savings shrinking fast, and Phyllis' unable to work because of illness and Ted bringing home only \$95 a week, which is \$4,940 a year, they face a bigger financial crisis about 10 months from now.

"But," says Phyllis, "she is my mother. We have an obligation to her and we will starve first if we have to."

This is a terrible position to force our citizens into. Yet the Tory government, Mr. Speaker, has allowed it to go on for years. Ted Neilson's comments at the conclusion of the article are most disturbing and telling; they challenge the very philosophic foundation of our society. He says:

I just hope that when I retire and no longer work, I will die. Nobody cares a damn about you when you are old.

What a terrible thing to have to say. But I very close to the truth it is when the records of this government and that of the federal government are considered in relation to senior citizens of this country.

The time to provide this coverage under OHSC is immediately and not at some time hence.

A senior official in The Department of Social and Family Services estimated additional cost to the provincial Treasury would be about \$15 million a year if nursing home care is added. If he is correct, then \$15 million is a modest sum considering the revenue that exists and the tremendous amount of good that will ensue. Surely if people, especially sick, older people, are important, money can be found without too much difficulty. Even if it were to cost more, the same thing holds true.

In asking that this coverage be extended immediately, I am not making a radical proposal nor am I breaking any new ground. I am just asking for what has widespread acceptance in the province and among the people in this Legislature, other than the cabinet. It is about time that cabinet wake up to reality for a change.

An hon. member: They are not even here.

**Mr. Ferrier:** They are not even here in 1967, the select committee on aging made the following recommendation, no. 23:

That due to the serious financial problem we have found of elderly persons who need post-hospital extended care (that is, unable to return to their own homes) who are not at that stage covered under the hospital insurance plan, the province should:

1. Immediately extend Ontario hospital insurance coverage to assist aged persons to be cared for either in hospitals or in approved nursing and convalescent homes until they can be returned to their own homes or be transferred to a home for the aged, and

2. Urge the federal authority to amend The Hospital Insurance and Diagnostic Services Act to permit extended coverage for a greater variety of short and long term care needs.

You will note, Mr. Speaker, that in 1967 a report said the province should "extend coverage immediately," but here we are three years later and still the same situation persists. Last year the standing committee of this Legislature on health recommend unanimously that nursing

homes be covered by health insurance and still, no action. The chairman of that committee, the hon. member for Quinte (Mr. Potter), has spoken in favour of extending coverage to include nursing home beds, but he has not been able to move the government. Evidently, a Tory backbencher with some good ideas is not heeded by his Conservative cabinet colleagues.

According to an article by Eric Malling in the Toronto *Daily Star*, January 24, 1970, the former Minister of Health, the hon. member for Ontario (Mr. Dymond), says there is:

—a very urgent need to extend hospital insurance to cover at least two thirds of the cost of nursing home care. He said patients or their families would thus have to pay no more than \$3 or \$4 a day from their own resources.

The hon. member for Ontario said he advocated putting nursing home care under hospital insurance while he was minister. But it was not done because the province could not afford it, he said.

The New Democratic Party believes that not just two thirds of the cost is urgently needed to be covered, but 100 per cent must be covered immediately by the hospital plan. Then the remark about the province not being able to afford the cost is a very revealing one, in that while the province as a whole will not pay, the individuals and their families must pay to the extent that many have lost, and are losing, everything they worked all their life to acquire. It does not seem to matter if a lot of individuals suffer and go under, as long as the province as a whole does not have to suffer.

That way of thinking and governing is entirely wrong when seen in the New Testament injunction to bear one another's burdens and so fulfil the law of Christ. It would appear that the government will need to do a lot more than attend a prayer breakfast now and again if it is going to be guided by Christian principles in a lot of its policies.

The government, realizing the pressure that is building up for the extension of coverage under OHSC to include nursing home care, has, I read, set up a cabinet committee to study the cost of such. According to Eric Malling's article of January 24, the committee has met only three times—the last time about nine months ago—and is now almost moribund.

"Despite the lack of meetings," Robert Welch, Provincial Secretary, chairman of the

special committee, told the *Star*: "A lot of study is going into this (nursing homes)."

"I am not prepared to say more at this time."

Maybe the committee has come to life since January 24, but at any rate, it does not seem to be a very bright person to know why the Provincial Secretary had not anything more to say at that time. It is a wonder he said anything, considering the circumstances.

The present Minister of Health (Mr. Welch) really put the icing on the cake. He has stated to the Toronto *Daily Star* for January 24 that nursing home care "has top priority. But it may take five years."

On the other hand in the Toronto *Telegraph* of January 27 he says he will introduce legislation this session. But when he is questioned about it he is evasive and he does not make any commitments.

But imagine that, stating to the Toronto *Daily Star*, Mr. Speaker, that something of the order of top priority may take five years to implement. If that is the case, then the government is not even moving at the snail's pace that I thought it was moving at.

How can the minister and his government delay any time at all on such a critical matter? How can they even consider letting the people suffer anywhere near to such a length of time before coming to their assistance?

I just want to say, Mr. Speaker, that if the minister and his government plan to delay five years before acting, the people of the province will not wait that long, but will elect all the more reason for turning them out in 1971 to elect an NDP government that will care for our senior and sick citizens and will take immediate action on their behalf.

Not only for humanitarian reasons should the government take immediate action, but also for economic reasons should they move. It has been estimated that one quarter of Ontario's costly hospital beds are being occupied by older people who more properly should be kept in less-expensive nursing homes.

However, to their credit, many doctors are reluctant to move many of their patients from active-treatment hospitals into nursing homes if such action will hurt them financially since OHSC will not pay for their coverage.

I understand that active-treatment hospital cost on an average of \$40 a day, while in Toronto they cost \$50 to \$60. Nursing home cost, on an average, about \$12 a day, perhaps a wee bit more.

Dr. John B. Neilson, former chairman of the Ontario Hospital Services Commission, states in a Toronto *Daily Star* article of January 16, 1969, that:

Older people make up only eight per cent of the province's population, but take up 25 per cent of general hospital beds.

In the great rush to build hospitals in the past nine years since government hospital insurance came into effect, long term care has been bypassed.

It stands to reason that the extension of such coverage will free the more costly active-treatment beds for active-treatment patients, so that the present high-cost facilities will be able to treat more patients needing the care. At the same time the old and infirm will receive proper and adequate treatment in nursing homes.

There is no doubt about it, of course, that we do need more nursing home beds in the province. According to H. L. Livergant, chairman of Extencicare, the need for extended care beds in Ontario is estimated at about 20,000. Last September some 14,000 were estimated to be available.

The Metro Toronto Hospital Planning Council, for example, in its third annual report, stated that building priority should be established for hospitals for the chronically ill and nursing homes. It states:

But when funds are limited, priority should be given to the development of additional chronic care facilities in those areas of Metro Toronto where they are in short supply.

A newspaper story on the report said:

By mid-1968 it was apparent to the hospital council, the report said, that many active treatment hospitals were planning expansion not based on true community needs. Demands for more active-treatment beds arose because chronically ill patients were occupying beds in general hospitals because there was nowhere else for them to go.

Although it would have been cheaper for them to build chronic care facilities, general hospitals—oriented to active treatment—were not interested in operating such services, nor were other voluntary or charitable organizations in the community.

Each district should have a balanced structure of active treatment, convalescent, chronic care and nursing home facilities.

Not only in Metro Toronto, Mr. Speaker, but in my area and many other areas of the

province as well, are more facilities needed for the chronically ill.

An interesting development has taken place in the nursing home field where corporations, mostly American-owned, are moving into Canada to build and operate large modern facilities in which good quality care will be one of the most important factors in the industry.

While these developments have merit at the same time one wonders why the province cannot move more into this area to build and operate more of our own facilities. It is another case of the Americans moving in to do for us what we are unwilling to do ourselves. Slowly but surely our sovereignty continues to be eroded by our indifference and shortsightedness.

The main point that I want to emphasize today is that nursing home care must be covered immediately under OHSC. The Alberta government has taken the lead in Canada to subsidize all nursing home patients to the tune of \$5.25 a day, regardless of means. We cannot wait any longer for Ontario to act. We expect and demand, in the name of justice and of our chronically ill citizens, that the Minister of Health will immediately introduce the amending and enabling legislation to make nursing home coverage possible under OHSC.

Mrs. A. Pritchard (Hamilton West): Speaker, in rising to speak to this resolution I would like to correct the false impression that is contained in the resolution now before you. Also, I would like to assure this House that I am very much concerned and have personally promoted improved care for the chronically ill and the aged requiring nursing care in homes.

Contrary to what the opposition would have you believe, Mr. Speaker, care in chronic convalescent hospitals is covered by the present insurance scheme. In addition, because of local shortages of hospital beds there are 566 patients in licensed nursing homes whose care is covered by the present insurance.

I would like to go on to say that 15 home care programmes are serving patients in their homes, instead of in hospitals, and the voluntary active services of the visiting home care have made a deep impact on this type of care.

The Department of Health pays 100 per cent of the cost of service and administration of these programmes. The cost last year was well over \$3 million for 354,610 patient days. The average length of stay for each patient

the programme was one month and the average cost per patient day, excluding the attending physician's fees, was \$8.50.

We are, of course, encouraging the extension of present programmes to take in larger districts and the development of new programmes to serve all health unit areas in the province. The 15 programmes in Ontario are serving Metropolitan Toronto, Ottawa, Guelph, Wellington, Dufferin, Hamilton, London, Windsor, Kitchener, Waterloo, the Lakehead, Peterborough, Burlington, Oshawa, Whitby, Lincoln, St. Catharines, Bradford, Kingston and Sarnia.

But that is not all, sir. As of January 1, 1970, The Department of Health, under the homes for special care programme, maintained 5,250 residents in 248 specially licensed nursing homes in this province. This represents 32 per cent of all licensed nursing home beds at the *per diem* rate of \$10.50 paid to the home operator by The Department of Health for the care of each resident. In addition, 1,500 residents are maintained by the department in 214 licensed residential homes at the *per diem* rate of \$5.

Incidentally, the department also supplies clothing, drugs, comforts, a social service to all these residents and medical insurance coverage. Dental care is also paid by the department. The cost of this programme to the department last year was \$23,213,350, for the maintenance and care of the residences, plus \$505,100 for salaries of personnel involved in the administration of the programme, travelling expenses and other administrative costs, for a total of \$23,718,450.

The Ontario Hospital Services Commission, under the insurance plan, pays for 566 patients in nursing homes. This is three per cent of the beds. Municipalities maintain 4,081 residents in nursing homes. This represents 25 per cent of the available beds. Under The General Welfare Assistance Act, the province reimburses the municipalities 80 per cent of the cost of this care up to \$10.50 per day per resident. To put it quite bluntly, 60 per cent of the beds in nursing homes are paid by the provincial government agencies.

Even at that, Mr. Speaker, the government is giving very close consideration to the question arising out of this resolution, and a committee of senior government officials is now reviewing the entire issue. This is a difficult and complex matter, for the kind of care for persons referred to in the resolution requires a great deal of study, and this is

what the government is doing at this moment.

So you see, sir, we are looking into the matter quite deeply. We do not intend to be pressured into instituting programmes we will not do the job properly. We intend to provide for the people of Ontario the best possible programmes in the best possible way for all concerned.

**Mr. G. Ben (Humber):** Mr. Speaker, in coming to support the resolution of the hon. member for Cochrane South, I am a bit surprised at the attitude expressed by the last speaker, that is the hon. member for Hamilton West. The member for Hamilton West would lead us to believe that a need for convalescent nursing homes is not concerned. However, in the same breath in which she tries to allay our fears, she points out that only 60 per cent of the people in nursing homes are presently subsidized by the government, and also expresses concern that must be the government's concern in this matter that presently the matter is under review is a pity that the statements made by the hon. member for Quinte were not permitted to be accepted by this House, because obviously he was expressing concern closer to the truth of the situation that exists in this province than was the last hon. member.

Mr. Speaker, lately we have been talking about the medical profession over the coals, accusing them of being heartless and lacking sympathy and consideration toward the needs and feelings of their patients. The fact that many doctors, because of what to them, at least, is a matter of principle, are billing patients for the 10 per cent of the bill not paid by OHSIP, is cited as evidence of a so-called lack of care. This may be so, Mr. Speaker, but the truth remains that the present situation is so grim in the extent that many of the doctors are compromising themselves in order to look after the interests of their patients, and are breaking the rules by keeping many people in a treatment beds because those patients cannot afford to be elsewhere.

My riding is served by two general hospitals, the Queensway General in the west and St. Joseph's in the east. I am informed by a very reliable source that at St. Joseph's Hospital the shortage of active treatment beds has been so acute that there has been an elective operative admission in the past two years. Many doctors must refer their patients to the emergency wards because

they cannot get a bed for them any other way.

People today are put out, not so much by the operation itself, whose cost they know will be taken care of through Medicare, but by the thought of having to convalesce at their own expense. This is just beyond the means of many people. The real answer, of course, is to build more nursing homes, more convalescent hospitals that specialize in convalescence, and to bring them into the health scheme. In the long run this is the only way that it is going to work. But until that is done we have to take emergency steps to alleviate the present state of affairs, which is indeed serious.

For example, the *per diem* rate of the Queensway Hospital, which I just checked out a little while ago, for private patients is now \$59.40 per day; semi-private is \$55.90 per day, and the ward is \$50.40 per day. This is completely beyond the means of any normal person who has to pay his own way.

Nursing homes, particularly in Metro, are in short supply. They only want to take those patients who are in the least trouble. They are in a position where they can take their pick of patients, and of course they get the same money for patients who need a lot of care as for those who need a little care. Naturally they are going to seek and accept those who need little care.

According to the figures prepared by the *Star's* staff writer Marilyn Dunlop, on Monday, August 11, 1969, Metro had 55 nursing homes with about 2,000 beds. If we were to adopt Alberta's standards where three beds per 1,000 people was adopted as a guideline when the province began its nursing home insurance programme in 1964, Toronto should have 6,000 beds.

Even Dr. Barbara Blake of The Ontario Department of Health admits that there are not enough nursing homes to cover the existing needs in Metro and in such places as Brockville and Niagara. In the whole of Ontario there are about 15,000 beds in the 456 nursing homes. As well, there are 1,200 nursing beds in institutions run by charitable organizations, and unfortunately there are 9,000 in municipal homes for the aged which, though, are not truly nursing homes, Mr. Speaker.

The fire marshal has not helped, since a number of homes are expected to close as they are unable to meet the standards. The fire marshal has moved in in many areas with a very rigid fire code, and we cannot deplore

this, but it is still aggravating the situation. As of last August, only 35 of the 456 homes in the province have been given the status of approval in the form of a full licence, 70 others have provisional licences.

Mr. Speaker, I would like to quote from the Metropolitan Toronto Hospital Planning Council annual report for 1969, in which was said:

There are many patients who still require chronic hospitals and nursing homes as places of residence. Furthermore, until such time as nursing home care becomes a benefit under the hospital insurance programme, as it ultimately must, then it is only natural that there should be strong resistance to transfer from a hospital to a nursing home.

That is sort of inconsistent with the statement made by the last speaker.

However, our medical knowledge extends the life span of many people, and as our hospitals become more and more crowded and costly, health officials have begun eyeing nursing homes as the obvious outlet to care for patients who no longer need intensive care but who cannot look after themselves.

So, what we have to do now is to have an accreditation programme for nursing homes, and as soon as the nursing home is accredited as having come up to the minimum standard, it ought to qualify for a substantial *per diem* rate that would make it worthwhile for the nursing home operators to stay in business.

Alongside that, of course, we must immediately institute the extension of hospital insurance coverage to persons in all chronic and convalescent hospitals or approved nursing homes. It is no good playing Perry Mason and having provincial officials hunting down and closing unlicensed homes if we are not combatting the situation in a positive way by a regular programme of building, under guidelines like the model guidelines of the province of Alberta where three beds per 1,000 people is the rule.

As soon as possible in this affluent province we have to have many more homes built, one floor or at least with elevators. In many homes today people who cannot get up and down stairs are housed on second floors. They never get outdoors at all; they are confined to a little area of hallway and to the rooms, and there are no activity programmes for them. It is just not good enough.

Land prices are forcing nursing homes away from the core of the city, yet it is well known that older people like to be in the hub of things in many cases.

A fair rate would appear to be about \$12.50 a day on a province-wide basis, and this should be paid whether the patients are welfare patients or not. The present situation, where a token number of welfare patients are admitted to nursing homes where the rest of the patients pay, is really not good enough for this day and age.

The minister should also consider premium rates for especially severe cases in order to encourage the nursing homes to take them and thus relieve the regular hospitals. In some instances, the *per diem* rate of up to \$20 a day might be justified and would still save the province money.

If possible, co-operative use of occupational therapies, paid for by the province, should not be overlooked. Volunteers can still play a tremendous role in helping people help themselves, but they need professional skills in directing their energies to achieve the best results.

So, Mr. Speaker, you see we have to go a long way from the present attitude of the government. I would like to commend the comments of the member for Quinte as expressed on page 361 of *Hansard*, for March 9, 1970. He said, and I quote:

I wonder if the people would not have welcomed a specific promise of assistance in the field of health care, with particular reference to insurance coverage for nursing homes, rather than the overall generalities in the Speech from the Throne.

Mr. E. W. Sopha (Sudbury): Did he say that?

Mr. Ben: He did indeed!

The recent announcement that the *per diem* rate for indigent patients in nursing homes is to be increased by \$1 per day I am sure will be appreciated by all nursing home operators. But unfortunately, Mr. Speaker, this offers no relief to the thousands who must continue to meet their own expenses. In my opinion, it is essential that all parties requiring nursing home care receive benefits comparable to those received by patients treated in active and chronic treatment hospitals. I suppose, like the hon. member for Sudbury, I shall have to make this an annual appeal. But I am not easily discouraged, and I am always hopeful that sooner or later our government will recognize the need for such assistance.

And that is the end of the quotation. What a contrast to the statement which was just made to this House by the hon. member for Hamilton West. You would question whether they belonged to the same party; you would question whether they were indeed both members of the standing committee on health. I believe they just sit over there together. Well, the member for Quinte has been commended widely for the theme of that speech.

I think that my final point is to end the 1970 report of the Metropolitan Toronto Hospital Planning Council, published March 3, which took the 1969 report a bit farther. In this report, the council stressed the need for extending the accommodation for the chronically ill and for nursing home facilities. They recommended that each district should have a balanced structure of a treatment, convalescent treatment, chronic nursing home facilities. And with that report they did a detailed analysis of each planning district in Toronto. When, I ask, are we going to hear from the government in reply to that particular study?

In conclusion, Mr. Speaker, I can only say this: The government does not have a leg to stand on, so let us get on with this report right away.

Mr. N. Davison (Hamilton Centre): Mr. Speaker, for more years than I care to remember I have introduced a resolution to include nursing home fees in our hospital insurance plan, and I rise today to support this resolution. I find it a great moral indictment of this government that I must stand here today and speak again on a matter which is in need of such urgent attention and action.

The recent increase of \$1 per day, which may be justified from the point of view of nursing home operators, has increased the burden to the patients to the point where the wealthy and the indigent can avail themselves of this service. Perhaps the hon. members will realize how very serious the problem is when I point out that minimum rates in Hamilton nursing homes cost a patient about \$80 per week—and these are minimum rates.

I am aware, of course, that this government has provided some aid to a few nursing homes, but there are two important factors which I think must be pointed out at this time. First, each year sees more and more people over 65 years living in Ontario. According to the DBS figures, there were 508,073 people aged 65 years or over in 1966 and 580,000 people in 1967. This is an increase of well over 70,000 people in one year. It is my further understanding that the number of elderly requiring the services of nursing homes has risen in direct proportion which, according to DBS figures, would mean an increase of 12.3 per cent.

Second, in the past ten years, the number of nursing homes covered by the Ontario Hospital Services Commission has dropped drastically. In 1959, 59 homes were open to this coverage. In 1966, this number had fallen

to 40, and in 1967 there were only 35 nursing homes covered by the Ontario Hospital Services Commission. I must point out that this picture is even worse, because only some beds within these nursing homes were covered. These figures indicate a paradox of the most tragic nature. While the number of elderly is constantly increasing, the number of nursing homes covered by hospital insurance is constantly decreasing.

There are many elderly in our hospital beds. Dr. J. B. Neilson, former chairman of the Ontario Hospital Services Commission, reports that they take up about 25 per cent of the beds and, in many cases, they do not need the services of a hospital. What they really need is the custodial care of a nursing home. This, unfortunately, is causing an acute shortage of hospital beds in this province. The main reason for the people staying longer in the hospital than they need is because they simply cannot afford the care they need in a nursing home.

Those elderly in hospital beds are costing the taxpayer \$45 a day or more for their stay in the hospital. If they could be transferred to a nursing home bed covered by hospital insurance, it would mean a reduction to \$12 *per diem* or a net saving of \$33 per day to the taxpayer.

Perhaps the most terrible effect of nursing homes not being covered by the Ontario Hospital Services Commission is the great economic strain that it puts on the individuals concerned. On January 24, 1970, an editorial appeared in the Toronto *Daily Star* which presented an individual case which the paper thought illustrated very well the need for this extended coverage and the effects that the lack of it caused. In my opinion, it is a tragic but all too familiar case. This is the case set forth in the Toronto *Daily Star*:

Mrs. Daisy Hand, 84, was taken to hospital when her son-in-law and daughter, Ted and Phyllis Neilson, could no longer provide the total care she required, being unable to feed herself or control her natural functions.

She could not remain in either an active treatment or a convalescent hospital, where care is insured under the Ontario Hospital Services Commission. She had to go into a nursing home at a cost of \$84 a week.

Right there the economics of the situation became hopeless, with Mrs. Hand having no income but her \$109.50 a month old age pension, her son-in-law earning only \$95 a week and her daughter unable to take a job because of illness.

To meet the bills, the Neilsons had to sell their home they shared with Mrs. Hand and move into a \$181 a month apartment. Now they are being impoverished as a result. In a few more years, a property of old age.

Mr. Speaker, in answer to those who say that the bedridden, like Mrs. Hand, are not admitted to chronic hospitals because their condition is not chronic, I ask you what condition is more chronic than that of the bedridden elderly? I must emphasize that their numbers are increasing.

The Social Planning and Research Council of Hamilton and District, in their brief to a special Senate committee on poverty, report that 20 per cent of the poor families in metropolitan Hamilton are retired couples. They will doubt eventually require nursing home care. We must look after them by providing the care they need.

We can do it through welfare programs. If it is true, but a much better way is through a hospital programme which would extend this kind of service to many who, though not elderly, would still find nursing home care met their requirements, but who are not patients in active hospitals.

I would have hoped, after many years of arguing and pleading for the extension of hospital insurance to nursing homes, that I would now be able to speak to an amendment to improve such an Act. However, I am myself in the position of having to repeat my pleas.

Mr. Speaker, in closing I say again, the need for extending coverage to nursing homes is more than obvious—on the basis of relieving the bed shortage in various other kinds of health facilities; on the basis of making substantial savings by providing less expensive facilities for persons whose needs are different on the basis of lifting the crushing financial burden from those who cannot be cared for at home. Let us delay no longer in making this service available to all the people of Ontario whenever they need it. Let us have unanimous support to this resolution.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Speaker—

Mr. Sopha: We want Potter!

Mr. M. Gaunt (Huron-Bruce): We want Potter!

Mr. R. G. Hodgson: Well, I will do it in meantime.



Mr. Speaker, as pointed out by my colleague on the government side of this House, it is essential that great care be taken so that all possibilities are given careful consideration.

I am convinced that if we should simply jump into one sort of scheme or another—as the opposition would just love us to do—

Interjections by hon. members.

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

**Mr. R. G. Hodgson:** —we would be doing all people of this province an injustice, particularly those people who would fall under the schemes.

Of the many possibilities and alternatives, I favour the suggestion of a prepayment insurance plan. This method could be used as a substitute for the personal contribution toward the cost of domiciliary care. It would embody the same type of arrangement as presently pertains to the Ontario hospital insurance plan respecting indigent and non-indigent persons.

It would allow the participant to contribute to the plans in the course of his productive years so at the time of need he would have the personal gratification of having paid for it, free from the connotation of welfare support.

Certainly, Mr. Speaker, if total population participation could be achieved, the premium contribution would probably be relatively small, bearing in mind the low *per diem* cost and the lengthy period of contribution.

However, whatever method is used to alleviate the burden of the personal contribution for domiciliary care, some way to prevent the unloading of persons onto the scheme must be built into the programme.

Here is where we begin to fall into trouble, Mr. Speaker. There are always those who will create programme problems for others. That is why this matter must receive extensive study by knowledgeable people.

A deterrent fee, being used in Alberta, at \$2.50 per day, has proved ineffective. We could institute screening procedures by utilizing medical doctors and social workers in an effort to determine need. Then, too, we could provide extension of home care which would be most logical because it would do a great deal to keep people in their own home setting. Certainly, familiar surroundings are more attractive than those in an institution and if some care could be provided, the temptation to leave the home atmosphere would be lessened. The importance of having

the home remain free from attachment as asset is obvious.

Under these circumstances, Mr. Speaker would be logical to make some provision OHSIP coverage to include Victorian Order of Nurses' services. It is not too difficult to assume that the VON does and can provide excellent care services at home, at a reasonable cost if those services were covered under an overall plan such as OHSIP.

However, as I stated previously, Mr. Speaker, regardless of what I and the hon. members say here today, the fact still remains that the matter must be given thorough study before any decision is made.

The government is doing just that, sir. The entire matter is being reviewed by a committee of the Ontario cabinet. It is absurd for me to assume that we could possibly come with any conclusion to such a complex situation as this, within the limited time that I have devoted to it.

I respectfully submit, Mr. Speaker, that this House await the report of the committee concerned, so that we can have an intelligent look at the matter. Thank you.

**Mr. Gaunt:** Mr. Speaker, I want to make a few remarks concerning this subject. My friend from Hamilton Centre made reference to the fact that he had taken an interest in this matter, going back a good number of years. I, too, sir, have taken a great deal of interest in this particular problem area of our society. In my seven and a half years in this Legislature, I have also spoken many times about this subject.

I believe I jointly sponsored the resolution of my friend from Hamilton Centre on a number of occasions in this regard, but nothing happened. Each year, government members treat us to a dissertation on the problems involved, the costs involved, and all of the other so-called problem areas, but their minds at least, of giving coverage to people who enter nursing homes in this province.

The last speaker made reference to the fact that this matter needs a great deal of study. Really, Mr. Speaker, I do not see why. In my mind, it is not at all that complex a matter of providing the coverage, but determining the best possible plan. It seems to me that if one were to use the facilities which are already available, that is to say the Ontario Hospital Services Commission, to do this, to provide this, then surely the cost flow once that initial decision has been

made, becomes a matter of costing for the commission, and the mechanics are relatively simple.

I was always under the impression, Mr. Chairman, that sickness and old age needed treatment and care, rather than study, and surely we do not have to study—

**Mr. Ferrier:** Did the select committee on aging not study that?

**Mr. Gaunt:** Certainly, the select committee, as I understand it, dealt with this. I do not know how much study we have to have on this problem. We have been studying it for four years.

**Mr. J. Renwick (Riverdale):** They are not studying; they are procrastinating.

**Mr. B. Newman (Windsor-Walkerville):** They are studying it to death.

**Mr. Gaunt:** So, Mr. Speaker, I do want to urge it upon the government, and I view the private members' hour as an opportunity to persuade the government in a number of areas, not the least of which is in the area of social benefit or betterment.

I feel this is a very important area, and we must try to bring these problems forward. I know that my friend from Humber has made reference to the fact that doctors are placed in an invidious position when a patient who is viewed as a chronic patient is asked to leave an active treatment hospital.

I know on many occasions in my experience I end up getting a call from the family, who more or less insist in a kindly way that I phone the doctor in an effort to try to persuade him that the patient in question should be left in the hospital for a few more weeks. This places the doctor in an awkward position, who in some cases, I am sure, really has to stretch a point in order to comply with the wishes and the needs of the family. And so, really, I just cannot understand why the government has not moved in this very obvious area before now.

The member for Hamilton West mentioned the fact that the government is already providing for the care of roughly 60 per cent of the patients in nursing homes at the present time. The member for Hamilton West mentioned that, and if that is so, I would presume that that may be slightly high. If that is so, then I think then the cost argument dissipates. The cost argument is not really all that important if in fact 60 per cent of the patients in nursing homes are already being paid for. So I think that argument flies out the window.

I was very interested in reading the series of articles in the Toronto *Daily Star* in January which certainly focused on this particular problem. I think that it made the general public more aware of the problem and I would hope that it brought some more pressure on the government to move in this area.

The articles already referred to in this particular debate cited a number of cases. Mrs. Daisy Hand, who has ended in a nursing home; her daughter and the husband have had to pay for her keep in a nursing home. It has taken most of their savings and they had to sell their home.

The member for Riverdale has certainly brought the case of the Boulders to particular attention in this House. Really, Mr. Speaker, I do not know how long we have to go on and countenance the hardship experienced by the Boulders, by the Neilsons, by Mrs. I. and hundreds of other people who find themselves in similar circumstances, I am sure.

We pride ourselves on being an enlightened society, certainly an enlightened province, and I just cannot understand how we can countenance this kind of thing which causes citizens to lose their savings. It causes frustration; they become discouraged. I think it was very well summed up by Mr. Newman when he said that when you get old, no one cares about you. I think that is a very good commentary on our society and, indeed, on this government—to be the victim of an ultimate resignation when no one seems to care. How tragic it is, Mr. Speaker.

I want to say that the arguments we have heard today are the same arguments we have been hearing for the past number of years in this House in respect of this matter. I say, Mr. Speaker, well I almost beg the government, to act in this regard.

**Mr. R. F. Nixon (Leader of the Opposition):** Do you mean those two men sitting over there?

**Mr. Gaunt:** Yes, the two members of the cabinet. I realize that they are not great numbers but perhaps they are strong in influence. If I am successful, Mr. Speaker, in persuading the two cabinet ministers who I present this afternoon, perhaps they will back and talk with their colleagues and prevail upon them.

In conclusion, Mr. Speaker, I say to you that the arguments we have heard over the past year are stale, but nonetheless compelling. I urge the government to act in this obvious area of need forthwith.

**Mr. J. Renwick:** Mr. Speaker, in the few brief minutes that are left in this debate, I want to bring the House up-to-date on the situation in the Boulter family to whom the member for Huron-Bruce referred a moment or two ago. I have here before me the photostatic copy of the mortgage, or lien, which the Boulter family have now had to give on their house property in order that they may be able to provide the funds by which Mrs. Boulter will be maintained.

This is a lien given by Mr. and Mrs. Boulter, who are the joint owners of their home, to Mr. John Gordon Anderson, the commissioner of welfare for the municipality of Metropolitan Toronto. It recites that the Boulders are the owners of the land, that Mrs. Boulter has requested the municipality to incur certain expenses in connection with her maintenance in a nursing home, licensed pursuant to The Nursing Homes Act, 1966, and they have represented that for them to incur such expense on their own behalf would require the sale of the lands and premises described in the lien.

The House will recall that earlier this year I pointed out on March 13 that the lawsuit which had been instituted by Our Lady of Mercy Hospital against the Boulders had been finally discharged on payment of a nominal sum, and the threatened judgement of over \$12,000 was removed as a burden from them. No sooner had that been done, of course, than in order to provide for Mrs. Boulter's care, they had to enter into this mortgage to secure the commissioner of welfare of Metropolitan Toronto against the costs which he is incurring on behalf of Mrs. Boulter.

My estimate is that on the basis of a year, the costs which will be incurred are of the nature of \$4,000. One can readily realize that the equity in a home which already bears a mortgage, in two years or at the most three years will have totally disappeared. The Boulter family will live in that house at the will and whim of the municipality; they will have no other means of support, they will have dissipated all their assets and only funds that will be available to them will be the relatively nominal salary which Mrs. Boulter is able to earn of about \$60 a week.

That is the end of the Boulter story. I do not know what more the government needs. The story is on the record on four separate and distinct occasions and the whole story is one of the greatest conceivable tragedies that could strike a family and have them suffer the financial burden which they are suffering at the present time.

**Mr. Speaker:** This completes the private members' hour.

**Clerk of the House:** The 12th order, House in committee of supply; Mr. A. E. Reuter in the chair.

ESTIMATES, DEPARTMENT OF  
CIVIL SERVICE  
(continued)

**Mr. Chairman:** Estimates of The Department of Civil Service.

It being 6 o'clock, p.m., the House stands in recess.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Monday, April 27, 1970  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 27,

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF CIVIL SERVICE (concluded)

On vote 202:

**Mr. Chairman:** The member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** Mr. Chairman, I have a few questions of the Provincial Secretary regarding the report and the methods of arriving at the conclusion. What is the title of the job that carries the top rate of \$37,500?

**Hon. R. S. Welch (Provincial Secretary):** Senior deputy minister.

**Mr. Gisborn:** The Provincial Secretary's 1968 report, on page 14 under the heading, "Keeping Abreast of the Ways of Markets", states three major salary surveys were conducted to obtain background information for the review of pay rates for selective classes in the social services, general services and law enforcement categories. These surveys involve an extensive study of rates paid to social workers, nurses and occupational therapists employed by private and public agencies throughout the province, as well as of the rates being paid to municipal police and fire department personnel.

Now, read that and try to figure out for what purposes it would be needed, and I understand that it involved an extensive study. I wonder if the minister could explain just what would take place in trying to get this information? The reason I ask this question is that it seems to me that kind of information should be readily available at almost any given time, either through Dominion Bureau of Statistics records, from the firefighter's association, the policemen's association, or from municipal clerks.

What is meant by an extensive study? When you get through all this extensive study and survey, really, what does it mean? What are you giving it for? I understood from an answer to a previous question that this is how you arrived at the rate of pay for some of the

civil servants. My comment on that is, would we make a survey of what is paid to some of the public sector social workers and some of the private agencies, why do we have to relate that strictly to the pay that we are going to pay as governors of a province to our employees? Why cannot we establish a rate that is suitable under a classification

**Hon. Mr. Welch:** Mr. Chairman, this would be the point. I think we need, under these estimates to, perhaps, say another word or two about the pay and research branch of the civil service. This is a very extensive work that is carried on under the direction of a commission and by the staff of The Department of Civil Service. And, of course, it enables the commission to really apply some objective tests and standards, insofar as a rating at the classification of these positions and the pay price tag which is going to be attached to these positions is concerned.

There was some suggestion that perhaps all we did was look around for the lowest common denominator, say that was it, and go forth. I want to clear up any misunderstanding that there may be in this committee, Mr. Chairman, with respect to the activities of the pay and research branch.

We made some comparisons before the supper break with the industrial comparison index which is maintained by the Dominion Bureau of Statistics. I want to point out to you that the basis on which this particular index is built, I understand, is that all employers in Ontario and Canada with 20 or more employees are, in fact, included in the calculations of their average pay. It includes all the salaries paid in that particular country from the top management to whatever other classifications of jobs there are.

In doing this sampling ourselves, although we have this information available to us, the hon. member makes reference, we like to satisfy ourselves that we are really making job specifications and that we are, to the best of our knowledge in carrying out the objectivity of this type of research, making fair comparisons in order that we can arrive at a fair wage for this particular job classification. It is a very extensive study.

I have had the opportunity to review, with various classifications, just how extensive it is and to satisfy myself that in the sampling—but not just so much in the sampling, if I can interrupt myself, but in making the comparisons—that they really do relate to the type of job that we have classified and indeed to what we are paying.

May I give you an example? There were some figures quoted here earlier today in the consideration of these estimates with respect to what would be the adequacy, or the inadequacy, of the wage to be paid for the performance of certain duties. The point that I am trying to make is this. Whatever those duties are, we satisfied ourselves as an employer that we are, as a result of our extensive research and as a result of our study, paying insofar as the government service is concerned what that same person would in fact make in the same job outside of government service.

So to go to your question particularly, we have got to satisfy ourselves, in the spirit of this type of research, that we have in fact studied the available material and made sure, and I will now repeat myself, that we are comparing the same thing and the responsibilities which are attached to the positions which have been classified.

**Mr. Gisborn:** The information does not seem to satisfy me and the statement does not seem to justify the explanation and this is what I am getting at. Do these surveys involve an extensive study of rates paid social workers, nurses and occupational therapists employed by private and public agencies throughout the province, as well as rates being paid municipal police and fire department personnel?

Relating them to your department or to your projected needs in your department and finding out what these rates are, might be one of the more expensive jobs. Certainly these rates should be available by return mail to the various districts.

**Hon. Mr. Welch:** I apologize, Mr. Chairman, because obviously I have not been very clear. A mail survey really does not produce any more than some bare facts in connection with what a certain job classification in that particular municipality or private industry is paid. What I am trying to say is that our research goes behind these figures.

We have to satisfy ourselves that we understand exactly what the person in that particular working environment is doing to earn that particular money. Then we have got to

relate that to what he is expected to insofar as his job classification in the service is concerned, and this requires a good deal. I think this is the only objective fair way in the interests of our employees.

We have to really satisfy ourselves that we are not making a comparison on the basis of bald figures coming to us in the mail, we are relating jobs and the responsibilities connected with jobs. There may have to be some alteration in the facts and figures that have been simply mailed to us. All I am trying to get across to you is the fact that you name the position, be it social worker, be it physiotherapist—and we have various classifications within the government service in order to arrive at what we think is a fair salary for anyone performing these functions—we have to go through these particular steps and this type of analysis.

**Mr. Gisborn:** It seems to me that the Provincial Secretary has certainly made a mistake out of a molehill. Does he mean to me that his department cannot, through the police commission of this province, find out what are the rates being paid to municipal police and, through the fire marshal's office, of fire department personnel, and what the job is? Can he not find out from The Department of Social and Family Services what social workers are supposed to be doing?

Certainly they have got classifications. They have been paying them on in the province, through The Department of Health, through therapists through The Department of Health. I would think anyone could get that information by getting in touch with one of the government departments and have the description; it should already be in the classifications of this department.

**Hon. Mr. Welch:** What our job classifications are does not necessarily mean that we know the job classifications of the salary. We are comparing and the information we obtain. We might want to know more than just salaries. We may be interested to know the working conditions and the arrangements for overtime and a number of other matters.

I can assure you that this is all in keeping with the spirit of satisfying ourselves. We, in fact, make the statement which I made before the supper hour—that we compare that way with similar jobs performed outside the government service.

Vote 202 agreed to.

Vote 203 agreed to.

**Mr. Chairman:** This completes the estimates of The Department of Civil Service.

### ESTIMATES, DEPARTMENT OF THE PROVINCIAL SECRETARY AND CITIZENSHIP

**Mr. Chairman:** The Department of the Provincial Secretary and Citizenship. **Mr. Minister,** do you have an opening statement?

**Hon. R. S. Welch (Provincial Secretary):** Mr. Chairman, I am very happy to table for the consideration of the committee, the estimates of The Department of the Provincial Secretary and Citizenship. I look forward to a very meaningful exchange as we discuss the various votes for which funds are requested.

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

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, I would like to point out to this Legislature, possibly for its benefit, something that I realized in the preparation of these estimates.

It occurred to me that because of the nature of this department, it would be very easy for a critic to become enmeshed in narrow nitpicking. The provincial affairs branch of the department provides what are commonly called housekeeping aspects of government which constitute the services that we here in the Legislature and the public generally desperately need. They are the essential nuts and bolts of government machinery which, if I can extend this analogy one step further, the minister has done a good job in keeping well oiled.

Because they are so small, they lend themselves to nitpicking. Nevertheless, I will attempt to avoid the pitfalls of examining the various individual housekeeping services in my opening remarks, tempting as they may be.

Obviously, there are some aspects of these essential services that I want to examine, question and criticize, but I will restrain myself and deal with them under the appropriate votes.

I want to make it clear to this Legislature that because I am omitting mention of most of these nuts and bolts of The Department of Provincial Secretary and Citizenship, I do not mean to imply that I think they are not important for our constant scrutiny and examination. Nor do I intend to infer that they are not important and crucial to the operation of government

in Ontario and essential in providing services to the people of Ontario.

Just because I am going to concentrate upon the citizenship branch of this department, I do not believe this branch provides more essential or more vital service to taxpayers of Ontario. Rather, I think since the Provincial Secretary deals with the so-called housekeeping services, we can have any general policy about them rather than asking that they be operated efficiently and that they provide excellent service.

There is one aspect of the Provincial Secretary's department that I think is important to consider now. I would like to discuss one of the new services provided by the department, the new bookstore, the first of its kind dealing solely in government Ontario publications. I would like to commend the minister and the government for the insight in recognizing the need for such an outlet for an endless supply of government publications. After all, what is the point of documenting such a vast supply of information if the people who are paying for it, and, of course, I am referring to the taxpayers, cannot make use of it. As Mr. Kinmond the new Queen's Printer and Publisher, admitted in the story in the *Toronto Daily Star* on April 4, 1970:

There is at present no individual who knows what publications the government has produced over the years, where they can be obtained, or what they cost. It is not clear what various departments are producing them at any given time.

**Mr. R. F. Nixon (Leader of the Opposition):** He sells only the ones that are out of date, of course.

**Mr. E. W. Sopha (Sudbury):** Did he do that before or after his appointment?

**Mr. B. Newman:** Statements like this may be very reassuring to the taxpayer.

**Mr. Sopha:** The great one-liner.

**Mr. B. Newman:** At least it is encouraging to know that someone is going to try to get it out for us. It is good to see the government taking such an interest in informing the public or, as the *Star* story puts it—assuming this is Mr. Kinmond speaking—the new bookstore will “make this wealth of fact, legend and advice available to the public.”

**Mr. Sopha:** Well, he wrote the story and it is obvious.

**Mr. B. Newman:** A laudable goal, I am sure.

**Mr. Sopha:** He is still working for the *Star*.

**Mr. B. Newman:** It is unfortunate, though, Mr. Minister, that you put the bookstore in such an inconvenient location for many people. I would have thought that the department would have followed the example of the federal government and located its store somewhere close to where the people are. The federal Queen's Printer store is on Yonge in the heart of the downtown shopping area in Toronto.

People are more prone to buy books on impulse, if they do not have to spend extra money on carfare or parking. Grosvenor and Bay is hardly what I would call a busy shopping area. Maybe it is the government's plan to stimulate the growth of a shopping complex in the Grosvenor and Bay area. Other than employees from government buildings, who probably see more government publications than they wish, and patients in the nearby hospital, who is there to saunter into the bookstore on Bay Street.

I do not want to spend any more time on this bookstore. I commend the government on recognizing the need for the store, but I only wish, at the same time, you had taken care to ensure that it would provide a useful service to the people who have a right to be informed, that is, the citizens of this province.

I would like to turn to the citizenship branch of this department. This year we find a new minority group under the minister's jurisdiction—the native peoples of Ontario. On the one hand, I am gladdened by the spirit of the Indian community development branch and yet, on the other, I am apprehensive of its inclusion under the citizenship branch of the Provincial Secretary's department. I am apprehensive because I am afraid that workers in the citizenship branch may begin to treat the native people as immigrants.

I am aware of the Prime Minister's (Mr. Robarts) statement of April 3, 1970, concerning the reorganization of The Department of the Provincial Secretary, and of his assurances that the inclusion of the Indians under the expanded citizenship branch indicated only a

—new emphasis on community development and on citizen participation programmes. We are confident that the Indian people will participate directly in the design and

development of this total approach of helping themselves take their full place in life of Ontario.

I am confident that if the government tries all the things it is promising, the Indians of Ontario may begin to feel that they expect a fair deal from this government. That is yet to be seen.

I can only encourage the government to do what it has said it was going to try to do—that is, to offer the native peoples assistance in the programmes that they, the Indians, believe are important and essential for their own cultural development. Do not fall into the despicable trend of other governments and try to determine the programmes for the Indians. Treat this very valuable minority of natural Canadians with the respect that is their due.

The native peoples of Ontario are not savages that need the guidance of the civil and technically advanced white man. They know what they want and they know what they need. We must stop trying to assimilate them. We must stop trying to make them carbon copies of our own kind of Canadian or Ontarian. We must encourage them to retain and foster the aspects of their culture and heritage that will benefit all Canadians.

I only hope that many of the native peoples have not already been alienated any further by the inclusion of the Indian community development branch in the citizenship branch of this department. I hope that they do not see this switch as a slur on their heritage as the original Canadians.

Let not Ontario follow the footsteps of grandfathers and of the federal government in treating the Indian as a non-citizen. We must recognize that the Indian is a "special" Canadian, and that he deserves better treatment and more respect than we have afforded him in the past.

**Mr. Sopha:** He is the first Canadian.

**Mr. B. Newman:** I hope that the changes in the administration of the Indian development programme will be reflected in a change in government attitudes toward these people. I sincerely hope this minister will be more receptive to the responsible and reasonable demands and needs of the Indians of Ontario. I hope that he will recognize the unique and commendable value system—from which, I might add, we could probably learn much about our own and cultural heritage of the native peoples, and he will help them in their fight to retain the aspects of this value system that

essential for the Indian's self-respect. I would warn the minister that he must avoid paternalism at all costs.

I will not say any more at this time about this very important component of the minister's department, as I know my leader will want to discuss the Indian community development programmes in greater detail in the individual votes. I only hope that the minister will let us know very shortly how his department is planning on handling the Indian development branch differently than his hon. colleague handled it in the past.

I would like to consider one other aspect of the citizenship branch in my opening remarks, even though my colleague from Dovercourt (Mr. De Monte) will speak further on that when we discuss it in the individual votes. Over half of the 162,000 immigrants who came to Canada in 1969 settled in Ontario. In the next day or so, we will take our annual look at the way in which these immigrants are helped by the Ontario government. I sincerely hope that the \$18,600 decrease shown in last year's estimates for language training is not an indication of the continuing apathy on the part of this department toward the problems faced by the immigrant in this province. I might anticipate an answer from the minister that the reason for this decrease is that immigration in Canada has declined by 12.2 per cent. This is a feeble excuse, and one that I hope he will not try to use.

This subject will be dealt with in more depth by my colleague, the member for Dovercourt, under vote 1702; as a result, my remarks will be brief. I do wish to point out, however, that as a former teacher, and as a result of conversations with teachers, I am becoming more and more concerned about what is happening to the children of immigrants. I am fully aware of the attempts being made by church groups, schools, service groups and so forth, to try to make some impact on the problem, but the fact remains that every year thousands of talented, bright youngsters are being denied the right to realize their potential because of the language barrier.

Five years ago the present Minister of Social and Family Services (Mr. Yaremko) was critical of the failure of this government to come to grips with the realities of the situation. Today, however, we have a worsening picture: a picture of intelligent young people of 14 and 15 being placed in classes with children four and five years younger than they.

I do not know what kind of reasoning behind this action. Because, as you all know, it does not matter if you put him in nursery school; if a child faces a language barrier, it is very rarely overcome by placing him with much younger children. We wound his pride, you may set him on the way to delinquency, but you will not teach him to want to adjust to his new country. Schools are, I feel, making remarkable strides in helping these young people, but a teacher cannot give him the time and concentrated effort he needs when he has other vital classroom duties.

Other children will usually go along with the buddy system, but this places an undue strain on both children if it is the sole method of teaching the new language used. As a supplement, it is fine. It is and always has been obvious that the government of Ontario will have to take the initiative in teaching newcomers to Ontario about the language and customs of the province. It is not enough to say that courses are available to groups of five or more. These courses must be offered to all immigrants to the province. You cannot expect a person settling in Ontario to know about the courses offered by The Department of the Provincial Secretary and Citizenship. It is up to the department to make the effort and to put an end to the disgraceful waste of human potential taking place under their own noses.

Mr. Chairman, this completes the remarks I had intended to make at this time, and other members from my party will carry on with the individual votes.

Mr. Chairman: The member for Windsor West.

Mr. H. Peacock (Windsor West): Mr. Chairman, my remarks at this stage of the minister's estimates will be brief and on the subject, which I wish to revive from the floor of our last session in December, 1969. This is the matter for which this minister, along with so many other duties that are growing in number, remains responsible: the payment and payment of allowances to members of the legislative assembly, Mr. Chairman, and the manner in which the levels of remuneration and expense allowance for members arrived at.

Last fall, when there was much quiet discussion of the subject of an increase in indemnity and an adjustment of the expense allowance for members of this assembly, I brought to the minister's attention a pamphlet published by the Canadian Tax Founda-

entitled "The Taxation of Members of Legislative Bodies," and I am sure the minister well recalls that document.

I am sure, also, at the time at which the cabinet and members of this House had under consideration the means by which any pending increase would be brought about—as well as the amount—that reference was made to this publication of the Canadian Tax Foundation. For whatever the reasons—and I know not what they were exactly—the government chose at that time not to follow what I thought, and what I believe many members of the House thought, were very firm, strong and irrefutable arguments, firstly, for adopting—and this was the subject which this paper dealt with principally—the end of the tax-exempt status of members' expense allowances, and secondly a new formula by which the whole issue of adjustment in our indemnities and expense allowances could be removed from this House altogether.

**Mr. Sopha:** Never.

**Mr. Peacock:** Well, perhaps not never, but until that interval and procedure or formula—whatever name the member wishes to apply to it—is worked out outside this House, then and only then, preferably not at all, should members be in the position of voting themselves their own indemnities and expense allowances.

Let me turn back, Mr. Chairman, to the question of the tax exempt status of the expense allowance portion of our demeruration. The foundation paper points out that both the Carter commission and the Smith committee recommended that the exemptions be discontinued. They were opposed to the very principle of such exemptions on the grounds that they were abortive of the efforts to create a fully equitable tax base.

Members of the Parliament of Canada, legislative assemblies and municipal councils and other municipal bodies, should not enjoy a privileged position under our tax laws unlike any other citizens in the country, they said. The Carter commission, in its report—

**Mr. Sopha:** Who would say that the member for Ottawa West (Mr. Morrow) needs a tax exemption over there? Look at those receipts.

**Mr. Peacock:**—pointed out that members of Parliament "should be treated on the same basis as other employees and so should be required to bring their allowances into income, and, at the same time, should be allowed to deduct their expenses in earning

employment income, including election expenses."

**Mr. Sopha:** That is his income. He means it by the yard.

**Mr. Peacock:** The commission said:

We would expect that it would be accepted that the regular place of business of a member of Parliament in his riding so that all expenses incurred while in Ottawa and travelling to and from Ottawa would be deductible, as long as they were within the limits established for such expenses. And by virtue of several subsections of section 5 and 10 of The Federal Income Tax Act, I think that recommendation of the Carter commission applies equally to our position in the provincial legislatures. It does to the position of elected municipal councillors.

The study by the foundation also looked at the position of members of the British House of Commons at Westminster. In a study there, it was determined that a much broader view of the duties of a member of the British House of Commons was taken by comparison with the original view of the duties of a member of the Canadian House of Commons or the provincial Legislatures, which was that of associating the member only with action on behalf of the business of legislation when present in the precincts of the House of Commons, or the Legislature.

The British view, however, also put a great deal of stress on the necessity for the member's "place of business" to be both in his constituency and at Westminster. Accordingly, at Westminster, the interpretation of the expenses in these two areas was as follows, and I quote from the foundation paper:

1. The additional cost of living away from home when engaged in parliamentary duties, either at Westminster, or in the constituency, but not in both.

2. The cost of stationery, postage, telegrams and similar items incurred for parliamentary duties.

3. The cost of secretarial and clerical assistance for parliamentary duties.

4. Travelling expenses and parliamentary duties (a) within the constituency, and (b) between Westminster and the constituency, being the excess over the cash allowance made to members in respect of travel by car.

5. Other necessary expenses incurred for parliamentary duties such as, for exam-

the cost of hiring rooms to meet constituents, pamphlets, etc., informing constituents of the member's parliamentary activities, and subscriptions to a local agent or party association in return for which the member obtains help in his parliamentary work.

Then follows a long schedule of expenditures that the committee at Westminster said should not be classed as legitimate parliamentary or constituency expense, but were more related to the function of carrying on election campaigning.

The point I wish to draw from that, Mr. Chairman, is that the distinction I think we now must make in the tax laws—even though they are written at Ottawa a change can always be urged by this jurisdiction, particularly in the light of the present interest the public is paying to the increase in pensions for members of the federal Parliament and the possibility of a raise in their salary and indemnity also—is that the tax laws for us should be written in such a way that we are taxed on the benefit we derive, or whatever total indemnity or allowance or remuneration is received, whatever label is applied to it.

In my view, I feel that entire amount should be reported as income, and members, along with any other taxpayer, should be required and have the privilege of deducting those expenses which are recognized by The Department of National Revenue as legitimate expenses for the business of carrying on the duties of a member of the legislative assembly or as a member of the House of Commons.

**Mr. M. Gaunt (Huron-Bruce):** Hear, hear.

**Mr. Peacock:** I hope that the Provincial Secretary will not let this sleeping dog lie now that we have, with some difficulty, overcome that very vexed problem of providing for the needs of members of the Legislature as we did last December, and will not hesitate to revive the issue with his colleagues in the cabinet and prepare—

**Mr. Sopha:** You should see the look on the face of the Minister of Revenue (Mr. White). He looks like the cat who ate the canary.

**Mr. Peacock:** Mr. Chairman, I know that the Minister of Revenue opposite will be one of the first to second my remarks, because he was chairman of that Smith committee which took such exception of the continuation of the present exemption. I know he will be one of those colleagues of the Provincial Secretary in the cabinet who will find the means of

bringing about the two formulas that I am speaking of—an end to the exemption and removal of the—

**Hon. J. H. White (Minister of Revenue):** If I might just add a word. I think everyone agrees philosophically with what you say until such time as the federal government moves in that direction, it is very, very dangerous for us to do so.

**Mr. J. Renwick (Riverdale):** Why?

**Hon. Mr. White:** The reason being that ordinarily expenses are not chargeable against salary. For instance, if a man works for a corporation and if he incurs certain expenses which he must pay, and which the corporation will not pay, those expenditures are deductible for income tax purposes.

Now, if a province in Canada breaks new ground in this matter, it may very easily be that those very legitimate expenses are deductible for income tax purposes. I think those who are familiar with the problem thought it would be wise to wait until the federal government changes its compensation structure and publicly announces the rule. As far as deductible expenses are concerned, for me, or for that matter, any other person, it did so.

**Mr. Peacock:** Of course, Mr. Chairman, the minister reflects an attitude which I think will prevail about our remuneration; which is that that we were not here as employees of the officers or employers, but we were here as legislators, and for the duties we performed here we were indemnified, not paid salary. Of course, the way the present Income Tax Act is written, any other treatment than the present one would probably throw us out of the tax treatment as salary earners, and therefore unable to deduct those expenses.

I am saying to the minister, we have reached the point where the federal government is contemplating an increase in indemnity for the members of the House of Commons. Very likely they will be contemplating an increase along the lines that we always have in the past, in an expense allowance, approximately or, at least, no greater than one half of the basic indemnity. I think it has been the formula pretty well consistent throughout, with the exception of one administration.

It is time for this government now to make its representation—not simply to bring a bill before the federal government to bring a bill before the House of Commons in Ottawa—and, perhaps, introduce that bill in

same manner that earlier House of Commons and Senate Acts were introduced to amend the salaries or indemnities and expense allowances of members and senators.

We have had great difficulty with this problem ourselves in Ontario. The federal members of the House of Commons are going to face increasing difficulty in the light of the pension adjustments that they have just enacted for themselves. I do not feel that the government need hesitate to move now. We have come in for considerable criticism ourselves. I, for one, have had to face that criticism. I have told persons in my constituency that had there been a division in this House on the question before us last December I would have been with the "ayes". Nonetheless I feel that the Provincial Secretary at this point has the prime responsibility to raise this question with his colleagues and the Prime Minister; of moving the consideration of the amount to be paid to members of the Legislature from the House, if possible, altogether. If it requires legislative enactment in all the intervening steps, all the reviews that the Provincial Secretary has spoken of earlier in connection with his duties as chief officer of the civil service, the salary and wage studies, surely, these being at his disposal—

**Mr. Sopha:** I would never vote for that one.

**Mr. Peacock:** He can—

**Mr. Sopha:** An act of cowardice.

**Mr. Peacock:**—he can find the means of arriving independently from this House and the cabinet, at levels of remuneration. I want to explain, in closing, Mr. Chairman, after having said all that, that it in no way indicates the necessity for another adjustment in the salaries or expense allowances of the members of this House. Nor might I suggest to you in any way that we are overpaid at this point.

**Mr. Gaunt:** For a minute I thought that you were leading up to a new adjustment.

**Hon. Mr. Welch:** Mr. Chairman, if I can be permitted at this stage to reply briefly to the comments of my colleagues, the hon. members for Windsor West and Windsor-Walkerville. I overlooked at the introduction of my estimates to welcome to the table of my advisers this evening, the new deputy minister of this department who comes fresh from the very interesting work which was his responsibility in The Department of Labour.

As the minister of this department, I forward to working with Mr. Warren, new deputy minister, and the new acquisitions that come with new responsibilities as we carry out the terms of reference of the Act which it is my privilege to administer as minister of this department.

The member for Windsor-Walkerville makes some reference to the new government bookstore and perhaps, at this stage, it would be sufficient simply to say that the office of Queen's Printer has been transferred and rests as part of the responsibility of the Minister of Public Works (Mr. Simonett).

**Mr. J. Renwick:** It is a little hard for me to keep track of these changes.

**Hon. Mr. Welch:** There are so many things going on in this department of government that we do appreciate the fact that there was some difficulty. I thought, perhaps, I would like to clarify that point.

**Mr. J. Renwick:** Static .

**Hon. Mr. Welch:** We do not stand alone here. At the time of the transfer, the position was changed, by definition, to be the Queen's Printer and Publisher.

The publishing function, as such, is supplementary and advisory to the whole operation of central purchasing insofar as stationery and printing is concerned. But I would concur with the hon. member for Windsor-Walkerville that under the leadership of the present Queen's Printer and Publisher, the books now opened on Bay Street is a much welcome addition to the general information function of government generally. I know that the Queen's Printer and Publisher has other projects which, no doubt, will be expressed to the House through his minister in this regard.

I am interested in the function of the Queen's Printer and Publisher, however, and we might complement and work with him in making publications of government available and as we develop the experimental advice centres, about which I spoke at the provincial-municipal conference last Friday and perhaps about which we will have more to say a little later on in these estimates.

I also say that I appreciate the fact that the member for Windsor-Walkerville has included in his opening comments some comments with respect to the whole matter of the Indian people and our native people. I hope that, as he read and reread the statement of the Prime Minister with respect to the transfer of this branch, he would realize that insofar as the Indian community development branch



is concerned, its primary function and, indeed, its overriding philosophy, has been to help Indians to help themselves. And, through the work of the dedicated people of this branch of government, we have in fact encouraged the Indian residents of this province to recognize their own needs and then to propose ways of meeting these needs, which would be as varied as the number of bands and groups who are looking at their own particular situation.

If you take a peek at the Act of this department, The Department of the Provincial Secretary and Citizenship, you will see why the work of the Indian community development branch is such an integral foundation point for the expansion of this whole concept of total citizenship. Let me hasten to say to the hon. member that I could not agree with him more when he reminds the members of this House, with great meaning and conviction, that we are not talking about immigrants here.

The hon. member for Sudbury has interjected, talking about our first citizens. I would want to dispel any fears in his mind that the inclusion of this vital work is in any way a reflection along that particular line. Indeed, you will notice in our vote that we have a separate branch and a separate vote for this work because we recognize the special needs and the special circumstances and, therefore, the special treatment and response that this requires. If you read this Act and you think in terms of what this minister is charged with under the terms of this Act—that is, in co-operation with everybody, to paraphrase it—he is charged with the specific responsibility to work for all the people of Ontario in a way that they might enjoy full and equal citizenship.

Of course, we are faced with some special responsibilities for any group of our people who feel any disadvantage in enjoying that particular status, namely, full and equal citizenship, using the term "citizenship" in its most broad way. I think that we, insofar as the transfer itself was concerned, took great pains to make sure that, in the true spirit of consultation, there was, in fact, a consultation.

We met with the president of the Union of Ontario Indians to explain the philosophy which was bringing in this next step of our work—that the Indian community of the government branch should be a very foundation stone in the expansion of the total programme. Simultaneously with the announcement by the Prime Minister on that Friday, we, in fact, notified all the Indian bands immediately with respect to the transfer and the reasons

behind the transfer. We invited them to join this dialogue with us so that true keeping with the community development process, would continue to work them.

Mr. J. E. Stokes (Thunder Bay): Why you not have some at the conference? did you not have some at the conference week?

Hon. Mr. Welch: You will have to speak to the conference agenda committee. In keeping with this particular programme of their session, I want to say that other than with one or three of the statements to which I have now referred, I have very little argument with what the hon. member says. Certainly I do not agree more that it must not be from an approach of paternalism. I could not agree more that we must emphasize the great need for consultation, that we keep up the spirit of the work which has brought us to this point and invite the Indian communities to work with us and to help to identify those areas where they feel we can be of some help and some assistance. In other words, to keep the self-help principle very much before us.

There are many other things that could be said here and I would hope that we would in fact have some further discussion, but I did not want to respond at this stage to the general comments made by the hon. member for Windsor-Walkerville on this very important addition to the total citizenship work of this department, which gives a great deal of promise and about which, as minister, I am very enthused in so far as the future prospects of our work are concerned. I have already had the opportunity, in the brief time I have had to meet on three different reservations with the chiefs and to have some discussions with them, I hope as soon as we have the opportunity to clear these estimates to do more in this regard.

Reference has been made to our language programme. I just wanted to clear up any misunderstanding as to the philosophy behind the language training programme. One of the interesting things about this particular work is that there are not that many basic differences of opinion. There are lots of opinions about what we can do, but in keeping with the spirit of the Act once again, if we are going to do it, to remove any disadvantages which any group of people might feel is necessary in order to enjoy full and equal citizenship in Ontario, we have to recognize the difficulties which the language will in fact produce. Language training has been a very important cornerstone

the whole citizenship work; but keep in mind that the function of this department is to move into areas where there is need, and you find these things gradually. I cannot speak for the community from which the hon. member comes, but he, being connected with the educational systems there, will know better than I that in many cases the boards of education in many of our large areas have taken this on as a very important part of their adult education programme. They provide night classes for many people, and where a board is in fact doing that there is no need for us to do it. We move into areas where perhaps boards have not accepted this responsibility. I might point out that as far as our summer school programme is concerned, the Toronto Board of Education wanted to move into this area, and in fact took the programme over and operated it themselves, therefore removing the need for us to provide this particular service.

I am talking now about adult education work in providing special training in the teaching of English as a second language. As far as the elementary and secondary school system is concerned, this still remains a specific interest of The Department of Education working with the school boards, for which the department provides special grants so they may work with young people to bring them up to a certain proficiency in English in order that they might keep abreast of their age group as they go through the school system.

And so may I simply state that as far as this department is concerned, there has been no change in our approach. We are providing this type of instruction where a board of education has not found it possible to incorporate it into its adult programme. I would think, too, there is something to be said in connection with the emphasis you place on orientation. I like that, and I think that as we bring new emphasis to certain areas of our newcomer integration, we might well consider moving more actively into this field of orientation and neighbourhood advice centres for our new people, and in the true spirit of experimentation we work with the International Institute in this regard. And an interesting development, insofar as the educational facilities are concerned, is the interest which the community colleges throughout the province are showing in this adult education work as well. It may be that in this field of newcomer integration there are many other matters which we could do in order to facilitate the integration of our new people into our way here, as richly as we are endowed by

the fact that they bring with them their culture and many of their traditions.

I turn now just briefly to make some reference to the comments of the hon. member for Windsor West, when he makes special reference to Mr. Wolfe's article on taxation of members of legislative bodies. I really cannot add a great deal to what has already been said by my colleague the Minister of Revenue, speaking as he has to the points raised by the hon. member—dearly first of all with the elimination of the exemption and, secondly, with the elimination or the removal from this House of the decision-making responsibility for matters of salary.

All I can say, in speaking to the second point, is that no matter how you carve it and no matter how many intermediaries may be put between us and the body, the Legislature has to vote the money. And I think my memory serves me correctly, it was the Prime Minister himself who shared with the House the fact that, during those negotiations which preceded the introduction of amendments to The Legislative Assembly, there had been some attempt to get some type of objective study or some of the results of some type of objective study to assist in appraisal of the responsibilities of members and therefore to give some thought to salary. But, it was obvious on the basis of that type of study, that those doing it had no appreciation of the responsibilities that were associated with the office. And although there may be some attempts to set up independent tribunals, I think that I would be less than honest if I personally did not admit to interjection of the member for Sudbury. As far as I am concerned, we have the responsibility to make this decision.

We might want to consult with and compare our situation with the responsibilities of other members of other elected bodies. I might want to get all kinds of material. I only repeat what I have already said, echoing what the Prime Minister himself stated during that debate—that it was hardly really for someone to bring this type of objectivity to the analysis of this type of responsibility compared to the business commercial world.

On the elimination of the tax exemption all I can say further, in supporting what the Minister of Revenue has said, would be to share with you how impressed I was with the contribution of the member for Riverdale to the debate at the time that the amendments to The Legislative Assembly Act were

introduced. This, if my memory serves me correctly again, formed the basis of much of his contribution in that debate on that particular day. But he recognized the difficulties, as many of us did, as we approached that subject prior to the incorporation of the present changes in The Legislative Assembly Act; namely, if you eliminated the exemption, how could you relate these things—the very points which the member raises tonight—to expenses necessarily incidental to the function which is ours and recognizing I am sure, as we all do, the necessity for some changes in the present Income Tax Act to accommodate this?

Having said this—and it is now a matter of record, I suppose—nothing is ever final and there is always the necessity of keeping all matters under review. Certainly this exchange this evening on this particular subject, and perhaps what might be done in Ottawa itself in order to accommodate whatever changes they anticipate, might in fact assist us at some subsequent time when we are giving some further review to this.

Mr. Chairman, having made these general comments in response to the remarks of the hon. members, I now look forward to more particular discussion as we consider each vote.

On vote 1701:

Mr. Chairman: The hon. member for Sudbury.

Mr. Sopha: May I ask the minister what Quebec's neighbouring province does on the very modest sum of \$40,000 to improve or sustain the federal experiment under that vote, the Ontario-Quebec permanent commission?

Hon. Mr. Welch: Mr. Chairman, I am not sure I really understand the question.

The programme item in the estimates before the hon. members calls for the activities of the Ontario-Quebec permanent commission. This is to establish the salaries for staff, travelling expenses and maintenance for our permanent secretariat—the Ontario section of the secretariat of that particular commission for which we ask this sum. Our secretariat is located within this department and functions from this building, actually, I mean as far as its physical location is concerned.

Mr. Sopha: In what way do its functions differ from that of the body known as the federal-provincial secretariat — for which group, I must say, I have never had much

enthusiasm judging by the quality of work. But I ought to go on, though I be accused of pedantry, that I never thought that they knew too much of the history of this country and almost nothing about its constitution.

Having risked those comments, I shall like to return to my question: What does that differ from that secretariat?

Hon. Mr. Welch: I start off by saying that it carries out the terms of an agreement which was signed between Ontario and Quebec, by the Prime Ministers of these two provinces, as an agreement for cultural and educational exchange. Perhaps it would be just as well, at this point, Mr. Chairman, to point out that in view of that agreement and the terms of that agreement I have, in assuming specific responsibilities for the implementation of the agreement for operation and exchange in these matters.

This differs, of course, from the federal provincial secretariat, which is, I assume, to this extent charged with the specific responsibilities of the overall and ongoing negotiations between Ottawa and all the provinces. This is a specific area of co-operation between two provinces of Confederation, in terms of which I would be very glad to speak with the member.

Mr. Sopha: I understand that for the promotion of cultural ties with Quebec and the development of understanding and exchange of cultural activities, we in Ontario are willing to sacrifice the sum of \$40,000 that end. Really, is that the price that is put on such a worthy project?

Hon. Mr. Welch: Mr. Chairman, I do not know in what context the verb "sacrifice" was used.

Mr. Sopha: It is ironic.

Hon. Mr. Welch: I have assumed that.

Mr. Sopha: Let *Hansard* get that done so that I spoke in terms of irony.

Hon. Mr. Welch: What I really want to indicate at this time is that this is simply staff machinery in order that we might provide the Ontario counterpart to a similar organization in the province of Quebec to work out the terms of the agreement.

We are talking about a staff person, a secretary and office accommodation, travelling expenses and maintenance costs in order to set up some type of structure which will enable us to carry out this agreement.

which was signed by the Prime Minister of Ontario and Prime Minister of Quebec last June. This in no way represents the total financial outlay of this government in keeping with the spirit of this agreement.

What we would have to do is to go to each of the operating departments of government in order to ascertain what, in keeping with the terms of this agreement, is being expended, insofar as the specific objectives or guidelines of the agreement are concerned. In fact, if anything, the secretariat provides some co-ordination in order that we might in fact co-ordinate and collate all the work we do in this particular connection under the terms of the agreement.

Mr. Sopha: I remember very well—I have a very keen recollection of the signing of that agreement in Quebec City. It is very apposite to say, and to remind my colleagues in the House, that present at the signing of that agreement where the Prime Minister of Ontario led our delegation—and I do not know what of the faithful that he took with him down there; I do not recall what other lesser lights in the cabinet were there; I think the hon. minister from Stormont (Mr. Guindon) accompanied the delegation—but there was present at that meeting in Quebec when that solemn document was signed, René Lévesque, which I thought was a very meaningful presence. Because I daresay that if the Prime Minister of Ontario had hosted the signing of that agreement in Toronto, and Premier Bertrand had come down with his associates, it is doubtful, extremely doubtful, it may almost defy credulity, to say that the Prime Minister of Ontario would have had the Leader of the Opposition present. I think not.

But I remember the pictures very well; René Lévesque was present.

Of course, it was very appropriate to say, two days before—without taking sides whatsoever, because I think Mr. Bourassa will win—that it is very apposite to say that English Canada, Ontario never understands, refuses to understand, that René Lévesque is not looked upon as an enemy in Quebec, by his fellow politicians, of whatever stripe. He is looked upon as a colleague, with whom they differ.

Just let me add, before you stop me, that I looked with some astonishment at the television last night, when it was the clear intention of the CBC to hold up René Lévesque as an object of hatred, ridicule and contempt. I wrote to the president of the CBC about that today, to express my revulsion about that

kind of camera technique—some of you may have seen it.

But if we are going to have any understanding—if we are going to spend any money on the promotion of cultural ties and communications of understanding with the province of Quebec there are some pretty big things that we ought to understand about that province. One almost gives up in discouragement that we ever will make an attempt to understand just what it is that is going on in the province.

But, be that as it may, I am encouraged to be told that the \$40,000 is not the total, because if we have any mission in Ontario, if Ontario has any mission at all the federal experiment, then it is our bound and solemn duty to be the interpreter to the rest of Canada on Quebec. To be more than the good neighbour, but to be an intermediary, because of our contiguity—to attempt to understand the currents of political change that are going on in the province and to achieve something of a moderate respect among the other provinces.

That is why I like to spend money on that type of thing, because I see a sense of direction in it. It is an unfortunate fact about this country of wide expanse—4,000 miles *mare usque ad mare*—that the farther west you go or the farther east you go, the less understanding of the province of Quebec you encounter, until you reach B.C. and apparently it reaches a nadir, the lowest nadir of the nation.

We are right at the centre, the linchpin of Confederation here. It is our bounden duty as neighbours to be that type of honest broker in this federation. Especially are we made for that duty because we have so many people who speak French living in our midst and playing such an important part in the life of this province.

That is my only sortie into the Quebec election. It is appropriate that somebody say something about it here. But I hope that a bit of irony in this—if some other agreement is signed sometime, the Leader of the Opposition will be on hand to show the sense of solidarity.

Mr. Nixon: And Mr. Bourassa.

Mr. Sopha: Yes, and Mr. Bourassa, will no doubt lead his province's delegation. That was a remarkable thing. I am glad to have the opportunity to have mentioned to show just what the political climate in Quebec truly is in respect to Mr. Lévesque.

**Hon. Mr. Welch:** Mr. Chairman, I will leave it to the member for Sudbury to make predictions. Election predicting is pretty risky.

**Mr. Sopha:** You know I am not very sound in that area.

**Mr. Nixon:** This time you are right.

**Hon. Mr. Welch:** I suppose it is fair to say in talking about this, and I would want to underline what the hon. member has said and reminded us of, the agreement itself refers to minimum amounts to be expended by each government with respect to this. Article 17 of the agreement states that each government will allocate at least \$150,000 a year for the purposes set out in the agreement. I suppose by way of summary what I would like to say at this stage is that insofar as the Ontario-Quebec agreement is concerned and the commission established under this agreement, it is the first piece of intergovernmental machinery to be established in the country, dealing specifically with linguistic rights, education, cultural affairs and government administration. As these things are spelled out in the agreement, it really does demonstrate in a very meaningful way the desire on the part of both Ontario and Quebec to carry out in perhaps a more effective way the constitutional responsibilities in these particular areas to which I have made reference.

I suppose, too, it is significant because of the impact it is making, and will continue to make on the future development of our Canadian federalism. It is a matter about which I am sure all members of this House would agree that the Prime Minister of this province has been very enthusiastic and has given great leadership in keeping with the spirit of the hon. member for Sudbury's comments.

Vote 1701 agreed to.

On vote 1702:

**Mr. Chairman:** The Leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, it may not be appropriate next year to congratulate the Provincial Secretary on the carriage of the responsibility of dealing with the Indian development branch, but since he is brand new to the field, I want to say to you, sir, that I believe the decision by the Premier to entrust the Provincial Secretary with this area of responsibility was a wise decision indeed and one that I approve of.

The minister has already said that he has visited two or three of the reserves and I

understand that he has been to the Six Nations reserve according to my informant in that area. I only regret that I was not able to go there to welcome him because, as the minister knows, I and some of his colleagues have been admitted to fairly close association with some of the Indian bands, having been given Indian names. But still, they do not always call upon us when they want to reinforce the dignity of the occasion even when the minister arrives.

I am very glad that the minister has visited the Six Nations reserve which, Mr. Chairman, you might know and I will tell you again, is the largest in Canada.

I do want to make some comment about the future of the responsibility that the minister bears in this aspect of his work in a broader field, since Ontario has an Indian community of mixed background, and certainly mixed fortunes, at the present time. It varies from those who happen to have had good fortune to be located on land established under treaties some years ago when they gave up their rights to the whole of the province that they are established on land of great value and in great demand if they wish to choose to relinquish their rights, which I believe they wisely refuse to do on most occasions—to those who have been, for a variety of reasons, dispossessed even from their holdings of treaty lands in the north, particularly the northwest. They find themselves regarded almost as squatters on the outskirts of some of the northern communities.

These people, I believe, are suffering the worst trials of privation and lack of opportunity, much more so I suppose even than those who have maintained themselves on the reserve lands, where their undoubted right to special assistance, because of their assignments in years gone by with the federal government and to a lesser extent this government, have preserved at least minimum standards of living, even though these, in fact, until recently have been falling disastrously.

I know that we in this House were shocked to hear the statements made by one member of the Kent county board of education which, I feel, revealed that many of the citizens of this province still react to the presence of the Indians as if they just came out of a movie in which they were rooting for General Custer. The statements made by at least one member of the Kent county board are a throwback to views expressed more than a decade ago and which I thought had long outlived by most people, particularly if they had public responsibilities.

I must agree with the comments made by the member for Windsor-Walkerville that the responsibility of the government appears to be obvious, and that is to make the section of the law mandatory which would give Indian bands the right to representation on county school boards where they choose to exercise it.

The minister may be aware that invitations from more progressive boards have been expressed to Indian bands which the bands have as yet not taken up, because they are anxious to maintain more independence than they feel would be possible if they undertook to form a part of the board. This is an attitude on the part of the Indians which I believe is not progressive, which I believe will join other prejudices, perhaps, on the other side as we move forward into an area of better understanding.

I have some specific remarks, Mr. Chairman, that I would like to bring to your attention because I believe the prospect for the greatest change in the development of the Indian in the Canadian community now lies with the Indian people themselves, who are prepared to seek responses and solutions to their own problems in a more direct way.

I would say that, in talking to one of my constituents following the visit of the new minister and those who were advising him, there was one minor complaint. That is, the great man, or perhaps those speaking in connection with him, would say, almost out of the blue, "What can we do to help you?"

There is a tendency, perhaps, on the part of anybody when presented with that kind of an attractive invitation to run out of ideas at just the very time when they should have an agenda of 50 specific things that could be put before this minister who commands a sum of \$1 million and perhaps more than that, if the need were shown, which could be put at the service of the Indian community.

I believe if we are going to allow the Indians a greater role in directing their own affairs we have got to stop approaching them with the attitude based on the question, "What do you want?" Often this will get a negative response since sufficient thought and preparation for the event sometimes does not occur before the occasion presents itself.

I believe that we have to prove our spirit of co-operation—in the very words that the minister, or perhaps his advisers, used on more than one occasion—and I know that the minister, with the support of every member of this House, is prepared to do that. Not just

say once, "What can we do to help you?" make it abundantly clear that we want communication from the Indian bands and their leaders and even the individuals on any kind of basis that they seek to consider; that the minister is in no way simply moving across the province in some sort of a grand progress—coming in like Queen Victoria, perhaps, visiting parts of the empire, bestowing favour

I know that the minister would agree with me that we want to emphasize to those people who are associated with the Indian community, living on the reserves and off, that their attempts to help are in no way dictatorial, that they do base themselves to begin with, before anything else, on the process of consultation often consultation inaugurated and initiated by the Indians themselves. I feel perhaps they are more sensitive than any other group in the community to an abrupt approach, an approach that might seem to be in a way putting pressure on them.

When I say that they have within their own powers now the strength for more direct response, I would say that in the context of my experience, more than any other group in the community that has a distinct feeling that they have not been responded to, the Indian community is a little bit reticent in approaching government or any other group in a strong, forceful, militant confrontational situation.

I believe that whenever this happens tends to be severely out of character for the Indian personality. I must beware that I do not sound condescending myself, because I have often found that the Indian councils with which I have dealt are just as well organized and specific in their dealings with the business affairs in their own communities as any other council particularly those of a municipality or even the councils of the government. They order their business efficiently when they sense that they have control over the agenda and the background developments of the information associated with the agenda.

So I would be glad—and I am sure the minister would agree with me—that the approach does not have to be in any way condescending and I know the minister would not approach them in this way, but with the fullest understanding that they set the timetable.

Their seeking must be met by a greater and greater response from the provinces and Ontario has the opportunity and responsibility to take a key leadership role among the provinces to assist in filling the Indian need

In the context of Indian affairs, it is important to emphasize that federal programmes in welfare, community development, economic development, and in some areas such as education, health and local government, are not the result of treaties or our particular constitution. These programmes were developed as matters of policy and as a result of historical developments.

We often tend to say that the present status springs entirely from the treaties entered into some time more than a century ago, well before Confederation, and in fact it has changed over the period of years as various federal governments have taken new initiatives to provide assistance to the Indians. Sometimes these initiatives have not been well directed and the results have been severely disappointing. But a province which ensures that Indian citizens receive the benefits of its basic programme is not intruding into federal territory; it is merely fulfilling its duty, as it must to all of its residents. The member for Riverdale treated us upon previous occasions to a full legal background of the constitutionality of the role that the province can play and, as a matter of fact, of its outstanding responsibilities which have not been adequately lived up to in the past.

The three northern colleges of applied arts and technology have begun to offer courses which attempt to integrate academic content with Indian life. At Kenora, 20 students are studying band management, a course designed to improve communication skills, to study the main functions of the band council and to teach basic office skills and record-keeping procedures. This is, we believe, a step in the right direction, although there should be no requirement that even these processes of government should be moved over from the white community, *holus-bolus*, without being amended and adopted to the needs of the Indian community and particularly the Indian approach to the governance of their own affairs.

There should be far more opportunities available for Indian leaders to upgrade their leadership abilities through adult education courses and seminars of this nature, in most cases conducted by Indians who have shown an aptitude for this and have gained experience either in the service of one government or the other, or having been elected to such a situation in their own Indian community.

Now, in conjunction with such programmes, a serious discussion of contemporary Indian problems based on the unique Indian traditions should be given a major

emphasis. It is irresponsible, I believe, to bemoan the numbers of Indian people who do not complete the educational process unless we look at some of the reasons. Schooling is de-emphasized in the Indian society. Our white-man schools present a tawdry picture of the Indian in Canadian history and, I would say, a seriously misleading picture. Our white-man schools look at Canadian Indian culture as an anachronistic subject for study. In times when participation in democracy is a major part of political and historical discussion, the decision-making tradition of the Canadian Indian council, particularly their longhouse tradition, is not even mentioned. When Canadians, in their concern for the environment, can learn a great deal from Indian attitudes to nature and its preservation, we find that ecological discussions are not even considered then.

Is there a better reason for Indians maintaining something of a suspicion of the white man's education system and the white man's education *per se*? Surely the Indian culture and heritage should be more accurately reflected and emphasized in our total education system if we really believe that Indian and white equals and, in fact, are fully qualified by their competence in Ontario for participation. They have made unique contributions that are recognizable and could make more contributions in the future toward the development of a better life in the province.

I do not want to go further without saying that there are as many differences in the Indian education system as there are in the Indian community. The minister is a member of that, on the Six Nations reserve, they have a full elementary system which is supervised by Mr. J. C. Hill, who has had outstanding success with the concept of Indian education. That, I believe, should be spread among the Indian communities which have, as yet, not had an opportunity to use it. Mr. Hill is not to it as the concept of self, but, in fact, simply gives these young people an opportunity to learn, in their own schools with their own trained teachers and under the supervision of the Indian community itself, a picture of their background, both cultural and governmental and the spiritual aspects of the Indian community which vary distinctly from those which we have grown accustomed to.

This means that before the Indian child, young man, or young woman leaves his or her school system to attend a secondary school in nearby communities, he has a knowledge of where he fits into his own home community. I believe that this gives him a

deal more confidence as he enters what to him is a foreign school; that he is taking part in the educational process as a person who is aware of his own background and has a distinct feeling of pride in what has been accomplished. This is lacking, particularly in those communities which do not have a sufficiently large student population to warrant having their own Indian schools which can concentrate on this type of development.

I feel quite strongly that the attitude that is expressed by many people, usually white people, is that the sooner the young Indian boy or girl gets out into the white man's school community the better. I believe that concept is essentially wrong unless provision is made, perhaps, for pre-kindergarten and kindergarten on the Indian reserve itself so that they will get this concept of self which Mr. Hill has brought forward to such a remarkable degree in the substantially large education system in the Six Nations reserve. He reports that he has a dropout rate at all levels—even when his students leave Grade 8 and go into the secondary levels in the surrounding white communities—of something less than eight per cent and this compares favourably with the dropout rate in any community. It is substantially better, as a matter of fact, than some of the nearby municipalities with which he can compare his own education system.

By no means am I saying that this is typical, nor that it can or should be imposed by any level of government on the Indian community at large, because too often the bands are scattered over a large area and it is just economically impossible to have a strictly Indian school with the aims that I have tried to describe. But even in the small Indian communities, at kindergarten and pre-kindergarten levels I believe this can be fostered in such a programme under the guidance of Indians expert in this field and should certainly take a priority situation in the studies that the minister would be undertaking.

The transfer of Indian affairs from Social and Family Services to the Provincial Secretary implies that the government has recognized that Indians should no longer be thought of as welfare cases but as a segment of the community with special needs and independent goals. I believe that this is long overdue and it is certainly a necessary move. I believe too, however, that the new department will have to be militant in its protection of that concept. We can no longer have Indians subjected to uneven applications of the law. We can no longer have pro-

grammes thrust upon reserves without consultation and agreement of the Indian people and I know that the minister realizes this, do politicians and people in positions of authority everywhere, I trust.

We can no longer make unilateral decisions such as to give jurisdiction for policing reserves to the Ontario Provincial Police rather than the mounted police, unless the Indians decide locally through their government that that decision should be made and acted upon. This is one area of some local concern, which until about a year ago the mounted police maintained a detachment on the Six Nations reserve where there are between 9,000 and 10,000 Indian citizens in residence. The decision was made, through some consultation between the government of Canada and the Attorney General of Ontario, that the transition might very well be made so that the provincial police would have more general jurisdiction, particularly of highway offences and any calls for assistance of this type.

There is some dissatisfaction with this, no means directed at the OPP, but the fact they do not feel they have the sort of protection that might be generally available to the other communities around. There is a way that I can assess the complaints that come in, because from time to time there are complaints from any community that a cruiser does not happen to be outside the door when some incident occurs. It is everybody feels, that a policeman is always there except when you want him. But, still, there have been complaints that the transition was made without full enough participation in the decision—which is a substantial decision—of those concerned.

The province must guarantee that Indians will be allowed representation on school boards which have entered into agreements with the federal government for education of Indian children. Even the concept that the Indian community should not have a right to vote on such a representation because they do not pay taxes is basically faulty, because the money is paid in lieu of taxes by the government of Canada to the school boards concerned and I cannot see any difference between that and actually paying taxes themselves or paying taxes directly. The idea that the Indians, if they choose to do so, have the right to elect a representative, simply does not hold water and I think should be reconsidered. Since it is apparent that the permissive Ontario legislation does not satisfy the need, as already evidenced in the Keweenaw situation, this government must make



mandatory for school boards to give representation to Indians on the boards and thus to allow involvement in the process of education of their children.

Now in some areas, particularly where Indian education is well established, there is not even a board, as we understand it, of elected parents or ratepayers to control the development of education; it is usually a function of the Indian council. The Provincial Secretary knows that it has been put forward from a number of sources that even in the general community of Ontario it is quite possible that in the future the elected council or the municipality would have direct control of education. So there is nothing too novel about this as a means of citizen control.

The Indian council, in the circumstances that I am most familiar with, has appointed a group called the education committee which acts in an advisory capacity to the council in making the decisions for operation of the local education system; that comes under the supervision of Mr. Hill whom I have already mentioned.

It is interesting to note that by agreement the local school inspector, the county school inspector, comes into the Indian reserve to carry out an inspection so that there is uniformity in the general courses offered, allowing the young people to progress from Grade 8 to Grade 9 without the dislocations that would otherwise develop if there was not provision for this basic uniformity.

The province must guarantee that every programme which is available to every other resident of the province is available to Indian residents. The provision of Medicare last year, for example, should not have been "extended to Indians as residents"; they should have been included in such a social programme automatically—and without the sometimes unfortunate exchanges between the federal Minister of Health and the then Minister of Health (Mr. Dymond), over who was going to have to pay the shot. They should have had Medicare extended to them automatically.

I think this was one of the last occasions when the government opposite was prepared to stand fast in holding out on a programme they felt should have been provided by another level of government. I believe it is essential that wherever possible the programmes that are available to any resident of Ontario will go as a matter of course and as a matter of right, without any debate and without any discussion, to the Indian people who, while they do not pay income tax for

the income they earn on the reserve, are subject to other taxes, at least to some extent.

The right of Indian bands to the minerals on the reserves must be clarified through the federal-provincial agreement. The provisions for development of mineral resources on Indian lands in Ontario require immediate attention so that Indians will receive more direct benefit from mineral exploration. The potential for mineral development on Indian lands is great and the economic benefits that could accrue to the Indian people could be an important source of funds for local development and welfare. A fair deal for Indians will not come merely through changes in legislation, however; changes in patrimonial practices and attitudes must also be effected. Programmes of support should be oriented to the cultural evolution of the Indian people, recognizing that provincial Indian communities are local communities requiring the autonomy and the authority to make their own decisions.

Interjections by hon. members.

Mr. Chairman: Order. Order please!

Mr. Nixon: The historical pattern must be broken with programmes looking toward the future and with Indian development considered in the context of broad provincial development.

I want to say something a bit more specifically about a concept I brought to the minister's attention, or perhaps to that of his predecessor just before the announcement of the change in jurisdiction took place. The minister is no doubt aware that a substantial tract of land and a large complex of buildings have been used for many years for the education of Indian young people from all over the province. The place has been called the Mohawk Institute because it was originally built on Mohawk lands. The Six Nations, particularly the Mohawk people, of course have the right of ownership of the land if it is occupied. The decision was made a few weeks ago by the government of Canada that this institution was not going to continue in its historic capacity.

I believe that essentially the decision was a right one. The young people were brought from great distances, often from northern Ontario, and sometimes I believe north of Quebec, to receive training in the Mohawk Institute. At one time the school was under the direction, and essentially the financial support, of the Anglican Church, but as the programme became more expensive it necessarily came more public, since even the Angli-

did not have the wherewithal to pay for all of these services—I see the hon. member for Dufferin-Simcoe (Mr. Downer) nodding—even the Anglican Church cannot finance these things forever.

When it became public, I would say, with great respect to the hon. gentleman who is now paying attention since the church in which he is a minister was involved, I believe that the level of education—if it is unfair to say it improved, at least it expanded—and that new buildings were erected within the last five years. Here there was a substantial residential school.

The fault, however, was that the young people had to be brought long distances from their homes and from their families in order to receive this education. This was correctly seen by the federal Department of Indian Affairs as being an unnatural way to provide education, which in the future must be provided at an effective level but in their own home grounds.

So, the land is there and it is very valuable. It is in the heart of the city of Brantford, right next to the Grand River. There are fairly substantial fields surrounding it because the Mohawk Institute operated quite a farm during most of its period of service. The position has been put forward by many, and through questions I supported it in the House, that the government of Ontario might at least consider asking the Indians, and not necessarily the Six Nations, although they have title as I understand to the property, but asking the Indian community in general if it might not be a proper use to make these facilities into a community college. This would specialize in Indian culture and the education of those Indians who, coming sometimes from great distances, have completed their elementary and secondary education, or at least reached an age when they are interested in coming down from the northern communities for some kind of acclimatization, or to see what the south part of the province is like. It might be made available for them.

It has good residential facilities, classrooms, a library, and recreation. Everything is there. I believe some effective use can be made of all this.

The minister's predecessor was quick in his answer to say, "Well, you would not want us to move in and do this without consultation." Of course, I would not. But it might be possible when the minister is approaching the Indian groups, particularly the organization which speaks for a number of Indian groups,

to suggest that you might be optimistic; that the government and the Treasury Board would consider moving into this as a special programme, giving the Indians the right to develop this as they saw fit.

I think that such an institution would serve a substantial purpose; that it would be a centre for the dissemination of Indian culture. It is close to the largest reserve in Canada. As a matter of fact, the land really is owned by the Six Nations reserve, and such a development would in my view be a worthy one. I hope that the Minister would give it even consideration.

Another topic related to the minister's responsibilities to the Indian community has to do with his relationship with the government of Canada. The white paper on Indian affairs was made public about a year ago and there has been substantial negative reaction to it from the Indians themselves. They have said that the federal administration, through the white paper, is proposing far too great a change in the status that they presently have.

I can tell the minister—some of you may already be aware of it—that those politicians, Indian and white, who are talking about the integration of the Indians wholly into the white community do not get a large measure of support among Indians. The Indians feel that they have special rights, not only to the lands but to special programmes that they have had extended to them for almost 100 years in some cases. They are not even especially keen that the emphasis on citizenship form the cornerstone of public policy of both provincial and federal governments. I think the understanding of the term both by the Indians and the politicians, and I include myself in that group, is one of the problems because citizenship does not carry with it the mandatory requirement that they accept the values of the white man's democratic emanations, such as a local land tax and a constitutional municipality and a regional government, things like that. I think that it is obvious that special rights and requirements, and the different goals of the Indian community, must be recognized and inherent in the policy.

For these reasons the Indians responded negatively to the white paper proposals, even though in my view the proposals were well motivated and arrived at after a good many lengthy meetings with Indians who spoke strongly in favour of the removal of the jurisdiction of the Indian affairs branch and the removal of the special laws governing reservations.

I suppose that many of the goals of the white paper might have been achieved if they had not all been put together with the ends, all listed at one time so that those people living on reserves would say: "Well, this is going to be a revolution, the apple cart of our community is going to be completely upset and we simply cannot favour it."

This sometimes happens to white papers. The reaction is, somehow, strongly negative. Even the Treasurer's white paper of a year ago led to some criticism across the province, but that is not precisely the one I had in mind.

So I would say that the attitude in Ottawa, as I understand it, expressed in the white paper and certainly from statements made by Mr. Chretien and those in his department, has been progressive and I think it would fit well with the attitudes that the minister newly given this responsibility has expressed.

Now I would say specifically that the minister should insist that he have jurisdiction over the Ontario civil rights commission. Not that it needs guidance of the type that he might give it specifically, but that the emphasis in moving it from The Department of Labour—I am sorry, I meant the Ontario Human Rights Commission—the emphasis that it has in The Department of Labour is bound to be different from that which it would receive under the Minister of Citizenship and the Provincial Secretary.

I sense that the Provincial Secretary is going to have even new responsibilities added to his portfolio. For many years in this House it has been expressed on this side that we did not, in fact, even need a Provincial Secretary unless he were given new and important responsibilities. I believe I sense that this is coming about, and I also believe that the human rights commission would fit very properly under his direction as I see the spectrum of services for which he is going to report to this House, expanding as it is.

So, Mr. Chairman, I have brought forward a number of ideas that I feel we should be considering as the situation of the Indian community changes. I do not think there are many pockets of prejudice remaining in the community of Ontario, although recent press reports and statements of public officials have indicated that this may be a bit optimistic. Most people reacted strongly and negatively to the attitude expressed by the county board when they refused to extend an invitation to the Indian band in the area for representation on the board. I believe that this should be

one of the last public utterances or emotions that would indicate that these pockets of prejudice still exist. I feel that the sympathy and general concern of the community at large is for the appropriation of funds, the consultation of Indians, and a moving away from the paternalistic approach that characterized the white man's relations with the Indian community for so long. I believe that all of these things are evident and that we no longer have to harangue the government urging them to accept it. They have shown, I believe, by their statements and their attitudes, certainly in this jurisdiction, that they are moving in this direction.

There are many things left to be done. The minister is going to have a great deal of this consultation to accomplish. He has to visit three of the reserves; it is not until he has been away for three or four weeks in the summer that he starts visiting those small Indian communities in the northwest of the province and in the northern parts of the province that he is going to find the real depth of the problem that faces him if he is going to use the resources that are at his disposal to effectively meet the needs of this large and significant area of our community.

So as usual I can certainly assure the minister of support on this side for the effort he is putting forward in a constructive way with the Indian community. There will be occasion, I believe, when we can seriously criticize what the government has not done or perhaps what they may undertake in the future. But the particular minister is new to the responsibility and I for one have a great respect for his attitude in areas of this sensitivity. I am looking forward to meeting him personally on the Six Nations reserve and on many other occasions associated with the Indian community.

**Mr. Chairman:** The hon. member for Hamilton East is really the next speaker. He had been trying to gain the floor earlier.

**Mr. R. Gisborn (Hamilton East):** Yes, Mr. Chairman, I would like to ask the Provincial Secretary a question or two. I listened to the rendition of citizens' participation at the municipal level on television last Friday. I must say it was delivered in a most zealous manner and it appeared to me, I am sure, that he was talking to the television audience and not those people in attendance at the conference. Because I am sure there must have been a shudder of something or other go up and down their spines, particularly his final comment when he said that in

the development of such awareness and involvement may prove to be one of the most significant achievements of this decade and act as an invaluable contribution in revitalizing our whole system of democratic government and politics, a system whose very foundation is a process of citizen participation itself. Now I would think that it is the first time that the word "democratic" has been found in one of this government's speeches for the last 100 speeches. I am sure that they shuddered when they heard that last comment.

**Mr. S. Lewis (Scarborough West):** That is why there was nobody there to listen.

**Mr. Gisborn:** Seventeen pages, all very well done; and I think it could have been said in about three pages. Actually, after one reads it, he does not have to read the whole thing again.

**Hon. Mr. Welch:** There was a three-page summary available.

**Mr. Gisborn:** Now my question is—I also had a copy of the highlights of the speech and the highlights put in one or two words that are not in the speech itself in an effort to add some emphasis. The one I want to point out is in the area dealing with the provinces, No. 5: "The province is prepared to provide financial and consultation assistance to citizen groups."

Then it goes on to say, in the part of his speech where he says there will be these information centres around the province, in his highlighted section he says several around the province. The two questions I want to put, and in fact I think the minister should elaborate somewhat because of the financial aspect of the speech, are: Is the money provided for in his budget at this particular time. And will he elaborate upon these information centres that he states will be established across the province, a very large number of them?

**Hon. Mr. Welch:** Mr. Chairman, perhaps the hon. member will allow me to make just a brief response to the comments of the hon. Leader of the Opposition. I would not want this to sound like a mutual admiration society—although in fact it goes without saying that one does exist, I suppose because of past relationships—but I would want to say at this stage that I appreciate very, very much the positive and responsible approach which has been evidenced by his remarks tonight.

As a member of this House and as a member of the government charged with this responsibility, I can associate myself with him on many concepts which he has elaborated upon this evening including, as they do, and I have summarized them, the whole question of attitude. And if I might digress for a moment, they were very much evidenced by his remarks on the school board issue. As he will know, several school boards in the province have already taken advantage of the legislature and have in fact seated their representatives from Indian communities on their boards. When one gets into this subject recognizing that it is a matter that the Minister of Education (Mr. Davis) himself has already commented on in response to a question from the member for Scarborough East (Mr. T. Reid), one wonders how far one can go to legislate the whole question of attitude. Although you might legislate the inclusion of the physical body, what does one do as far as the attitude of other people on the board is concerned. I suppose in the whole area of the acceptance of our fellow human beings, the human race and prejudice there is much that is dependent upon a proper attitude and respect for people just for the sake of people.

And so with this whole concept and emphasis that he gives to attitude, the method of our approach and the consultative method that has been emphasized so often, the whole question of delivery of provincial services, leadership training; I was particularly impressed with the way he has talked about this whole principle of self-identity with assimilation. So I can assure him, and through him the members of the House, that it is in this spirit of co-operation and interest that we undertake these responsibilities at this time.

We talk about leadership training. I might just draw his attention to the project by which is there, and point out particularly the grant to the Royal Learning Association which has as its particular emphasis the development of some type of leadership among the people through the seminar method; and we look for some assistance as these seminars are developed throughout the province. Also, although I am not attempting any way to cover all the points because I feel the points have been made, but I can assure him that I would be very willing, in my capacity, to listen to what the Indian people themselves have to say about the future use of the Mohawk school. No doubt we will have an opportunity of discussing this as some ideas develop.

May I simply end as I started, by saying that the tone of the Leader of the Opposition's remarks is encouraging and I accept them in the spirit in which they were given and would certainly invite him at any time to share any other ideas he has in this regard.

Having said that, I do want to make this one point. My worry about the word "citizenship" is somewhat similar. I sort of share with you the fact that it may be that in the development of the new responsibilities of this department will come a new name for the department in order to more fully reflect the new responsibilities which are associated with it and to take it out of the stereotyped approach which the words "Provincial Secretary" give it. We perhaps might even try to use another word than the word "Citizenship" for one obvious reason—that I have quite a time pronouncing it with my impediment.

**Mr. Lewis:** What are you going to call it? You have already decided.

**Hon. Mr. Welch:** No. Actually I was hoping that in the exchange of these estimates we might have some suggestions.

**Mr. Lewis:** Why do you not give a prize?

**Hon. Mr. Welch:** I never thought of that. That might be a good idea. Would you share in the present and make it an all-party prize?

**Mr. Lewis:** You are asking me to share?

**Hon. Mr. Welch:** Now, I would like to make some reference to the comments of the member for Hamilton East. I appreciate his comments with respect to the speech that I gave on Friday afternoon, and I want to be very specific in my answers as the citizen advice centres with which we will experiment during the coming fiscal year will be developed in consultation with local areas. Rather than going into all of the details now, because I will share them with the House once some of these are finalized, we already have representatives from three areas of the province interested in working with the province in handling this particular experiment. They are not far enough advanced yet for announcement because we are anxious, as we review and as we develop these centres, that we do it in the true spirit of experimentation and that we develop different approaches in some areas so that when we do complete our report after a year of their operation we will have some better appreciation of the various methods to be used.

The concept is one which I think is interesting one, in that it is developing from the provincial level down, but from communities up to us. And it is recognized that as government does get bigger, and the activities of government do increase, there is in fact some need for the individual people to be able to come to some particular point in geography to ascertain what those services are and to get some advice with respect to the disposition of those services.

**Mr. Gisborn:** Well, has the money already been budgeted? I take it this comes under the five community programme grants—\$137,500.

**Hon. Mr. Welch:** I am sorry. I missed your particular question. When these estimates were prepared, this was not advanced to state that they could be included in them and we will have to request these funds in addition to the funds being voted here.

**Mr. Gisborn:** You have to request further funds. Might I ask—and I would think it might be proper because you are referring to it—on page 8 of his speech, Mr. Chairman, the Provincial Secretary said he recognized that part of our role in this process would involve the provision of financial grants to citizen groups as seed money. What is your interpretation in this case?

**Hon. Mr. Welch:** In the concept of the community development conference or community conference, the first of which was held two years ago in Windsor as a community unity conference, we recognized that coming from these conferences by way of followup there would be certain needs from the standpoint of organizational requirements. We have felt—and this is provided in the budget that is before you—that we will need sufficient funds not only to act as a stimulant for the organization of the conference itself but for followup. An example, of course, is in Windsor itself where the first conference was held.

**Mr. D. M. De Monte (Dovercourt):** What followup was done?

**Hon. Mr. Welch:** Well, I was just in the process of answering that in reply to the member for Hamilton East. We held a conference in Windsor, and as a result it is shown that there was some need for the organization of followup for action centres, a local committee known as the East Windsor Citizens Group, and then about a year

the Downtown Citizens Group, was formed. They requested that we might assist them in some way to carry out their functions with respect to counselling services and social action centres. We contacted the government of Canada, invited them as far as the East Windsor experiment was concerned to join with us and the Secretary of State provided a matching grant of \$5,000 to match our \$5,000 and the city of Windsor put up, I think, \$3,500 in order to budget them for one year to experiment with this type of storefront activity in East Windsor.

And similarly, from following up the Brockville conference it was found that one of the great needs in Brockville was to find some central phone number which would be available. We provided some funds by way of following up in a simple way to organize some office there. Each community is responding to its particular conference in a different way. And so the paragraph to which you make reference, on page 8, is that we would hope that in the stimulation of interest of citizen groups and in finding some role for the community development process as it is structured—if you can ever structure such a process in government—we would have in fact some money to assist these groups to get established and to find their way, and for us to find our way, into the ultimate place, in a non-recurring way, in order that they would establish themselves. In a general way this is in fact what we do provide for in this budget. They are called project grants and they total \$31,000.

**Mr. Gisborn:** Well, would the minister answer the question? What does he mean by seed money, as he emphasized in his speech—"may involve the provision of financial grants to citizen groups as seed money"?

**Hon. Mr. Welch:** Seed grows if it is nurtured—I am sorry, I thought I was answering the question. This indeed was by way of following up these community conferences by encouraging the development of some of these groups. That is, in their early stages of growth we would provide this type of grant; for example, seed money to give them the opportunity to develop their ideas to grow.

**Mr. Gisborn:** Might I ask the minister, did this idea evolve prior to or after the federal government's information service programme?

**Hon. Mr. Welch:** We have been involved in the community development conferences for the last two years. Certainly the task

force's report on information services for the government of Canada has in fact been published since we started this project. deals with other areas—I mean it deals with areas other than the one we are talking about here—in fact, at the Action '70 conference in Ottawa, we had the executive director of that task force speak to that community conference.

**Mr. Chairman:** The member for Hamilton Mountain.

**Mr. J. R. Smith (Hamilton Mountain):** I think it is worthy of note that this evening's debate on these estimates surrounding the Indian affairs branch is certainly in a direct and dramatic contrast to the debate that took place approximately a little over a year ago during the Indian debate crisis. Perhaps this was recognized by the fact that the hon. member for Hamilton East alluded to the zestfulness of this particular minister, and coupled with the fact that a just and proper transfer of the responsibilities for Indian affairs has been placed in the Citizens department is most encouraging.

I think, Mr. Chairman, one of the things I would like to see encouraged by this particular development board is the encouragement and fostering of strong native organizations that can be an effective voice for the Indian people of this province. One of the things that this group of our people have resented and suffered from is the fact that they have been unable in the past years to have an effective voice to government and to the community and to their neighbours.

**Mr. G. Ben (Humber):** They have been mistreated by government.

**Mr. J. R. Smith:** One of the basic problems is who speaks for the Indians and who speaks for the Eskimos. Is it the church? Is it the school? Is it this particular band, or the union, or so on?

Interjections by hon. members.

**Mr. Chairman:** Order please! If you agree, there will be opportunity to rise. The member for Hamilton Mountain.

**Mr. J. R. Smith:** Mr. Chairman, I think we are very encouraged by the support that has been given by many people and particularly the young people in this "March for Millions" and their grants, in turn, given to s

organizations as the Indian-Eskimo Association and the Union of Ontario Indians, because these are the groups that are going to be an effective voice in organizing the native peoples of this province in this country now.

**Mr. I. Deans (Wentworth):** Why can they not receive fair treatment without organization?

Interjections by hon. members.

**Mr. J. R. Smith:** And, as the hon. Leader of the Opposition has mentioned this evening, one of the most successful Indian oriented school systems in this province is undoubtedly that which is in operation at the Six Nation Indian reservation. Undoubtedly one of the main causes for this is not only the outstanding leadership of their superintendent, but also the fact that almost approximately 85 per cent of the teachers on that reserve are Indian people themselves. Thus they have a direct rapport with and understanding of their students and they are an encouragement and a positive leadership force in those particular schools.

If we can encourage Indian leadership and channel it into an effective voice, they are going to be able not only to just be effectively involved in consultation, but are going to be making the decisions themselves. I think one of the things that really bothers native people is the fact that they are always told by all levels of government that, "You will be consulted; we will consult you." But of course, the real problem is who makes the final decision in the final analysis.

**Mr. Chairman,** we have seen many positive changes during this particular session of the Legislature and I am confident that in this new department and with this minister that we are going to see many encouraging signs of progress and that the Indian people of this province are going to meet the challenge and work with this particular board for very positive results.

**Mr. Chairman:** There are several people wishing to speak. I have watched the member for Riverdale and the member for Windsor-Walkerville vying for some moments. The member for Windsor-Walkerville now, please.

**Mr. B. Newman:** Mr. Chairman, the minister in his comments made mention of two citizens' groups from the city of Windsor. One was the Downtown Community Citizens Organization and the other was the East Windsor Citizens Committee—two groups that

have sprung up within the last year or so and serve a very, very useful function in the community.

One of the points that I would like to mention to the minister is that as these groups continue operating, the burden of work is going to get to the point that it becomes quite difficult for the volunteer group to be able to carry over well. As a result the minister will have to be prepared to step in with greater financial assistance, so that some type of permanent staff can be hired to see that the organization continues functioning. It has an extremely useful purpose in the community, the downtown group, primarily with the redeveloped area and the area that is in need of some redevelopment.

The second group, the East Windsor Citizens group, is in an area that has been neglected for too long a period of time. The citizens group there is concerned with the tearing down of the present school that is located roughly about two blocks away from their office. In their attempt to get action on this, they have been able to convince the city council to contribute toward the development of a community centre at the location where the school is at present. However, the board of education, in its attempt to have a new school built on the grounds, finds itself it is running up against objection from the Department of Education.

I would hope that the minister would have his good offices to convince his colleague, the Minister of Education, that this citizens group can only perform a good function, and will be able to perform a better function if the facilities are provided to assist the habilitation of the whole area. The school is really needed in the area.

As the minister is fully aware, the Windsor area is between two industrial complexes; the town of Walkerville, with its industrial complex, and the old town of Windsor with the Ford complex on the eastern boundary. They are hemmed in in that area without any type of recreational facilities for them. It is really extremely important for the group, to the development of the area, to the betterment of the citizens of the area, that a new school be constructed; one that contains a community centre so that the citizens in that area have the same type of advantage for social betterment as the citizens in any other part of the community, including the affluent parts of the community. I would certainly hope that the minister use his persuasive qualities in talking to his colleague, the Minister of Education, to convince

that there is the need for the school and the school should be built as soon as possible. The board of education have asked for it; it has been turned down, apparently, by The Department of Education. Mr. Chairman, we certainly hope that the minister will use his good graces to see that this comes about.

**Mr. Chairman:** The hon. member for Riverdale, unless the minister wishes to reply at the moment?

**Hon. Mr. Welch:** Just to make a comment in connection with the East Windsor group. I was in Windsor a couple of weeks ago to visit both groups. I am very much impressed when one sees the community process at work there, that is, they are developing their own programme and recognizing their own needs.

Without commenting on the particular issue, one of the aspects of my visit which impressed me so much was the slide presentation. I do not know whether the hon. member has seen it yet—they have developed a slide presentation of their own to detect these needs, and the results of their own developments. And Gino—I have forgotten Gino's last name; you know, the chairman of the group. It is Gino Marcus—Gino and this whole committee were there; they were so enthused that they brought their work to this particular point, they were sharing it and recognizing some of these areas of need and concern. And then to move to the downtown group and to hear how they have approached their own particular situation, and recognize, as they have, some of the needs there.

I think we have evidence there, following the community unity conference, and the follow ups and the meetings of the committees and the work that has been done. To see these manifestations and so on at this stage is very heartening for the whole process.

**Mr. B. Newman:** There is another aspect of it, Mr. Minister, that was encouraging; this was the fact that the younger set were extremely involved in this. It was not only the older people who were interested in the betterment of the community; the senior school, that is the secondary school, and the university students were also directly involved. It is nice to see the co-operation that you find in an area like that. May I ask of the minister, while I am on my feet, if he is considering similar assistance to ethnic groups so they, likewise, could break out of their shell and enjoy the fruits of citizenship, the same as the regular class of citizen in the province?

**Hon. Mr. Welch:** Certainly there are restrictions on the type of involvement which will be ours. I think the general policy guidelines which we attempted to enunciate Friday would apply to any citizens groups. We have some special interest in this field. There are about \$14,000 or \$15,000 in the estimate which do provide some grant money. We are involved with the International Institute, the COSTI, with the international services in London, some special groups, and then we are working with migrants through Travel Aid, and so on, and in our language programme.

But to answer your question specifically, certainly I would want to assure you that there are no restrictions placed on this. We will meet the situation as we find it and do everything we can in the spirit of helping the people to, in fact, recognize their responsibilities and feel that they have a role to play in sharing.

**Mr. B. Newman:** Have you noticed how Windsor leads, always, in this, Mr. Minister?

**Mr. J. Renwick:** Mr. Chairman, I would like, if I could, to just prick the balloon of good fellowship that the minister has exuded in his estimates so far on this question of community participation.

I have read his speech with considerable interest. I did not hear him deliver it, but did I see it on television. But what the minister has obviously endeavoured to do is to create that atmosphere of goodwill which he endeavours always to create. As if we were all one great happy family, just adjusting to certain minor frictions which are occurring within the body politic, and that it is really a failure of dialogue between the government and the people that is the cause of the unemployment which leads to the development of citizens' groups of one kind or another.

**Hon. Mr. Welch:** That is not in my speech.

**Mr. J. Renwick:** I think one of the most significant statements that the minister made was when he quoted the portion from the Don district study prepared by the Social Planning Council of Metropolitan Toronto. He quoted directly that "citizens' participation has created its own political terms of reference, instead of placing major reliance on the municipal electoral process as a means of achieving neighbourhood objectives, participation is focused on citizen activity between elections."



The fundamental starting point of the rise in our society of community participation or groups of citizens getting together to bring pressure to bear on their government, is that they were impressed with the fact that the individual elected representative at the municipal level—indeed, at the provincial and at the federal level—was simply unaware of the matters which were of concern to him. Let me put it another way. The problem arose from the threats to which various people and various areas were subjected, threats to which they expected the government to respond. The government failed to respond in the normal representative electoral pattern, because of the unawareness of the elected representatives of the pressures causing this sense of being threatened in the community. It drove people to form associations; people who were not used to or accustomed to having to act in this way.

It is a much more profound social, political and economic problem than the minister is prepared to admit. What you have is people threatened by events in centres of power and centres of interest, by their activities. Their governments were not responding in a meaningful sense to protect them. You had a disenchantment with the ability of the individual elected representative representing that area, be it at the provincial, the municipal or the federal level, to not only be aware of the problem but, even in those instances where he might possibly be aware, to respond to it.

I think it is significant in Toronto that for practical purposes community participation had its origin, apart from one or two isolated incidents elsewhere, in the central core of the city. The ultimate result was that in ward 7 which was the area which felt these pressures more than any other, and where people were threatened, you had a complete changeover of the elected representatives at the last municipal election, both at the municipal level and at the school board level. That is the first thing.

The second thing is you had coming out of that area the pressure which led to the hearing before the Ontario Municipal Board to upset the ward boundaries which were proposed by the city council for the wards in the city, because of the abolition of the board of control. That was another thing that came out of it because that group was threatened. There was an opportunity because of the proposed redrawing of the ward boundaries, for the threatened people to make representations not to their city council, because they

would not agree with them, but to the Ontario Municipal Board. A hearing was held in the wards in the central core of the city, redrawn on the block basis as distinct from the strip basis to which the minister referred. That has to do with being threatened and not being adequately represented by their elected representatives, so you had a disenchantment about the representative democratic system. The only way that they responded to it was to come together, unaccustomed as they were to that kind of activity—and believe me they were unaccustomed to it.

The people who were involved in it were not able to really comprehend the time and the effort that was required day in and day out to operate in any cohesive way against the elected government, because the elected government was not giving them the protection against the third-party threats to which they were subjected. In some cases those threats came through a combination of government action but basically the threat in the central core of the city was something called development or redevelopment, or whatever you want to call it—whether it was private development, whether it was private residential development in terms of high-rise apartments, whether it was the encroachment of the business community on otherwise residential areas of the city, or whether it was government going through a development program disguised as some form of urban renewal when in fact it was the bulldozer approach that was destroying their communities.

I think the minister will be aware that ward 7 of the city of Toronto includes within it the Don Mount area which was destroyed by the bulldozers in order that there could be constructed on it an Ontario House development, and a community was destroyed and dispersed.

There was a long build up about the change in the expropriation laws of this province, the focal point of the disenchantment with the procedures of government on expropriation was in Don Mount, and that is where the fight took place.

Across the river, also in ward 7, you had Trefann Court, which has fought a delay action for many years now. Going back to the first time that I entered into Trefann Court was in the summer of 1966; it is now almost the summer of 1970, and it is only within the last three or four weeks that there has been some semblance of the response by government to meet the kind of representations which we made in the very early days in the Trefann Court fight.

There is also in ward 7 the Don Vale area where, because of the efforts of men like Karl Jaffary and others who were involved in that area, there has been some ability to defend an area of the city against the encroachment of the private high-rise developer. Now all of these things reflected in the fact that a man by the name of John Sewell, the T-Cup organization that went in there to work with the people who were involved in that area, as well as a number of other people who lent support and assistance to the citizens in those areas all were saying to the city, through their elected representatives, "You are not only not aware of the problems; if you were aware of the problems, you would not respond to meet them. Therefore, you force us to form defensive groupings."

What I want to get across to the minister is that if he will use ward 7 and the examples which I gave to him as being symbolic of what they are saying, he will see these are essentially defensive operations. They are not outgoings of citizens approaching their government in some new way to get a different response because of changed circumstances; they are people who are threatened. They feel threatened. It is not for you or I or anyone else to judge the legitimacy of the threat. But this is happening again. It is happening in the economic field, of course, because it happened just a little bit to the east of that with the Dunlop Tire Company in the last several weeks. That area is threatened because of that event and because of the failure of the government to respond.

I do not know what the outcome will be, but it is becoming perfectly clear in the riding of Riverdale, which is adjacent to ward 7 and in fact part of ward 7 is in it, that an old established local of a union in that plant is destroyed. It is destroyed. The morale of the men in that area just disappeared.

What I am saying is that in that kind of an area of the city, we are not talking about good fellowship groups. What we are talking about, as I have said, are people who are threatened. The threats mean that the elected representatives, democratically elected on a triennial basis in the city and every four years in the federal government and the provincial government, are not responding with the kinds of policies which will remove the threats, and the citizen says, "What can I do?"

The only thing he can do is to band together in a very unfamiliar kind of activity at great expense to his leisure time, with all

the hazards which are involved in trying to keep a cohesive group together; to bring pressure on their government, in order that the government will finally respond—because at that time I was involved in this—because at that time I was involved in this if you had a list of the meetings of the board of control, of the meetings of the association of the meetings at the city council, of the attendance on members of this government of the Trefann Court residents association from the time it was founded until now, I would say to yourself, how in God's name did the people ever find the time to do these things? They did it at tremendous expense to their own available leisure time. They are men and women who are working; they are men and women who do not have the expertise to do these things, and they are always liable to be swayed or manipulated by somebody whose objectives are different from the objectives of the people. But so far as there was support of activities available to them, they were able to maintain a presence and a position which led to the kind of result which is being achieved. This, of course, led, as I have said, to the ouster of every single one of the elected representatives from that area.

I would suggest, as I asked the Prime Minister the other day, whether the inner core ridings of the city—Bellwoods, Dovercourt, St. Andrew, St. Patrick, St. George and St. David—would be blocked by a change in the representation system, in order that these communities could be adequately represented in this Legislature. The Prime Minister has no reply to it.

**Hon. J. Yaremko** (Minister of Social and Family Services): What do you mean by "order that"?

**Mr. J. Renwick:** The exact words that were used and which are—

**Hon. Mr. Yaremko:** Would the hon. member permit a question?

**Mr. J. Renwick:** —indelibly engraved on the mind of the Minister of Social and Family Services were in order that the people in those areas of the inner core will be more adequately represented in this assembly.

**Hon. Mr. Yaremko:** They are splendidly represented.

**Mr. J. Renwick:** All right. I am not talking in terms of personalities or anything else.

am talking in terms of the fundamental problem about the kind of reaction to the threats that people feel.

Let me make another point. It is very significant that the minister quoted in his remarks a statement which was made in October, 1967. In fact it was originally, if my memory serves me correctly, made by the Minister of Correctional Services, about the urban renewal policy of this government and that coincided with the pressures of a provincial election. The pressures were on in the minister's riding and the minister well knows it.

**Hon. A. Grossman** (Minister of Correctional Services): Would you like that explained?

**Mr. J. Renwick**: You can have your point later on.

**Hon. Mr. Grossman**: You do not want to hear the facts?

**Mr. J. Renwick**: It is not a question of not wanting to hear.

**Hon. Mr. Grossman**: Of course you do not want to hear the facts.

**Mr. J. Renwick**: Now let us get it perfectly clear. The people in the area represented by the Minister of Correctional Services were at a point where they were engaged in trying to get a response from the government about a threat. Under the pressure of an election, the Minister of Correctional Services consulted with his colleagues and you have almost engraved on stone the statements which were made—

**Hon. Mr. Grossman**: If the hon. member wants a monologue, he is certainly doing very well. How about this cut and thrust you talk about? Do you want some of that?

**Mr. J. Renwick**: —made again by the Provincial Secretary and the Minister of Citizenship.

**Mr. Deans**: The trouble is that most of the cut and thrust comes from this side.

**Mr. J. Renwick**: I am quite certain that if the Minister and his advisers will look at these questions of so-called citizen participation groups, in each and every instance, regardless of the fact that the Minister of Correctional Services thinks that it is always a small band of agitators that runs around—

**Hon. Mr. Grossman**: I never said it always agitators.

**Mr. J. Renwick**: —either the globe or city or somewhere else, and that this is what causes all the problems. The fact of the matter is that it is a sensation of threat.

**Mr. Deans**: How about the faces that see?

**Mr. J. Renwick**: Let us not pooh-poooh of the organizations because the response elected representatives of the traditional mould, such as the Minister of Correctional Services is, of course, to immediately run down the organization, run down the gro-

**Hon. Mr. Grossman**: I was organizing rent payer groups while you were still a Conservative.

**Mr. J. Renwick**: There are many of the men—I have responded somewhat earlier to you have—there are many of the men on the city council of Toronto at the present time who are now saying, Mr. Minister—if I could engage your attention again—who are now saying—

Interjections by hon. members.

**Mr. J. Renwick**: “Oh well, these groups do they really represent anybody? Did they really vote these people in so they could come and represent the area?” They are voting consistently—as they did in Trefann Court as has been done in Kara, as has been done in Don Vale, as was done in Don Mount—they continuously attack the legitimate organizations of citizens formed for the purpose of defending themselves against a threat because of the failure of government, and if the-

**Hon. Mr. Grossman**: Mr. Chairman, if the hon. member has more to say on this point we will move for the adjournment of the debate as it is 10:30.

**Mr. J. Renwick**: I have about one minute. With the remarks which I have made, if the minister will look at tenants organization forming within the Ontario Housing Corporation development—if the minister will look at the kind of organizations which are forming in the various sections of this city—if the minister will look at the Spadina expressway protest—he will see that the very characteristics that I have referred to are reflected in them.

Perhaps tomorrow, Mr. Chairman, we could continue this matter.

Hon. Mr. Grossman moves that the committee rise and report that it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, in moving the adjournment of the House, tomorrow we will continue with these estimates and the estimates of the great Department of Correctional Services.

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

Motion agreed to.

The House adjourned at 10:30 o'clock p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Tuesday, April 28, 1970

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 28, 1966

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon in both galleries we have as guests, students from John Diefenbaker Secondary School in Hanover. Later this afternoon there will be guests from Windsor Teachers' College in Windsor, and Glendale School in Simcoe. This evening we will have guests from Eglinton-Young Progressive Conservative Association and the Don Mills 10th Cub Pack in Don Mills. We have in Mr. Speaker's gallery, a group of friends from Great Britain. They are members of Rotary District 104 in England who are visiting District 709 in Canada and the United States. We are glad to have these folk with us this afternoon.

Statements by the ministry.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I have a statement to make. Perhaps before I do, I could table these three volumes.

You will recall, sir, that in May, 1966, the government of Ontario established the committee on the healing arts with Mr. Ian R. Dowie as chairman and Professors Horace Krever and M. C. Urquhart as members. It is my pleasure today to table the committee's report.

As the hon. members are aware, the committee was empowered to inquire into and report upon all matters relating to the education and regulation relevant to the practice of the healing arts. These terms of reference were very far-reaching. As a result, a three-volume report has been published along with 10 special supporting studies, all of which have been published.

Volume I of the report outlines the basic philosophy of the committee and includes a list of the 354 recommendations made by the committee in the other two volumes.

This first volume establishes the background for the remainder of the report by outlining the historical development of legislation dealing with the healing arts, the institutional structure of health services and the economic structure of the health sector. It

also provides some statistical data on the dimension of the resources allocated to the health care sector and the numbers in various healing professions and occupations.

Volume 2 examines the individual disciplines in the health field with particular reference to the education and regulation of each discipline. An assessment of the services provided by each of these groups is indicated. The first section of the volume describes the important role of the hospital in the provision of health care. The following chapters provide information on the categories of health practitioners to be found in Ontario.

In volume 3 the committee turns its attention to the system of health care in Ontario. The first chapter of this volume indicates the need for greater co-ordination and integration in the health field and proposes a new institutional framework for administration and planning. The next two chapters are devoted to the regulation of practice and the education of practitioners.

Drawn together in these two chapters are some of the basic principles which, the committee believes, should govern the education, regulation and the practice of the healing arts. The final four chapters are concerned with individual aspects of the health care system, including the role of hospitals, the provision of health care, new patterns of mental health care, an examination of general practice and health centres, and a discussion of the problems of general medical practice with proposals for the development of a new concept of the general or family physician.

The 10 studies which support the report deal with organized medicine in Ontario, nursing, mental health, dentistry, selected economic aspect of the health care sector, the legal history of health professions, the public medical occupations, private clinical laboratories, sectarian healers and hypnotherapy and social work in Ontario.

Of course, sir, we have not yet had the opportunity to study this report in detail. Consequently we are unable to comment on any of the committee's recommendations at this time. However, I would like to express

my appreciation to the committee and to those who have been associated with them in the preparation of this report. It is a comprehensive and important documentation of health care in the province and will contribute to a better understanding of the needs for change in this area.

With the hon. members' permission I will ask the Minister of Health to outline the measures he proposes for the review of the recommendations contained in the report.

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, I am also most happy to have this report of the committee on the healing arts, particularly those parts which relate to a most important and complex subject, that being the regulation and education of the disciplines of the healing arts.

Mr. Speaker, because this report is, as you can see, a most comprehensive and thorough examination of complex health matters, and as its recommendations can have far-reaching effects on the men and women in the disciplines of the healing arts and on the roles performed by their professional groups and associations, as well as those of government and other agencies, I propose to set up immediately, a mechanism for the review and analysis of the report and its recommendations.

I will mention two notable features of this review process. First, because of the magnitude and importance of the task, we will be using the expert advice of the Ontario Council of Health as well as that of appropriate sections of my own department and other departments and agencies to analyse each recommendation. Second, because it is important to have the views of those affected by the report prior to decisions being made, I am inviting the professional groups, agencies and others as a matter of priority to conduct a thorough review of the report and to submit written briefs to me by June 30, 1970. So that this work can begin at once, a copy of the report is being sent immediately to each group which presented a brief to the committee and to those people who were consulted by this committee. Copies will also go on sale immediately at the Ontario government bookstore at the corner of Bay and Grosvenor Streets.

Mr. Speaker, through this review mechanism there can be a systematic and orderly progression from review and analysis, to decision-making and implementation of those changes eventually adopted. It will ensure that maximum benefits are derived from the report.

Finally, Mr. Speaker, I wish to thank Chairman and members of the committee for the healing arts. Theirs was a mammoth complex task. The hon. members will find their report contains information and recommendations in matters that are of very importance in the health field. We feel this report is a significant contribution to the continuous task of planning and developing comprehensive and high-quality health services for the people of Ontario.

**Hon. J. Yaremko (Minister of Social Family Services):** Mr. Speaker, hon. members, especially those from Metropolitan Toronto, will be aware that there are two venues or structures serving the citizens of this area which we might readily contemplate as deserving a deserved "retirement" from the scene.

The one is Lambert Lodge, operated by the corporation of the municipalities of Metropolitan Toronto in partnership with the province. That building serves over 100 elderly men and women and has done so since October, 1949.

The other is Laughlen Lodge, a charitable home which was established in the reign of Queen Victoria. It serves some 80 elderly men and women at present and has, this past year, received some brightening attention and temporary improvements through the co-operative support of the province.

Some days ago I met with Mr. Ab Campbell, chairman of Metro, to discuss matters respecting the care of our elderly, and on April 17, I wrote him:

Dear Chairman Campbell:

Our informal meeting on Wednesday, April 15, was most enjoyable and I do want to thank you for the discussion. I shall also like to take this opportunity of putting down on paper some of the points touched upon with respect to Lambert Lodge homes for the aged generally.

1. Proposals advanced to date in regard to domiciliary facilities for senior citizens to be developed by Metropolitan Toronto have, by and large, been approved and are proceeding with. This latter factor you must be aware of. I am sure, be aware of from the progress of advances of capital grants that the province is making.

2. We all recognize the necessity of the eventual replacement of Lambert Lodge whose situation and history are known to everyone in the field.

3. The situation of Laughlen Lodge, which, while not a Metropolitan institu-

is part of the care facilities of this community, is of concern to our department.

4. The interest of a major charitable trust in participating in the establishment of an elderly persons' centre coincides with our thinking that these centres should be more prevalent and developed in conjunction with a home for the aged.

5. Again we all recognize the necessity of updating the facilities of the Geriatric Study Centre (operated in conjunction with Metropolitan Toronto homes for the aged) especially since the centre, together with the geriatric wing of Toronto Western Hospital, has achieved great recognition.

6. All authorities agree on the need to locate facilities for the aged within or close to the heart of the total urban area of Metropolitan Toronto, with adequate community services such as transportation (ideally in the case of Lambert Lodge and the like).

7. There is available land adjacent to the present Lambert Lodge as well as on the east side of Christie Street with a potential for senior citizens' apartments as part of a complex.

8. Moreover, Hilltop Acres Home for the Aged is nearby and any future complex could well be related to that home, which also must be studied.

9. In the immediate proximity we have Hillcrest Convalescent Hospital and, of course, the major general hospitals are within rapid driving distance.

10. It has been suggested that a committee be established under the auspices of the Metropolitan council with active participation in some form by all interested parties—the city of Toronto, the province of Ontario, the Ontario Geriatrics Research Society, the Rotary foundation, Laughlen Lodge—to explore these matters. Certainly our senior staff dealing with homes for the aged will be ready to assist.

In summing up the topics you and I talked over, and particularly point 10, I would enlist the enthusiastic interest of you yourself and your colleagues. I believe that there is a great potential in the development of an outstanding complex of services based on our combined knowledge, experience, talents and resources.

May I assure you of my personal interest as minister, as this reflects my concern for the present facilities and awareness of an obligation for great efforts in the interests of our elderly citizens.

Yours sincerely . . .

Mr. Speaker, I am now pleased to find that in rapid response, Metropolitan Toronto has formed a committee to work on this. I received a letter, dated April 23, as follows:

The welfare and housing committee then directed that the Minister of Social Family Services be assured of the committee's deep interest in the proposals and its readiness to co-operate closely in development.

It has been possible to involve in our discussions earlier, representatives from the groups mentioned in the listing. Each of the organizations has distinguished members from industry, the professions, private citizens and public servants—both elected and appointed. With their aid and the active participation of our own provincial and municipal senior officials, we anticipate some rather progressive new concepts to move from the design stage to reality.

The hon. member for Durham (Mr. O'Ruthers), and several hon. members from other parties who served on the former select committee on aging, I trust will recognize in this an improvement on, and the forthcoming realization of, yet another of their recommendations. What we envisage is a complex senior citizens' accommodation with all essential supportive services, an elderly persons' day centre and an enlarged centre of interdisciplinary aging studies.

These care services will not be health oriented, nor will they be simply housing. There will be a full range of social services yet a visible integration with the community at large. In that latter sense, not only residents but the services themselves will reach out through Toronto.

The size and nature of the site of Lambert Lodge is such that there need be no displacement of the residents of Lambert Lodge when any new structure is being built.

For some key aspects, notably in-service training, studies and resources, the centre should benefit agencies and senior citizens throughout Ontario, indeed across Canada.

Without attempting, at this stage, to spell out precise details, since a working committee will be shortly engaged on those, I believe that we are planning, in about three phases, a complex for the aged unequalled in North America. And to match the support of local government and private groups, I can indicate full provincial backing under the legislation enacted by this House. I elicit the interest and support of all hon. members.

**Hon. A. F. Lawrence** (Minister of Mines): Mr. Speaker, on a point of order. I was in the gallery myself so that I could not hear too well, but I believe, sir, you forgot to welcome a group of public-spirited ladies who are seated in the gallery from the Toronto riding of St. George.

**Mr. Speaker:** That, of course, is not a point of order. Secondly, Mr. Speaker did not forget. He had not been advised, and had he been, he would have been delighted to welcome the ladies on behalf of the House.

#### Oral questions.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question of the Premier. Was he invited to, or consulted concerning, the enforcement conference on Lake Erie convened by Interior Secretary Hickel? If not—and I expect not—is he prepared to move forward with a conference, at the initiative of this province, on the anti-pollution programmes of the states and the provinces concerned in the Great Lakes basin?

**Hon. Mr. Robarts:** I was not invited to that conference and, as we have mentioned in this House before, we are proceeding with our plans for a conference if the concept is supported, of course, by those that we would invite.

**Mr. Nixon:** A supplementary question. I wonder if the Premier would undertake to contact Mr. Hickel to assure him that Ontario is very concerned about this as well, and would at least like to have observers at what he chooses to call an enforcement conference?

**Hon. Mr. Robarts:** Mr. Speaker, I will check into that and decide whether that would be an appropriate action for this government to take.

**Mr. Nixon:** Mr. Speaker, a question also of the Premier, in the absence of the Minister of Municipal Affairs (Mr. McKeough).

Is he aware that the council of Vaughan township is proposing a tax moratorium in response to a substantial petition from their ratepayers who are objecting to the results of the reassessment in that township? This has, in one case, resulted in an increase in tax on one home from \$441 to \$2,000.

If the Prime Minister is aware of this, is he going to instruct the Minister of Municipal Affairs to meet with the township in order to work out a solution to the problems which, apparently, at their level, appear to be insoluble?

**Hon. Mr. Robarts:** Mr. Speaker, I am aware of any proposed tax moratorium. I do not know when this matter came up in the House or in the township of Vaughan.

I think the Minister of Municipal Affairs has indicated in this House that there are bound to be some extreme difficulties in the whole area of reassessment. I believe that the Premier has also told this House that he is presently working out matters by which these inequities, if they do exist, can be at least ameliorated.

No doubt you will hear further from the Minister in due course.

**Mr. Nixon:** A supplementary question. The Premier assure us that these amelioration procedures will be available before the tax bills go out? Because I think it is a fair response to these tax bills that the ratepayers be assured of this.

**Mr. Speaker:** The hon. leader is making a statement. He should just ask a question.

**Hon. Mr. Robarts:** Suffice to say that we are aware of the problem and the Minister has told the House that he is attempting to find a means of doing something about it.

**Mr. Nixon:** A question of the Minister of Trade and Development.

Has the minister or his colleague, the Minister of Labour (Mr. Bales), replied to a telegram sent to him some weeks ago from the Manpower Minister MacEachen from the federal administration about efforts to get the Dunlop plant in operation? And associated with that, is he aware of an offer from B. T. R. Leyland Company, a British company, to establish a plant for the manufacture of conveyor belts similar to that which has just been, or is in the process of being, given up by Dunlop?

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, the wire from Mr. MacEachen came in when I was out of the country. A copy was sent to the Premier, Minister. I think he took some action on it in the House, but it did not call for a reply from this government so no reply has been forwarded to Mr. MacEachen.

It was an offer of help if we decided to get together and work out what he thought would be a solution for the Dunlop company but there was no concrete proposal. It was just a matter of sounding us out and I think if you read the wire it did not call for a reply from this government.

Insofar as the Leyland company is concerned, I have not heard about it at the present time.

**Mr. Nixon:** A supplementary. Would the minister undertake to contact the federal government about such a proposal that has come from this British company to see what the possibilities are of them taking over the facilities at Dunlop, so that the operation does not necessarily have to stop next week?

**Hon. Mr. Randall:** Mr. Speaker, I have already suggested that my Department of Trade is looking at any operation they can put in that part of the city in order to keep the Dunlop plant operating, either as another company, or by putting in another product line. There is nothing that we know of yet that is available.

However, as the hon. member suggested, perhaps the Leyland company has made a proposition. The federal government has not come to us, but I will make investigation of it.

**Mr. Nixon:** Mr. Speaker, I have a question of the Minister of Health. Is it policy of his department that summer employment at the Ontario Hospitals is not offered to those students at the community colleges but only to those students at the universities?

**Mr. D. C. MacDonald (York South):** That was asked two weeks ago.

**Hon. Mr. Wells:** Mr. Speaker, I had a question which I have the answer for today, and I will give presently, but it is the policy of our department to invite applications from any source—university, community college, high school—and to fit the jobs to the person and employ the students who fit the situation best.

**Mr. Nixon:** A supplementary question. Is the minister aware that some students at Northern community college have undertaken work at the Ontario Hospital at South Porcupine all through the semester and all through the term and are now not acceptable, apparently, for summer employment?

**Mr. MacDonald:** He was asked that question two weeks ago.

**Mr. Nixon:** All right, all right. I am asking him again. He said he did not answer it last week, and I would like it now. Is it all right with the hon. member?

**Hon. A. F. Lawrence:** Touchy, touchy.

**Hon. Mr. Wells:** I will answer the member's question and that of the hon. member for Cochrane South (Mr. Ferrier) who also raised this question. I appreciate raising it, and I have investigated it and found the answer. This concerned summer employment opportunities for students at Northern Eastern Psychiatric Hospital.

The hon. member stated that no students from the Porcupine campus of the Northern College of Applied Arts and Technology had been hired. The Northern Eastern Psychiatric Hospital has a total staff complement of 165 and offers summer employment to 18 students. This is more than 10 per cent of the overall staff count. However, 120 applications were received. It is the policy of the hospital to give preference to students from the north, particularly those who are in their final year of study in medicine, psychology, professional social work or other health disciplines. This is done in the hope that, through working at the hospital, we will be able to attract them or their classmates to stay in the north after they graduate. This, of course, would alleviate many of the staffing problems which exist in northern Ontario.

As of a few days ago, 16 students had been hired and the hospital authorities will be offering the remaining two vacancies very shortly. I might also add that these student employment policies have been discussed by the administrator of the hospital with the students concerned, as well as with the dean of the college and the head of the social work department. The students who had no complaints afterwards indicated that they had been misled and that they were sorry they had not checked all the facts before airing their grievances, which I believe were done around April 6. I am also advised that the administrator has dropped around to talk the matter over with the member for the area (the hon. member for Cochrane South (Mr. Ferrier)).

I would also like to point out, Mr. Speaker, that six students have been working at the hospital since last October as part of the program, so that they could gain first-hand experience. Also, four students have been working as full-time employees in order to support their continuing studies.

I would also like to emphasize that the department provides summer employment about 1,500 high school and university students each year in our various hospital branches, mental retardation treatment facilities and so forth throughout this province. Requirements differ from place to place,

it is our aim, of course, to provide meaningful employment to these young people so that they can earn some money during the summer months. Also they are making a contribution to the hospitals where they are employed during these months. This is the kind of policy that we follow.

**Mr. Nixon:** A supplementary question, Mr. Speaker. Is the minister considering expanding these employment opportunities at the South Porcupine hospital, and at the other institutions that come under his control, so that more students can have this opportunity, not only to earn some funds but to expand their experience, which in my view, would draw more and more of them into this area of public service?

**Hon. Mr. Wells:** We are always interested in drawing students in so that they can gain experience in our institutions. There are financial limitations and so forth. We feel that 10 per cent of the full-time working force is about the limit that we can go to at this point in time.

**Mr. Speaker:** The member for Cochrane South, a supplementary.

**Mr. W. Ferrier (Cochrane South):** I wonder if the minister could, for next year at least, look into the possibility of at least a few other students at the Northern college who are in this social work course getting a job there and getting some extra experience at the particular hospital? If there are only a few jobs available, perhaps a few of the few could go to this group.

**Hon. Mr. Wells:** We would be happy to look at that. I think, if the hon. member will recall, the North Eastern Psychiatric Hospital is one of the hospitals I announced the other day which would have set up in the very near future a management advisory committee to advise the administrator. It is a hospital that has a broad base of activities in the community, and I think this new committee should be able to look at this problem and try to deliver some suggestions to us.

**Mr. Speaker:** The member for Sudbury, a supplementary?

**Mr. E. W. Sopha (Sudbury):** I should like to ask the minister if he is aware, in respect of the employment of graduates from the social work courses of the community colleges, that president John Koski of the Cambrian college alleges there is active discrimination on the part of officials in the

Department of Health and other departments of government against the hiring of graduates of those courses?

**Hon. Mr. Wells:** Well, I would not have any knowledge of this, Mr. Speaker, but I doubt very much if there is active discrimination against them. There may be other reasons that come along—

**Hon. Mr. Yaremko:** You have a three-letter explaining—

**Mr. Sopha:** That is what he says, and I know it.

**Hon. Mr. Yaremko:** You have a three-letter—

Interjections by hon. members.

**Mr. Speaker:** Order. The member for South.

**Mr. MacDonald:** Mr. Speaker, my question is of the Minister of Education in the absence of his colleague, the Minister of Labour. Is the minister able to report regard to the replacement by strikebreakers of janitors legally on strike in the schools of Essex county?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, in the absence of my colleague the Minister of Labour, I cannot report anything that has not been stated in the past. We have been looking into this. It is no matter that is directly related to the responsibilities of The Department of Education which fact I think is well known to the member. Perhaps he would like to address a further question to the Minister of Labour tomorrow.

**Mr. S. Lewis (Scarborough West):** Will the Minister of Labour be spending five minutes here?

**Mr. W. G. Pitman (Peterborough):** I wonder if I could ask a supplementary question, Mr. Speaker. Is the minister aware of allegations that have been made that principals are neglecting teachers and students to do janitor service in these schools in replacement of those janitors who are out on strike?

**Hon. Mr. Davis:** Mr. Speaker, I am aware through the press of certain allegations that have been made. How much is founded on fact, of course, I am not in a position to know or to say to the House.

**Mr. Pitman:** I wonder if the minister would make investigations, and perhaps he may find it necessary to take action, in regard to the

**Mr. Speaker:** I wonder if the member for York South would allow the Minister of Social and Family Services to answer a question of the member for Scarborough Centre (Mrs. M. Renwick); the minister has to leave.

Would he allow that?

**Mr. MacDonald:** I would allow it, and then if you can just keep him for two minutes I have a question to ask him.

**Mr. Speaker:** I am sorry, I have no control over that.

**Hon. Mr. Yaremko:** Mr. Speaker, the hon. member himself will be interested in this particular answer.

The member for Scarborough Centre asked a question on April 27 about the breakdown of the provincial portion of the increases in assistance rates. And I am giving the full breakdown to the hon. member, summarized as follows—and I would note that these are estimated amounts and therefore approximate figures.

The estimated increase in programme cost, May 1, 1970, to March 31, 1971: family benefits, \$12 million; general welfare assistance, \$6 million; for a total of \$18 million. This is broken down as follows: federal share of family benefits, \$6 million; general welfare \$3 million; for a total of \$9 million. Ontario's share: family benefits \$6 million; general welfare assistance, \$1.8 million; for a total of \$7.8 million. Municipal share, family benefits, nil, of course; general welfare assistance, \$1.2 million; for a total of \$1.2 million.

The member also referred, I believe, to the cost of income exemptions. These costs are difficult to estimate since this is a new programme in the municipalities and is discretionary.

In respect of the member's inquiry about nursing home costs under The General Welfare Assistance Act, I should clarify that the increase in nursing home rates was not included in the new regulations. The *per diem* cost of nursing home care subsidized by the province, for persons in need, was increased from \$9.50 to \$10.50 by regulation appearing in the *Ontario Gazette* on February 21, 1970. The increased cost for that will also have been included in the 1970-1971 estimates.

**Mr. MacDonald:** By way of a supplementary question on that, Mr. Speaker. May I ask whether all recipients of welfare and assistance have been provided, along with their cheques, since the announcement of the increased rates, with the details as to these increased rates?

**Hon. Mr. Yaremko:** Actually, Mr. Speaker, these will become effective May 1, 1969, each case is dealt with on its own individual need. They will know by the increase in amount of cheques what their increase in that specific case has been.

**Mr. Nixon:** 1969?

**Mr. Speaker:** I presume the minister means May 1, 1970; he said 1969.

**Hon. Mr. Yaremko:** 1970, thank you, Speaker.

**Mr. Lewis:** By way of a supplementary Mr. Speaker. Given that there are 60 people involved, how does the minister intend to make this case-by-case breakdown?

**Hon. Mr. Yaremko:** That work has been going on since the regulations were passed so that we are hopeful that every recipient as of May 1 under general welfare assistance will receive the municipal increases. Of course, our own cheques going out in the latter part of May will reflect the increase in family benefits.

**Mr. Lewis:** A supplementary. Is the minister saying that every family benefit recipient will have been assessed on a need basis in the field worker before May 1?

**Hon. Mr. Yaremko:** Every case load will be dealt with in the light of the new regulations—

**Mr. Lewis:** What does that mean?

**Hon. Mr. Yaremko:**—and the figures published there. The hon. member is familiar with the pre-added budget, the increase in the shelter costs. The regulations spell out the details and the regulations are now applicable to the individual cases.

**Mr. Lewis:** A final supplementary, Mr. Speaker. Will a breakdown by way of clothing and shelter be provided for individual recipients to show them in what categories they have been entitled to an increase?

**Hon. Mr. Yaremko:** Mr. Speaker, the schedules do not have that breakdown.

**Mr. Lewis:** Why not?

**Hon. Mr. Yaremko:** They state the amount for the pre-added budget and shelter, and those are the amounts that will be made up.

**Mr. Speaker:** The member for York South

**Mr. MacDonald:** I have a question of the Minister of Trade and Development. In view of the desperate need for low-rental housing and because of the high unemployment rate in Cornwall, would the minister indicate what plans OHC has for expanded low-rental development there this year?

**Hon. Mr. Randall:** Mr. Speaker, I do not have those figures available. I will be glad to get them for the hon. member.

**Mr. MacDonald:** By way of supplementary question, would the minister indicate, when he gives his answer, as to whether in any construction programme, under the kind of conditions that exist there, there is a requirement that the local labour, 95 per cent of whom are unemployed, will be given an opportunity to work? I am talking about the skilled labour.

**Hon. Mr. Randall:** Mr. Speaker, it is the intention of the Ontario Housing Corporation in any area to employ local labour if they can possibly get it. In an area like Cornwall, I think we can. In many areas, as the member knows, we cannot get local labour, we have to bring it in.

I would think that in Cornwall if there is a requirement there for more low-cost housing, the municipality will make its needs known to us and we will move as soon as we get the request from the municipality. We have never turned one down yet.

**Mr. MacDonald:** I have a question of the Attorney General. Is the Attorney General in a position to respond to the letters he received from Ross McClellan and James Karswick with regard to the Bird-Stevens assault case?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, there were certain new statements which I wanted to check in the Karswick matter. I have my reply pretty well drafted. I am just waiting for a little additional information. I will very shortly be giving the answer.

**Mr. MacDonald:** What about the McClellan letter?

**Hon. Mr. Wishart:** I do not recall that I have been planning to reply to that, but I will look at it and see if I should.

**Mr. MacDonald:** Really? I thought the Attorney General always replied—

**Hon. Mr. Wishart:** No, with some of these letters, after a long while the correspondence

comes to an end. I will check that and if it needs a reply.

**Mr. Speaker:** Has the member for South completed his questions?

**Mr. MacDonald:** I have not completed them, but I am afraid my ministers are here.

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

**Mr. G. Ben (Humber):** Yes, Mr. Speaker. I have a question of the Minister of Health. Is the Minister of Health giving any consideration to appointing an ombudsman to go through the mental hospitals of the province of Ontario, at least quarterly, to speak with patients to determine whether in fact they are receiving just treatment—that is, legal more than medical—in view of the complaints a lot of them there are not receiving their true rights?

**Hon. Mr. Wells:** I am sorry, I did not hear the first part of the member's question. Mr. Speaker.

**Mr. Ben:** Is the minister giving consideration, or will the minister give consideration to the appointment of an ombudsman to go through the mental hospitals of the province of Ontario to determine that all patients are aware of their rights, and that there are no patients kept there improperly because they do not appreciate their legal rights?

**Hon. Mr. Wells:** Mr. Speaker, that, of course, is a question asking for a statement of government policy. I outlined in this House the provisions under the new Mental Health Act that govern patients' rights, the hospital review boards and so forth, which are functioning very well. The hon. member has had an opportunity to read the report that was tabled today, but he will find that that is a recommendation somewhat along what he suggested only on a much grander, larger scale in that report. Of course, in light of all the other recommendations in the report, this will be considered.

**Mr. Ben:** But what will the minister do about it since he knows it is a recommendation? Is he going to do it?

**Hon. Mr. Wells:** I think that is a statement of policy.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have a question of the Minister of Municipal Affairs. Would the Minister of Municipal Affairs agree with the position put forward by the Minister of Energy and Resources



Management (Mr. Kerr) that the only premise which would support Burlington being aligned with Hamilton-Wentworth would be that the neat, well-run, progressive peripheral or suburban municipality should come to the aid of the mismanaged and decaying core?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, that is a point of view.

Mr. Deans: Might I ask then if, in the decision-making process, the Minister of Energy and Resources Management has a vote as to what might take place, in terms of regional government for the area?

Hon. Mr. McKeough: Mr. Speaker, the hon. member well knows that the deliberations of the cabinet council are not to be discussed here or elsewhere. What goes on there is confidential.

Mr. Deans: Let me then ask the minister if he does not believe that statements such as this undermine the credibility of the report and are destroying the opportunity for bringing about a reasonable and rational conclusion to the difficulties we have in the area?

Hon. Mr. McKeough: Mr. Speaker, I recognize the great problems which members of the party opposite have of maintaining credibility; that is not one of the problems of this government.

Mr. Speaker: The member for Rainy River.

Mr. T. P. Reid (Rainy River): Thank you, Mr. Speaker. I have a question of the Premier. Is the Premier aware of the secret report of the International Joint Commission to the federal governments of Canada and the United States in regard to the pollution of the Great Lakes basin? And if he is aware of it, has he requested of the federal government that the province of Ontario be made aware of this report and sit in on the talks in regard to it?

Hon. Mr. Robarts: Well, there are a couple of *non sequiturs* in that question.

Mr. T. P. Reid: But they are good ones.

Hon. Mr. Robarts: I have not heard anything about this secret document, Mr. Speaker. If it is secret, I doubt that I would be talking about it here even if I had heard about it, because I probably would respect the fact that it is secret. But I have not seen it. It must be secret between the federal government and the International Joint Commission.

Mr. T. P. Reid: By way of supplementing Mr. Speaker, it is in the public press, and could not be any less secret than that, and would ask, therefore, if the Premier will not himself be aware of this and make representation to Ottawa to be party to the talks concerning this report?

Hon. Mr. Robarts: I can only say that I have great respect for the power of the press to make secret things non-secret, and will check into this matter that the member has raised.

Mr. Speaker: Supplementary?

Mr. Ben: A supplementary question of the Prime Minister. Where is the Minister of Energy and Resources Management?

Mr. Speaker: That is not a supplementary question. The member for High Park.

Mr. M. Shulman (High Park): I have a question for the Attorney General. What action, if any, has he taken on the letter which was forwarded to him by the Minister of Lands and Forests (Mr. Brunel) on April 2, and which was stamped as having been received in his office on April 3, from a Mr. Ringay, of the fire marshal's office, complaining of the lack of bilingual fire marshal officers in the northern Ontario area, particularly around Timmins and in the Chapleau area?

Hon. Mr. Wishart: A letter was sent in reply, but I am revising that reply and is going forward very shortly.

Mr. MacDonald: The minister's mail is backlogged.

Mr. Shulman: Well, will the minister inform me at the present time what he intends to do about this matter?

Hon. Mr. Wishart: No, I cannot inform the hon. member at this moment, but in due course.

Mr. Shulman: But does the minister intend to do anything about this matter?

Mr. Speaker: Those are sufficient supplementary questions. The Minister of Health has an answer to a question asked by the member for High Park.

Hon. Mr. Wells: Mr. Speaker, the hon. member for High Park asked me a question about certain insulin products. I have checked on this and I find that the requirements of the Food and Drug Directorate

that insulin is to be stored continuously at a temperature between 35 and 50 degrees Fahrenheit, or 2 degrees to 10 degrees Centigrade, before sale. This information is printed on the outer package of all such products used in this province, I am told, and a caution also appears about storage in cool places and the avoidance of freezing. This is also included in the package insert.

We find that there have been very few problems, but this matter, as the hon. member stated, was drawn to the attention of all pharmacists, hospitals and wholesalers, by the Food and Drug Directorate, who have a primary interest in this. We find that the major problem that does occur—and it occurs very infrequently—is in rural areas where the insulin is mailed and perhaps it gets left in a mail box which is outside and freezes, but apart from that there seems to be very little problem.

**Mr. Shulman:** A supplementary. Is the minister considering preventing the mailing of insulin, which in effect allows it to lose its potency?

**Hon. Mr. Wells:** Well, Mr. Speaker, I could not say yes or no; that might present a great hardship to certain people. The object of the Food and Drug Directorate was to make those who use the insulin very aware that, if it had frozen, it could lose its potency and could have an adverse effect. I would be happy to look into that, but it might present a hardship if we were to do that.

**Mr. Speaker:** The minister has a reply to a question asked by the member for Scarborough East (Mr. T. Reid).

**Hon. Mr. Wells:** Yes, Mr. Speaker, the hon. member for Scarborough East asked me about the three-quart-jug milk bottles, and I have checked with various people in our department. We are keeping a watch on this. They do not feel that a major health hazard exists now. We find that, in fact, over the last little while complaints about these bottles have been diminishing.

However, I am told there are steps under way to replace most of the bottles that are used now with a new bottle that will have printed on it permanently in red ink the words "for milk products only".

**Mr. Speaker:** The member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, a question of the Premier. When will the province adopt a policy of giving the Ontario Water Resources Commission the

responsibility for and the means of supplying water and sewage treatment to municipalities at competitive wholesale rates, thus enable municipalities to clean up pools, such as that which now exists in Grove in the township of Vaughan with these municipalities being involved in necessary financial commitments?

**Hon. Mr. Robarts:** Mr. Speaker, I will have to say first that I think the question is out of order. It is a matter of government policy and will be treated as such.

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

**Mr. Deacon:** A supplementary—

**Mr. Speaker:** No supplementary. The member for Sudbury has the floor.

**Mr. Sopha:** I should like to ask the Minister of Financial and Commercial Affairs in the light of the imminent closing of a woodworking plant at West Lorne, in respect of the public statements of the president of Erie Diversified to the effect that the company had been branching out into new enterprises unrelated to that operation, what investigation will be commissioned of the activities of this company since the president, Mr. Litwin, came into the picture?

**Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs):** Mr. Speaker, there is one ingredient that I am not aware of and that is whether the company's securities, stocks, and so on, are trading in the public—

**Mr. Sopha:** On the Toronto Stock Exchange.

**Hon. A. B. R. Lawrence:** Then that course, brings it properly within the purview of the securities commission. I think the asking of the question will cause an investigation to be made.

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

**Mr. M. Makarchuk (Brantford):** I have a question of the Minister of Lands and Forests. In view of reports emanating from Manitoba which indicate that mercury has been responsible for the death of Canada geese, is the minister's department checking to see whether mercury is responsible or is causing any damage to wildlife in Ontario?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, I have indicated on previous occasions that we had a study made last fall by Dr. Jervis, of the Toronto University, on wildfowl and grouse and other bird

the province, and this was on the effects of possible mercury contamination due to seeds being treated. The results were favourable; there was no indication of mercury contamination on our birds in Ontario.

**Mr. Speaker:** The member for York Centre may now have the floor to ask his other question if he wishes. Supplementary? I am sorry, there is a supplementary question. The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Is the minister using the facilities of the Chalk River atomic plant for these tests?

**Hon. Mr. Brunelle:** I am not aware of this, but I will be pleased to look into it. I would also like to add, Mr. Speaker, that we, in The Department of Lands and Forests, are in the process of acquiring special equipment to do some testing ourselves.

**Mr. Speaker:** Now the member for York Centre has the floor for a question if he wishes it. Not a supplementary; this is a new question.

**Mr. Deacon:** It is the same question. I will reword it. What action does the province propose to take to clean up the cesspool situation in the township—

**Mr. Speaker:** The hon. member has already asked that question. If he has another question he may ask it; he may not ask a supplementary question.

**Mr. Deacon:** The Premier was saying it is out of order but—

**Mr. Speaker:** I answered that as far as I am concerned that ended that matter. Now if the member wishes to ask a different question, I would give him the floor, but if he merely wishes to repeat his question, he does not have the floor. The member for Huron-Bruce would have the floor.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I have a question for the Minister of Financial and Commercial Affairs. Has the minister had a chance to review the advertisements and contests of the various cigarette companies as he undertook to do in response to my question of April 9?

**Hon. A. B. R. Lawrence:** Yes. I cannot say that there has been a review of every contest that may have been opened in the province, but I have gone over two or three of the bigger ones. Particularly I have looked at the Peter Jackson one and I cannot see

any consumer affairs ingredient here at moment. I cannot see any direct involvement through any of the statutes that I admini-

**Mr. Speaker:** The member from Scarborough, a supplementary? Has the member for Huron-Bruce a supplementary?

**Mr. Gaunt:** May I ask a supplementary, Mr. Speaker? Has the minister been in touch with the federal government and indicated to that he has viewed these contests and studied at least some of them?

**Hon. A. B. R. Lawrence:** I cannot say whether any correspondence has gone through my department or not, but I do believe these questions were raised in the Parliament of Canada in relation to the same type of contests.

**Mr. Speaker:** The member for Windsor-Walkerville has a supplementary?

**Mr. B. Newman:** I would like to ask the Minister of Financial and Commercial Affairs if his department has spot-checked the winners of the various awards to see if the people actually exist?

**Hon. A. B. R. Lawrence:** No, I have not. I have been assured by the company itself that its returns, its advertisements, are accurate and that the persons they allege to have received prizes have, indeed, received them.

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

**Mr. Lewis:** A question of the Prime Minister, Mr. Speaker. Why is the Prime Minister sending out letters over his signature to workers in the Dufferin Street tube plant in Toronto, indicating the willingness of the Department of Labour to retrain and recreate their jobs, when there has been no single such contact between The Department of Labour and those workers since April when the announcement of layoffs occurred?

**Hon. Mr. Roberts:** Well I am not sure that the facts contained in that question are correct, Mr. Speaker, and I will check with the Minister of Labour to see whether in fact they are correct.

**Mr. Speaker:** The member for Wellington South?

**Mr. H. Worton (Wellington South):** I have a question, Mr. Speaker. Will the Attorney General comment on a statement made by the crown attorney of Wellington that there was a great disparity in sentencing? He

the example that physical violence was often given a lesser penalty than a careless driving charge. Is the minister's department studying this matter of sentences?

**Hon. Mr. Wishart:** Mr. Speaker, I have not seen that report that the hon. member refers to, but I have stated before in the House that we have a continuing programme with our judges of the county and district courts and of the provincial courts on the principles of sentencing, that is the principles which should apply. I think we have made a great deal of progress in this way. We do not always get uniformity; and I think this is perhaps not an objective that can be achieved or is even desirable of achievement, because the facts on the same charge or for the same offence may be quite different in background—the deliberation with which the offence was committed, whether it was in the heat of passion; or whether there is great need, for instance, in a theft, that sort of thing—which vary the quality of the crime.

In the particular case to which the hon. member refers, he says that the sentence in a traffic case was greater than that in an assault. Without looking at the facts I could not make any more comment than I have made. I will add this, that I never have and do not intend to tell a judge of the court what his sentence should be. If I disagree with it as the Minister of Justice, if my crown attorneys feel that the sentence is inadequate or too severe, we have the right of appeal, as does the citizen involved. We do try to achieve a reasonable uniformity in the principles of sentencing.

**Mr. Speaker:** The member Scarborough Centre.

**Mrs. M. Renwick (Scarborough Centre):** I have a question of the Minister of Trade and Development. What are the current waiting lists of the Ontario Housing Corporation for accommodation? How many units are available in Metro Toronto at this time? How many housing units are there in total in Metro Toronto at this time; and how many will there be, approximately the end of this fiscal year, to accommodate those waiting?

**Hon. Mr. Randall:** Mr. Speaker, I cannot answer all those questions. I will have to get the information from the housing corporation to be accurate.

I might say, however, that I think their waiting list now is about 18,000 and I anticipate, as in many countries where they have a good housing programme, that this will climb because a great many people on the waiting

list feel they are paying too much rent to private landlord and they have put names on the waiting list for housing with Ontario Housing Corporation and as housing becomes available we try to take care of them.

I might also say that in the last survey made—I think it was last November—about 10 per cent of those people indicated that they had good housing but the rents are too high and they felt they should put their names on the list.

These are some of the things we were looking at in the last survey we made. On other information that is required by the hon. member, I will look into it to get the facts.

**Mrs. M. Renwick:** A supplementary question. Would the minister be able to indicate what portion of the housing that is occupied at this time has gone to those persons in need of those who are being assisted by Social Family Services?

**Hon. Mr. Randall:** I do not understand the question.

**Mrs. M. Renwick:** How many tenants in that portion of the housing that is allocated to those in need, such as family benefit recipients, would fall in the category of being persons in need, other words, people for whom assistance in this area involves the transfer of moneys from The Department of Social and Family Services to the Ontario Housing Corporation?

**Hon. Mr. Randall:** I would have to check to get the details. As the member knows, I think about 20 to 24 per cent of our families have not in the past been in that category; and I would not imagine it is any less today.

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

**Mr. D. M. De Monte (Dovercourt):** I have a question of the Minister of Trade and Development. Does the minister intend to reply to the telegram from Neil Young, business agent of the UEW in connection with General Electric?

**Hon. Mr. Randall:** I am sorry I did not hear the question on account of the interruption. Would the member mind repeating the question. I am sorry.

**Mr. De Monte:** Does the minister intend to reply to a telegram to him dated April 15, 1970, from Neil Young, business agent for UEW, asking for an appointment to discuss the situation at the Dufferin works?

**Hon. Mr. Randall:** Yes, we have already taken action to meet with Mr. Young. We have been in touch with him very shortly to find

who he wants to bring and who he wants to see.

**Mr. Speaker:** The member for York South, a supplementary?

**Mr. Lewis:** By way of supplementary, Mr. Speaker: arising out of the telegram and conversations with Mr. Young, will the minister investigate the allegation on the part of the union that 30,000 to 40,000 electronic tubes in perfect working order are being crushed artificially several days a week in order to create the climate where the layoffs are justified, and have been for the last three or four months?

**Hon. Mr. Randall:** Mr. Speaker, I do not know if that statement is correct or not. It was not in the wire to me, which just asked for a meeting. They said nothing about television tubes being destroyed. I would be glad to have a look at it, but I am not too sure whether these are the facts or not. These rumours spread very quickly and I think it would have to be checked out.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** Mr. Speaker, I have a question of the Minister without Portfolio, the hon. member for Stormont. Is the minister in the position to report on the study which he promised to initiate on the high industrial costs arising from the transportation monopoly in the Cornwall area, which is a serious deterrent to new industry?

**Hon. F. Guindon** (Minister without Portfolio): Mr. Speaker, I am not in a position to report, but I know that the matter is being studied now by The Department of Transport.

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

**Mr. T. Reid** (Scarborough East): I have a question of the Minister of Financial and Commercial Affairs. Is the minister aware that some consumer credit companies are engaged in what they call "personnel reporting" and are actually soliciting business? Secondly, what do these private investigation reports for prospective employers have to do with credit? Thirdly, is the minister aware that these reports for personnel reporting are specifically excluded from scrutiny by the individual who is being investigated?

**Mr. Lewis:** You will notice how long the Minister of Labour was here today, Mr. Speaker; it was two minutes and 10 seconds.

**Mr. Speaker:** If the hon. member wishes to address the Speaker, he will do so in proper manner.

Perhaps the Minister of Financial and Commercial Affairs will now have the floor to deal with the question asked him.

**Hon. A. Grossman** (Minister of Constitutional Services): He is here as often as the hon. member.

**Hon. A. B. R. Lawrence:** I think, Mr. Speaker, that the question is so broad in scope that I should take it as notice.

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

**Mrs. M. Renwick:** A question of the Minister of Municipal Affairs. Is the minister in a position to comment on the Lawson report and is there any hope for section 30 being amended so that boroughs can institute the type of building code standards and laws that they wish?

**Hon. Mr. McKeough:** Legislation will be coming in due course.

**Mr. Speaker:** The member for Ottawa Centre.

**Mr. H. MacKenzie** (Ottawa Centre): A question of the Prime Minister. Is the Prime Minister aware of the extent of the strike of the teachers in Renfrew county; and is the government doing anything to try to end this unhappy situation?

**Hon. Mr. Robarts:** I would refer that question to the Minister of Education.

**Mr. T. Reid:** When is he ever going to be here?

**An hon. member:** He left!

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

**Mrs. M. Renwick:** I have a question of the Minister of Agriculture and Food. When will the minister be implementing the price seizure under Bill 194? Are inspectors ready to pursue this Act, and if so how many? Are research facilities registered with the minister now; if so how many?

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, the regulations under the bill are being drafted. There has been no action taken at all concerning the questions the hon. member has asked.

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

**Mr. De Monte:** Mr. Speaker, I have a question of the Attorney General. Will the Attorney General reconsider his decision and bring Judge Robert Taylor before the judicial council in view of the outcry by the Canadian-Italian community of Toronto and other ethnic groups in Toronto?

**Hon. Mr. Wishart:** No, Mr. Speaker, I do not think I shall reconsider at all. I have already made my position clear in this House in answer to a question on that subject. I have expressed my displeasure, my disapproval, at least, of what he said, but I do not think beyond that I need to say anything more in this House in view of what the judges of the court of appeal said in disapproving the things he said. He did not refer to the Italian people at all, and the editorial—

**Mr. Lewis:** Oh, he said, "Go back to Italy."

**Hon. Mr. Wishart:** No he did not.

**Mr. Lewis:** Was he talking to Yugoslavs?

**Hon. Mr. Wishart:** He did not; just allow me to finish.

If the hon. member would listen, or perhaps read, he would be better informed. He did not refer to the Italian people, and the editorial in the Toronto *Daily Star* yesterday which said he did was mistaken on this point.

He was dealing with people standing before him on a charge of possessing offensive weapons—brass knuckles which they had manufactured, and pieces of chain. It happened that they came from Italy. He said: "These people, I think, should go back to Italy where they came from."

**Mr. Lewis:** He did not put it quite that way.

**Hon. Mr. Wishart:** Yes, he did. I think he would have said that had they come from England or Germany, or China, or Russia.

**Mr. MacDonald:** Why is the minister making excuses for his obvious prejudice?

**Hon. Mr. Wishart:** I am not making excuses.

**Mr. Nixon:** He should be removed from the bench.

**Mr. Lewis:** That transcript has the earmarks of a bigot.

**Mr. Speaker:** May I ask that the hon. minister draw his remarks to a conclusion, because the oral question period has expired.

Interjections by hon. members.

**Hon. Mr. Wishart:** I think, Mr. Speaker, might be allowed to reply to the question. I merely wanted to say that I disapproved his remarks, but he did not refer to any of people. He merely said, "These people standing before me charged with having the offensive weapons should go back to Italy where they came." I disapproved of his remark. I do not intend to do anything further.

**Mr. De Monte:** Yes, but Mr. Speaker, way of supplementary—

**Mr. Speaker:** The question period has expired.

Petitions.

**Mr. Lewis:** The minister should go back to Sault Ste. Marie.

**Hon. C. S. MacNaughton (Treasurer):** Where do you think you should go? Oblivion.

**Hon. Mr. Welch** presented the University of Toronto report on the financial statement for the year ending June 30, 1969, and the annual report of the Centennial Centre for Science and Technology.

**Mr. Meen**, from the standing legal municipal committee, presented the committee's report which was read as follows and adopted:

Your committee begs to report to follow bills without amendment:

Bill 8, An Act to amend The Solicitors Act.

Bill 9, An Act to amend The Barristers Act.

Bill 10, An Act to amend The Notaries Act, 1962-1963.

Your committee begs to report the following bill with certain amendments:

Bill 7, An Act to consolidate and revise the Law Society Act.

**Mr. J. Renwick (Riverdale):** Mr. Speaker, would think these bills should properly go to the Committee of the Whole House.

**Mr. Speaker:** They cannot go to third reading without unanimous consent. Is the Minister of Justice agreed that they should go to the Committee of the Whole House?

**Hon. Mr. Wishart:** Yes, Mr. Speaker.

**Mr. Speaker:** Then they be ordered for Committee of the Whole House.

Motions.

Introduction of bills.

## THE OPERATING ENGINEERS ACT, 1965

Hon. Mr. Bales moves first reading of bill intituled, An Act to amend The Operating Engineers Act, 1965.

Motion agreed to; first reading of the bill.

**Mr. Lewis:** There is a piece of far-reaching labour legislation.

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, this bill will remove the requirement to provide a compressor operator to operate a compressor which is under automatic or remote control and is remotely situated. We feel that the compressor so controlled and located minimizes the danger and exposure to a point where there is little possibility of injury.

## THE INDUSTRIAL SAFETY ACT, 1964

Hon. Mr. Bales moves first reading of bill intituled, An Act to amend The Industrial Safety Act, 1964.

Motion agreed to; first reading of the bill.

**Hon. Mr. Bales:** Mr. Speaker, this bill will strengthen The Industrial Safety Act by enlisting the services of professional engineers and architects in the design of industrial and commercial buildings. By requiring the signature and seal of an engineer or architect on drawings of buildings with over two stories in height, we have ensured that the components of the structures will be designed with professional understanding. Drawings of smaller buildings with less complex problems will continue to be reviewed by our department engineers.

Mr. Speaker, if I may, I would introduce one other bill.

## THE ELEVATORS AND LIFTS ACT

Hon. Mr. Bales moves first reading of bill intituled, An Act to amend The Elevators and Lifts Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Bales:** Mr. Speaker, this bill will make The Elevators and Lifts Act more effective by including devices which are now exempt, utilizing the knowledge of professional engineers, and strengthening the administrative activities.

The bill also gives the chief inspector authority to determine at what intervals an

elevator or other lifting device shall be inspected. This is based upon the premise new installations and those under regular maintenance do not require inspection as frequently as those having many years' service or exceptionally hard usage. The time saved by inspectors can best be used where records show his attention is needed most.

## THE ELECTION ACT, 1968-1969

Mr. Young moves first reading of bill intituled, An Act to amend The Election Act, 1968-1969.

**Mr. F. Young (Yorkview):** Notice was given on February 24, 1970.

**Mr. Speaker:** I am pleased indeed that a member has told me about the giving of notice, but now our rules no longer require it.

Motion agreed to; first reading of the bill.

**Mr. Young:** The purpose of this bill, Mr. Speaker, is to reduce the age of persons who may vote at provincial elections from 21 years to 18 years.

**Mr. Speaker:** I think, perhaps, before the orders of the day, now the member for Centre is back in his seat, I might say in explanation of the interchange earlier, a minister has the right to refuse to answer a question under our new rules. He also has had.

The Prime Minister indicated that in his opinion the question was out of order therefore he was not answering it. There was not possible for me to allow the question to be asked again. I thought the member should know the reason for my ruling.

Orders of the day.

**Clerk of the House:** The 13th order, H.C. in committee of supply; Mr. R. D. Rowland in the chair.

## ESTIMATES, DEPARTMENT OF PROVINCIAL SECRETARY AND CITIZENSHIP (continued)

On vote 1702:

**Mr. Chairman:** The member for Riverdale

**Mr. J. Renwick (Riverdale):** Mr. Chairman, I want very briefly to conclude the remarks

that I was making last night on this whole question of community participation and what I believe to be the inappropriate orientation of the minister toward the problems that are involved in community participation.

I have referred, on a couple of occasions, to a speech that he gave last week on this question to the municipal-provincial conference, in which he appears to have misunderstood the impact, the reasons for and the causes underlying the growth of group action amongst citizens in the various areas of the province. I note again, and I draw this particularly to his attention, that he failed to comprehend that the grouping together, in a collective way, of people to protect themselves is a purely protective and defensive measure in the face of threats posed to them by the action of third parties; or by the combined action of government and third parties; or by the failure of government to react in a way which would provide for their protection. I want to make a further point, and that is that there is always a lag in time between the government's response and the problem which is raised. Always, people get hurt.

I raise, for the minister very clearly, the question of the expropriation in Don Mount. The expropriation in Don Mount was at least the *causa causans* of The Expropriation Act. It certainly was one of the principal reasons that finally forced the government to deal with the question of the inadequacies of The Expropriation Act. When the Act was finally brought into force in December, 1968, to take effect on January 1, 1969, of course, the very persons who were involved in the kind of protest which led to the enactment of that Act did not receive the benefit of the protections under that Act.

You have the same situation with respect to what happens at a plant like Dunlop. You are going to find that this government is, at some point in time, going to introduce legislation, at least going some way toward dealing with this question of advance notice and preplanning and pre-arranging of affairs, if and when an economic unit of the size of the Dunlop plant on Queen Street is required, by allegedly economic circumstances, to shut down. Yet the very persons who are involved in the incident which will precipitate that legislation from the government will not benefit in any way by it.

Those, I think, are only two examples of the lack of response of government which reinforces the position which I have tried to get across to the minister—that you are dealing with threats to people and threats to

groups of people that require them to be together because their elected representatives under the representative system of government, are not aware of them. Or are not aware, prepared to act in a way which will meet those threats in a significant way and allay their fears.

The minister's orientation in his speech is directed, of course, simply to what I may say is either sidetracking, or coming at obliquely, the basic problem and not dealing with it. The whole emphasis of his speech for practical purposes is away from the concept which I have put forward to the minister as being the real motivating cause of this particular phenomenon in our society at this time. He is getting into a situation in which he is trying, in his own way, to provide something in a Rotarian or Kiwanian way, to institutionalize the kind of reaction which people have to the threats which are posed for them.

He states in his speech that these various community conferences which he has been holding are for the purpose of encouraging a greater recognition on the part of community members of the significant role which they can play in improving neighbourhood facilities and conditions through their efforts. He has then a further reference to the seed money which he is going to use for group activity organizations in various areas to assist them, I quote, "with the operational expenses involved in their programmes of recreation, information and referral".

The minister is not running a parks and recreation operation in community participation. What he has got to realize is that his job does not involve suggesting to the people that there are really very nice and pleasant things which they can do; such as tidying up the streets, or working to get a little parkette on this corner of the street. What he has got to realize is that the basic problem is, is he prepared to allow, and is he prepared to provide, the support by way of money and otherwise, to groups of citizens who are, in fact, acting in opposition to the established institutions of government. This is the—

**Hon. R. S. Welch** (Provincial Secretary): I have already said that.

**Mr. J. Renwick:** No, Mr. Chairman, the minister has not said that, and I want some clear indication by way of answering three or four specific questions in order to establish in my mind some clarity about what the minister is trying to do. I gave



examples last night and he has given examples in his speeches of the so-called seed money which is being granted.

I want to know, Mr. Chairman, what are the conditions and studies which lead him to decide that certain groups are entitled to this so-called grant of seed money, in the first place? When he has made that decision, what are the amounts of money which he envisages for this kind of operation, for what length of time and with what strings or conditions attached to it and its use?

Because it would seem to me that, if the minister is, in fact, speaking of the same kind of community activity that I am speaking about, he has to make an assessment. If he is deciding that this is a group which is legitimately protecting and defending an interest which requires protection and defence, so that they can institute a proper confrontation, if necessary—at least a proper dialogue—with government about it, he has to be prepared to give them the number of dollars that will permit them, on an unconditional grant basis—because that seems to be the peculiar jargon of the times—an unconditional grant basis, so that they can go about carrying out the purposes and objectives of their association without in any way being involved with the institutionalized structures of government.

Those are the kinds of questions that I would like to have the minister specifically answer, as well as to have some response from the minister to the remarks which I made about this whole question of the defensive protective action of community groups, because of the failure of the elected representatives and the representative governmental system to respond appropriately to the fears and concerns which people have.

**Hon. Mr. Welch:** Mr. Chairman, I welcome the opportunity to engage in some discussion on this subject, because it is an emphasis in which obviously this department has become quite interested. It is an emphasis which has been the subject matter of many speeches which I have had the opportunity to make—developing the papers actually which predate, and are also summed up in, the paper which I gave at the conference last Friday afternoon.

As to our approach in this particular matter, I start off by saying that although the member for Riverdale may have set himself up as some expert as to what has motivated the formation of these groups, I say, with the greatest of respect, that he, in my opinion, may be speaking about some groups

with which he is connected. But I do not share his view for one moment that the force or the argument which he had developed in any way is representative of the citizen movement in this province. Many of these groups may not be developing or organizing themselves around any particular threat or issue or power play, whatever I want to point out. It comes as no surprise to me, and I would hope that he would understand—I say it right in the speech that I gave on Friday afternoon—that many people have expressed the view that if the people have a greater voice in the affairs of the community, some form of confrontation with government must ultimately develop; to which I say, "So what's new? What is wrong with that"?

**Mr. P. D. Lawlor (Lakeshore):** Even though people are listening to you now.

**Hon. Mr. Welch:** What many of these people have overlooked, I go on to say, is that certain forms of confrontation have always played an integral part in our political system, and when approached in a reasonable manner may prove to be a very effective means of promoting social change.

**Mr. S. Lewis (Scarborough West):** You are speaking about an irresponsible manner?

**Hon. Mr. Welch:** Well, that is a judgement, I say to the hon. member. I mean that is what representative government is all about. Ultimately those of us who are elected have to make certain decisions with respect to the merits of any case that is presented to us. I accept that as the number one responsibility I have, as the representative for the riding of Lincoln. I have got to make the judgements in the same way that people who are elected to municipal councils will have to assess what turn out to be pretty conflicting points of view coming from many groups of people discussing the same problem. That is nothing particularly new about that.

I want to point out that the key word in the entire speech was the fact that there must be a response to the groups. How we respond or what the response may be is another matter and will depend on the value judgements of those who have the responsibility, ultimately, of making a decision in our representative system. But I want to point out to you that it is important to respond, and it is important for us as a government to make it quite clear that we as a government recognize the development of citizens groups in this province as a very necessary and

very worthwhile means by which individuals and groups can express their views, and in some way can find a vehicle to articulate in an effective way their desires and their needs and their points of view.

It is true, as the member for Riverdale points out—and I underline this because to listen to him this was the last word—that this was the only reason that some of these groups got formed. But some groups have in fact formed themselves, organized around specific issues, and some of those issues have had to do with redevelopment. But I would point out to him, with the greatest respect, that the Don Valley study to which he had already referred has pointed out that this government has in fact been responsive to these identified needs in two ways.

The report itself talks about the very matter which the hon. member for Riverdale himself made, or rather to which he made reference. He refers in the Don Valley study to the OMB ruling, by which that board upheld the block wards, because the block system preserves neighbourhoods and a sense of community. This surely influenced the board in its decision, and again we see the preservation of neighbourhoods as being important and local neighbourhood participation and involvement not as a threat but rather as the very cornerstone of the democratic system.

There is also reference to the new appeal board and The Expropriation Act as being a further indication of the recognition of government of individual citizens' rights and indeed strengthening this whole process.

Then, of course, the policy statement referred to the ensuring of the participation of citizens. The hon. member made some reference to this last night, particularly in view of the fact that my colleague, the Minister of Correctional Services (Mr. Grossman), was very much interested and very much involved in this: the involvement of the people in any urban renewal project in which the government would be involved.

Here we have some concrete examples of this government's action—they were referred to in the speech; this is not new material—some concrete response to citizens' groups who have identified needs and those needs being defined in certain areas. After all, we are here—I hope we agree at least on this—to serve the public. We are not here to impose controls necessarily arbitrarily. As our society changes and needs arise, we have to respond.

But let me emphasize here once again—and I do this in the spirit of this discussion be-

cause this is a development which I think will hear more about—that all citizens' groups and citizen involvement generally is centred around redevelopment. My department has been working—and I will get to specific questions—in association with the Ontario Federation of Citizens' Associations the past year; I spoke to their first convention over a year ago, and I talked about the importance of this business of response. I talked about something, to which we will make reference in a very few moments, that is supported by a very objective study with respect to the polarization of views against anyone or any type of institution.

The Ontario Federation of Citizens' Associations, I am pleased to say, accepted the invitation of our department to hold their monthly meetings in our own branch office on Spadina Road. That does not sound like a threat to me, or that it is any sinister thing we were holding anything over their heads. We said, "Come on in and use the facilities. I was privileged, as I have already mentioned, to speak to their first annual conference on their invitation. I did not feel that I needed any armed guard to go in. And my department has recently given the association to assist in their objective of increasing citizen participation in community affairs.

This association, the Ontario federation, is composed—and I want to give the list, as you can think in terms of the work that the groups do from the standpoint of the framework in which you form their motivation and the reason for their existence. The Ontario federation is composed of the following member groups, all of which are not concerned merely with redevelopment but whose interests are far-ranging. We have such things as neighbourhood improvement, children's recreation and sports, adult social activities, adult education, social services and, of course, the whole principle of citizen participation in general. We do not write their agenda. We do not create their interests. They, in fact, do this themselves. Listed to them: The O'Connor Development Community Association; the Greenholme Neighbourhood Association; the Regent Park Community Improvement Association; the Lawrence Heights Neighbourhood Association; the Just Society; Warden Woods Community Council; the Willow Tree Neighbourhood Association.

In addition to these, the Ontario Association has very active contacts in other centres in the province, including Windsor, Peterborough, Guelph and Ottawa. Indeed, some

of their officers have, on our invitation, joined with citizen committees in those centres when we have had our community conferences, in order to work with them—or to share with them, rather—their organizational experience.

Insofar as your comments deal with these future concerns, may I draw the hon. member's attention to Kurata's statement in the study? I quoted it in my speech, on page 11, as well, because I was very much interested in it. I have a copy of this study here, if the hon. member would like to look at it. In his report—and he is a well-known community development worker—on these groups in Canada he made this observation:

Whenever citizens groups have dealt directly with their elected officials at the municipal or the provincial or the federal level, they have surprisingly obtained positive responses.

**Mr. J. Renwick:** He has not talked with the right people.

**Hon. Mr. Welch:** Well, you will have to check with him and see the basis upon which his research is done. I have no more to go on than the report as it is printed. It is all across this particular country and it deals with a group of people who have been surprised at their effectiveness in joining together with other people to articulate their needs and desires. I go back to Kurata:

When they have acted . . . or when they have spoken for themselves—

And I like this—

—and not through middle-class or professional advocates, on a face-to-face basis with their elected officials, the impact has achieved impressive results. Perhaps the major reason for this is that the confrontation is coming from an entirely new direction and level of citizens. In Canada, at least at this point in time, the citizens' group movement has not become rigid or polarized against anyone. For many reasons, the situation has remained one in which there has been a good deal of negotiation with give-and-take going on between the citizens' groups and those they deal with.

I leave that for the hon. members to consider and I point out that, in the light of some of these comments and more which could be given, it is very difficult for me, as a matter of personal opinion, to find any support for the hon. member's suggestions of pressures and powers and threats and so-called defensive operations. The point that is being made is that these groups are here; they are part of

our democratic process and, certainly, absolutely necessary that there be a response to these particular groups at all levels.

I go to some specific questions raised by the member, and I hope I have them in order. I can list, for instance, on the basis of practice so far, about five grants which have been made, following up in most cases actual community development conferences with the community, where the community has identified its needs. Therefore, in order to respond to the follow-up of the conference, it has asked for some seed money, some experimental money, to ascertain whether or not this type of programme could be developed.

I talk about the East Windsor Citizens' Committee request for \$5,000. This was matched by a \$5,000 grant from the Secretary of State's department of the government of Canada and also by \$3,600 from the city of Windsor. The Brockville Community Coordinating Committee asked for \$500 to follow up the information needs that were identified at a community development conference in that city. The Downtown Community Citizens Organization of Windsor asked for \$3,000, the Neighbourhood Improvement Committee in Ottawa for \$500, and the Ontario Federation of Citizens' Association which I have already made reference to for \$750.

There are no strings attached, no conditions. We invite them to experiment by way of following up the conferences which have been held. What I am trying to get across is that we are so interested in following the developments of these particular organizations that we invite them to share with us the results of their work and their study. Our staff people are always available to provide whatever support we can from the manpower point of view.

It is quite fairly understood these are recurring grants at this stage. They are being given in the spirit of experimentation as we attempt to find out our role as a government in this whole field of encouraging this type of development.

It is in that spirit that I had the opportunity to announce that this is the way we will go into the whole question of citizen advice centres throughout the province, namely to work with people who are very much interested in providing this service in their areas as far as their areas are concerned; and we will see what the involvement of the provincial government may be.

Surely it should come as no surprise to any member of this House that there is a

to be some difference of opinion with respect to the matters expressed or brought to our attention by the group and by those who have the responsibility to make decisions. But that is the nature of our system of government. This is why I say that it is a very healthy involvement on the part of the government, to be involved and to encourage—as many of my colleagues of the Legislature, I am sure, have identified themselves with the work of these groups in their communities. I, as a member of this Legislature, would consider it absolutely incumbent upon me to be connected with, in some way, or to listen to and respond to, any group of citizens who organize themselves in my riding, in a community, or on a county or a city basis, who have points of view to be expressed. There is really nothing particularly novel in this. Nor do I find, when I go to any of their meetings, that they really have put themselves on that side, and me on this side. We are leaving the organization as unstructured as it is, in many cases, as a vehicle of communication.

Recognizing that there can be differences of opinion with respect to the reasons behind the development of many of these groups, I am encouraged by some of the more objective studies that are going on in this field, particularly the ones financed, as the Kurata study was, I think, by a grant from the federal Department of National Health and Welfare.

**Mr. Lewis:** Would you call that middle-class or professional help?

**Hon. Mr. Welch:** Well, as I explained to you, I have never met him; I know nothing about his background. I was particularly interested in the report, and I just assumed that his qualifications were such that—

**Mr. Lewis:** You are not sure.

**Hon. Mr. Welch:**—the federal government would, in fact, want the results of his research.

**Mr. Chairman:** Vote 1702.

**Mr. J. Renwick:** I would just like to follow up again, very briefly, on what the minister has said. I think it is significant that none of the grants of so-called seed money has been made to any of the groups within the city of Toronto. I would like to know from the minister, for example—

**Hon. Mr. Welch:** Check the Ontario federation!

**Mr. J. Renwick:** It is the Ontario federation that is in the study?

**Hon. Mr. Welch:** It should be referred to as Metro.

**Mr. T. Reid (Scarborough East):** How about the Just Society?

**Hon. Mr. Welch:** They are associated with the federation, yes.

**Mr. T. Reid:** But no grants?

**Mr. J. Renwick:** I would just like to mention the point that there are no grants to any of the associations of citizens in the city of Toronto, in the new sense of group activity, associations of people in the city. My experience is, of necessity, limited to that particular area, and I am simply re-asserting the position which I made before. So far as that kind of group activity you are speaking about in the city of Toronto is concerned, it is not attracted to communities which require that kind of response, because government is not responsible to the extent that the minister tried to indicate in his all-encompassing speech to those who were at the conference that they should be more responsive. That, of course, I naturally agree with him, because that is part of the reason why these activities and responses take place.

But, if I may, I want specifically—and I do not know anything about the group—to ask the minister, for my benefit, to elaborate on the assessment, the way in which the decision was made, the steps which were taken in the East Windsor Citizens Committee, which resulted in their getting a maximum of \$13,600 total of \$13,600? What was the decision-making process? What are the projects which are now going to be studied? And, for example, was the \$13,600 deposited to the account of that committee or is it being paid over a period of time under some form of supervision or basic control as to whether or not the monthly payment is or is not going to be made? I only use that as a last comment. I do not want that to take away from the adequate explanation by the minister of the processes by which this particular group was selected by his department and by the federal government and by the city of Windsor to receive \$13,600.

**Hon. Mr. Welch:** Well I will start with the last question. As far as the province is concerned, it was an outright grant of \$5,000. It is not an instalment payment at all. I think the federal government did exactly the same

thing, and I assume that the municipality did. So they were in fact—

**Mr. B. Newman** (Windsor-Walkerville): They asked for \$5,000 and got \$3,600.

**Hon. Mr. Welch:** Fine, so they have the total budget. Now to go back to the beginning of the matter; I think it is important to trace the development of this. This was our first community conference under this new emphasis two years ago, in which the community was brought together and they themselves formed the local committee with manpower support from us. In fact, I see our role really as moving in in these things and moving out again as the people themselves organize.

It is not our conference, it is the community's conference. The agenda for each of these conferences varies, and we can get to this in another matter, but to be specific, in reply to this question, the community unity conference was held in Windsor and it attracted at that time a registration of about 200 people. One of the results of the conference in Windsor was the establishment of a citizens committee called the East Windsor Citizens Committee, and it established an action centre to serve the Drouillard Road area residents. They recognized some special needs in that area of the city of Windsor.

**Mr. J. Renwick:** What were the special needs?

**Hon. Mr. Welch:** Well, if you will just—I am answering your question, and I am sure that the member for Windsor-Walkerville (Mr. B. Newman), who has already made reference to this in his opening remarks would be quite familiar and be quite prepared to join in some explanation.

This, then, became a pilot project, following up the conference in the Drouillard Road area. In fact, these words are on the window of the downtown centre now—information, counselling and referral centre—in the heart of this particular part of East Windsor. They applied for and were granted this financial aid from the three levels of government which have already been referred to.

While most of the actual work in bettering the community is done by the local residents, the consultative services are provided by the Social Planning Council of Greater Windsor and, to some extent, by the staff of the three sponsoring bodies. An evaluation report of this project will be prepared, of course, by the social planning council in Windsor for later this summer.

As a result of the work being done to date it is interesting to note that two additional committees have sprung up in the Windsor area, one in the west end and one in the downtown area of Windsor. They provide a type of readily-available storefront service to people who find that they have a downtown centre to go to get information, to get instructions on where some of their needs, in fact, might be satisfied.

The member for Windsor-Walkerville, when he was discussing this particular matter yesterday, did mention some of the special needs of this area. He listed among other things the need for a new school in the area, the fact that turning that particular school into a community type school, there would be satisfied educational as well as recreational needs. The need in that area—and if you go there you would see this in a very real way from a visual examination—is for recreational facilities for young people and the need for day care facilities; the need for information, employment and training.

I watched, and you heard me refer yesterday to a slide presentation, which the young people in that centre prepared themselves. It depicts some of the problems of the area, including among other things delinquency, the need for some type of social services. I suppose it is in what I would call in my home town a factory section; a lot of concrete and very little grass. The need, which the young people identified themselves, was to have some green point in that section of the municipality, which people could go and find others who were as interested as they to work out some of these particular problems; or rather to work out some solutions for the problems which they themselves found.

As a result of this, and since it was not only us and since these were, in fact, recognized some of the areas of need and follow-up, we felt that it was wise to join with the Government of Canada and the municipality to provide this grant to see on a one-year operation how, in fact, the citizens themselves—through volunteer work as far as I can understand—chaired by my friend Gino Marcus in Windsor, who works at the Ford plant, would carry out this particular activity in the East Windsor storefront.

It may be that the member for Windsor-Walkerville could add something to that in a general way this is our involvement in this particular programme.

**Mr. B. Newman:** The minister has outlined the whole concept of the project quite

Originally, it had started as the result of a need in an area for some type of action. The East Windsor citizens group is in an area that has the Ford Motor Company with its long complex extending from the river front down to Seminole Street for approximately one mile. On the opposite side you have a railroad track and the former town of Walkerville, all of this is now Windsor.

They were hemmed in in an area that at one time was a complex of practically every ethnic group you could imagine. It had been at times referred to as "Little Europe". It is an area that is solidly built up and surrounded by industry. There is absolutely no green area for the youngsters where they could enjoy any type of recreation. The only hall available to them at one time had been a church hall on the corner of Riverside Drive and Drouillard Road and that was not satisfactory. It was out of the way and they wanted something more centrally located.

There happened to be Holy Rosary School, a separate school, a very old school. A school, though it may be sound structurally, did not provide enough facilities for the needs of the community. As a result, people banded together and, if I am not mistaken, the original spark plug was a man by the name of Harold Joanis, the type of fellow who was always willing to help others in the area.

He found that there were rent problems; there were housing problems; there was every problem that you could possibly imagine. The citizenry in the area did not know which way to turn. They consulted him and he followed through. He found that the work was probably a little too time-consuming and as a result formed a nucleus around the Holy Rosary School. They used it as a centre for their operations for activities for the youngsters.

This gradually expanded until the time they formed this action centre, this East Windsor citizens group. They changed the executive from the original group to the present executive headed by a Mr. Marcus. I visited him last Sunday and presented him with a book on the various community services, or the various services provided by the Ontario government, and with copies of The Landlord and Tenant Act so that they could advise the citizenry in the area of their various rights and the various programmes available to them through the various departments of the Ontario government.

They now have a fulltime worker from the community welfare council, if I am not mistaken, who is being paid for by the funds

provided by the three levels of government. They operate their centre on a five-day a week basis—Monday to Friday—until 4.30 in the afternoon. They are loaded with problems presented to them by the constituents in the area. Their big hope at the present is to be able to have a community centre built in a new school which they hope The Department of Education and the Ontario Municipal Board will permit the separate school board to construct in the area. Attached to this school they hope to have a community centre so that at least the citizens in the East Windsor area have some focal point at which they could congregate.

If anyone knows Drouillard Road, at the corner it had a beer parlour or a tavern at every corner; where there was not a beer parlour or a tavern there was a poolroom. The individual growing up in this area had not two strikes but almost three strikes against him at that time. This group is trying to raise the whole outlook of the individuals living in this East Windsor area and they are doing a magnificent job right now. We hope they can continue their operation as they are and improve as experience comes along and adds to their means and methods of operation.

I think that the fact that we got this from the citizens in the area, not by pressure from any level of government to establish it, speaks very highly of the individuals in the area. It is nice to see them start right from the bottom and grow up. If you do come to the area we would certainly like you to drop in at the action centre. I understand now that they are taking over a former pool hall actually; they are going to have another drop-in centre set up there, and a little recreation complex.

**Mr. J. Renwick:** I think that what the member for Windsor-Walkerville has said is what the minister has said adequately defining the difference between what I am talking about and what the minister talks about in terms of community participation. Let me make two points in connection with it.

Nobody thinks for one moment that what is illustrated by the remarks of the member for Windsor-Walkerville and by the minister insofar as that East Windsor community centre concerned is not worthwhile. Of course, it is worthwhile but it is a diffuse operation to fulfil human needs within the area on a community participation basis.

Of course, at the conference which the minister held in Windsor in 1968—and the list of people appended to that report fully and completely illustrates the fact—the persons involved in it were the persons who con-

from recognized groups of traditional community action operations. That is, community action in the traditional sense. You only have to go down the lists to see that every conceivable traditional, institutional, form of community activity was represented at the conference in Windsor; and, if one looks at the Cornwall one, you come to the same conclusion.

In other words, they are people who have traditionally devoted a portion of their time, by way of interest, toward charitable or community activities with differing degrees of skill—some with skill, some just because they want an outlet for fulfilling their own part in their own world in an altruistic sense. I do not decry that at all, but lacking in what the member for Windsor-Walkerville has said and what the minister has said, is the total absence of any effort to deal with the issues which are causing the kind of frustration and irritation in the community that drives these people to come together.

The minister went down to the city of Windsor—and I have the report here, and he took the identical course in the city of Cornwall—and, with a great deal of prior effort they got together all the people in the area who wanted to come and be registered for that activity. It was directed toward certain needs in the community.

Perhaps the only distinction I want to make is that the fact of the matter is that the Just Society in Toronto is trying desperately to organize around specific issues of concerns to the persons who are in the economic level which the people they are attracting belong to. You find, for example, the Oak Street people who tried to band together to avoid the takeover of that area on a ridiculous basis by the board of education; they tried to band together to form an association. The Trefann Court association, the Don Vale association, the Kara association—these are some of the tenants associations in the riding of the leader of this party that blew up.

So far as the committee appointed by the Minister of Trade and Development (Mr. Randall) was concerned, you find people with an identical interest who find that they are threatened and do not get any response. It is that kind of organization that forms around issues where people are involved.

I suppose I am just going to leave it at that point—at least as far as I am concerned—because I have probably overstated or taken up much too much time to make the point. But the next time that the minister

holds one of his community conferences would like to see listed among the registrants or listed among those who are available a large number of people who are not associated with the traditional bodies.

This is not in any sense decrying or bringing down the traditional bodies. I am talking about people who are not related to community welfare operation in the particular area, who are not related to YMCA or the IODE or the Junior Women's Art Gallery, or the Marlboro School, or Girl Guides, or the Kinsmen's Training Centre, or the St. Catharines College, or local Council of Women, or the MacDon Cartier Club or the teachers' college, or Children's Aid Society, or the YWCA, or social planning council, or the United Community Services of Greater Windsor, or Windsor Art and Literary Club, or Canada Manpower Centre, or whatever these various groups are.

I want to see whether or not it is at all possible for you to have a community conference at which you will avoid the pitfall of having a set schedule of speakers and addresses to be made. But instead, the people in your department, in the promotion of it, will go to an area and in fact listen—listen—and try to establish some contact with the problem which is involved.

For example—without making any judgement on it, because I do not have information at all about it—it would seem to me that one of the things the Just Society to use it as an example, is trying to do, is deal with the question of the inadequacy of The Workmen's Compensation Act. That is a difficult problem. It is a totally impossible problem for people who do not have the ability or the support of services to understand the workmen's compensation board to adequately protest against the inadequacy of the system and the amounts which being paid.

To the extent that the government administration passes the Acts relating to the workmen's compensation board, then the government has a view. Therefore those who are opposed to that view—who are trying to test against it—have great difficulty.

I think that your department, in a sense, has got to detach itself and go out somewhere in an objective sense and simply say, "We have come, not to try and persuade you that the workmen's compensation is good, but to provide you with the kind of facilities which will enable you to make the most effective criticism that you can make."

Or, if the Oak Street people, for example, are threatened, as they were—they are not threatened now because they are practically all gone—suddenly are faced with an expropriation and they want to come together, then it seems to me that your department should take the initiative. It should say: "Look, our experience would indicate that if you form yourselves this way. If you organize yourselves this way you might be able to make more effective action. Here is \$200 so that you can do two or three things which are involved, in order to protect yourself against that threat."

It seems to me that that is the kind of distinction which is coming through to me from this dialogue which we have had. I do not know whether I can add any more. I have tried to make myself clear, maybe others can contribute more to it.

**Mr. E. W. Sopha (Sudbury):** Well, you promised a dissertation on the Spadina expressway last night.

**Mr. Chairman:** The member for Scarborough East.

**Mr. T. Reid (Scarborough East):** I would like to continue on a bit from what the member for Riverdale said. I find myself in substantial agreement with him.

There are two types of programmes and he is talking about a very social activist type of programme by a community group which organizes around issues. I suppose some of my thoughts are influenced by having spent three years on the provisional council of the Company of Young Canadians where this type of programme was found to be very effective in a number of cases in getting the right response as defined by the local community.

Take the brief prepared by the Trefann Court mothers concerning what they felt was happening to their children in the education system near them—Regent Park School and Park Street School. This brief has been adopted by the local community association in Regent Park and was discussed formally at a meeting which I had the privilege of attending, about four weeks ago.

The point, as the member for Riverdale put it, is that there are groups who see their function as being much more than simply writing briefs, although that is important—who see themselves as trying to get attention from the press and from the public by engaging in certain tactics that will get such attention. Most of these tactics I would call

forceful tactics, in the sense they are violent tactics. They are not engaged in violence in any sense like that, but they are tactics which are used to get public attention to their problems as they define their problems to

Using this one case of the Trefann Court mothers' brief to the City of Toronto Board of Education, and its adoption, if you look at it by the Regent Park Community Association, the confrontation is a tactic of forceful confrontation, but certainly in no way can it be dismissed as being in the category as evading anything in the way of violence. But it is a very forceful tactic along the lines as recommended by Saul Alinsky in the States for community action programmes.

What they are saying in their brief is that the schools their children go to have an effect which results in their children being discriminated against in the education system. They are not saying so much that anyone is necessarily discriminating against their children, telling their children that if they use the word "ain't" as opposed to "are not" therefore they are stupid. Although this does happen. What the parents are saying is that the children go into the system in kindergarten and, compared to other children in other school areas, do not receive the benefit from the system in terms of passing and living formal education standards, which is necessary to get jobs in our society, to get off welfare and poverty, to be exact.

These are the people who have never had very much power in our society. They are like the "dependent communities," like the workers at Dow Chemical. It is the same concept. They are dependent on the system around them. They have not had power as defined as working together with other people—and so they are trying to get together now.

They find that their criticism, for example of the education system as they see it, is from their perspective, not from a middle-class lawyer's perspective, who might be trying to help them. It is not from a middle-class politician's perspective, who would also like to help them, but from their perspective.

They see the education system their children go into as being rotten, as being ridiculous. They try to do research on it and produce a report.

The point is that you have a group—there will be many more groups like it, I think—we will see it in Ontario Housing and more—which is not necessarily aligned with any political party. They are pro-



groups, who will say something very fundamental about the system, whether it is education, community, or welfare, or indeed even the Social Planning Council of Metropolitan Toronto. They will say these groups are inhibiting them from enjoying certain freedoms in our society. By definition, they are against the established power structure in society because they see it discriminate against them and their children.

The problem with the CYC—and I am sure the minister has read up on this—is that what in effect he is getting close to, but I do not think as yet has made a commitment toward, is the purposeful financing of social agitation and dissent in our society against the establishment of which he and myself are a part.

There is a long history in the United States about this and about what happens when you start financing social agitation. And I use that as a descriptive term with no emotional connotation. Why should the wealthy be allowed to agitate very hard-headedly against, say, the Carter report and the white paper on taxation? Let us have the poor able to agitate for their interests as well, as they define their interests to be.

The minister is going to be caught more and more, as big bureaucracies are going to be caught, with the issue of evaluation procedures—and this was raised by the member for Riverdale. How are you going to judge an application from the Just Society, because if you judge it in terms of the project in Windsor, which I understand to be a first-rate project of its type, you cannot make the judgement? They are not parallel; their purposes are different; the Just Society are organizing on issues.

The minister should read Saul Alinsky's writings—he probably has. He should read all of it. How he organizes the poor around issues; and also now around middle-class issues by the way.

How is he going to evaluate a request from the Just Society group, from the Ontario Tenants Association, and so forth? You know, it has to be out in the open. How is he going to do it? That is the type of discussion that we have to have. How do you finance a group, whose avowed purpose is to organize around an issue as they define that issue to be to them personally and to their families, which says that this government policy as now established is condemned? I do not know. It is a tough one. The federal government tried it with the CYC and, in my opinion, it was working successfully, except

someone got wet feet. I hope the CYC survive.

I would conclude my remarks on this a before I get into sub-item 6 on Indian development projects, by saying to the minister it is a big issue in a democratic society. He knows it, but he must not restrict his attention to the standard community association. I think they are important, but somehow has to move beyond that. I would also make the further suggestion, Mr. Chairman, on this particular issue that there is a terrible danger of these groups becoming partisan political groups.

In my own riding of Scarborough East tenants' associations are getting very active in private apartment buildings and in the old dividend apartment buildings, and in Ontario housing. I have made my stand quite clear on the riding. These people know that I am involved in this type of community action work, but I have made it quite clear because they come to me as a member, and I appreciate that, that I am not a Liberal Party organizer in this area for them. Now there is a conflict of interest for any elected politician in an involvement in a community association, because if local politicians—say me—really tried to take over some of these emerging groups in our ridings, we would destroy the viability of those groups.

All I can do is pose a paradox to the minister. There are members of the New Democratic Party in Scarborough East, many of whom share my view of social action. There are members of the Conservative Party in Scarborough East who do not share my view of the social action that these groups should be doing, particularly if they are protesting against the Ontario housing supervisory system. What is happening, unfortunately, is that there are not enough Conservatives like the minister, as I see it, out in Scarborough, who are going to work with members of the New Democratic Party, the Liberal Party, and totally uncommitted people in terms of partisan politics to help these groups.

Now, I do not know, but maybe the minister should make a grant to the Young Conservatives and tell them to go out and work with other politicians of different parties. I make sure that these groups do not become or appear to become—I do not want to be involved in a debate here—particularly attached to any particular party. It is a danger.

I have rambled, Mr. Chairman, but it is terribly important. Somehow or other in this particular aspect of the government policy, under the minister's direction, r

have the political undertones removed or reduced from it. I am terribly concerned when he talks about citizen service centres in certain areas.

**Hon. Mr. Welch:** Advice bureaux.

**Mr. T. Reid:** What do they call them? Advice bureaux in certain areas? I am awfully worried about this. I have got something called the Scarborough Liberal service centre which I share with two federal MPs, who happen to be members of the Liberal Party as well, and we have become a referral centre out in Scarborough. I must say a lot of my work is really case load work. It comes into that office and we solicit business. We send out pamphlets telling everybody what is going on.

We call it the Scarborough Liberal Service Centre because that is what it is, but we consider it to be very non-partisan; in fact, the municipality refers people to us for advice.

But I would be awfully worried if a government service bureau came out in Scarborough, and the group of us running that centre was not consulted before it came out. If you look upon us as a partisan political service centre, well you are right. We call ourselves the Scarborough Liberal Service Centre. But I can tell you that in the next 10 or 15 years the traditional partisan political type of politics, as we know it, is going to be a lot different.

I would suggest to the minister that where there are political offices—and there are some in Windsor, I was talking to one of the NDP members from Windsor, and he has a good office going in Windsor too, as other members have perhaps—the minister must do everything he can in this particular area, which is going to become more and more important over the next decade or so, to really try to pull the teeth of any alleged, or the appearance of, political partisanship in this type of system.

There is a book, as the minister knows, written about how certain community groups in the States were taken over by the criminal element. I do not think we have to worry about that here, because we have not got that much money going to these groups. But if ever it becomes a big programme, such as some of the programmes under The Economic Opportunity Act of 1964 in the United States, and perhaps I disagree with the member for Riverdale on this, the minister is going to have to assure himself that groups receiving funds have two minimal things.

One, they must have a constitution that is democratic, a constitution that cannot include voting members who elect the executive. I think you are going to have to get into that area, probably within the next few years. Secondly you are going to have to get into the area of outside auditing of books.

The history of certain programmes in the U.S. under The Economic Opportunity Act from 1964 to the present time, shows that there were not sufficient—this is a very tough thing to do—types of control by the grant agencies to make sure that the local community groups were not taken over by criminal elements or groups who were interested in lining their pockets with the funds.

The type of control I am talking about is not programme control. I think local groups must have a free hand in programme control. I am talking about a constitution for a community association, which is democratic, allows for open membership, and so forth.

Secondly, the books are very carefully audited by an outside auditor, perhaps from outside the community. I will just tell the minister that what happened to the CYC was through its slightly sloppy bookkeeping, and as soon as an organization at the community level has slightly sloppy bookkeeping, the group it is protesting against will crush it.

So the minister is just starting into an area that has got all sorts of wonderful ramifications in a democratic society, I wish him luck, and I would like to discuss this with him anytime. Perhaps, we should think about ways of removing the political teeth or political overtones from this type of programme.

**Mr. Chairman,** I have another area I would like to—

**Mr. W. G. Pitman (Peterborough):** To continue on this before we—

**Mr. T. Reid:** I would like to get into the Indian—

**Mr. Pitman:** Unless the minister would like to comment directly on the member for Scarborough East's remarks, I would just say a few words on this.

I do not apologize for prolonging this debate because I think it is one of the most important items that we will be discussing in the estimates. It is the political frontier that we are very much on the frontier. I am sure that the minister realizes the very real political undertones which dominate this part of a discussion. I think if we can pull some of the teeth right here in this Legislature

will be to the advantage of all of us. I think that the minister realizes that, although he may tend to see what has been stated from these benches as an over-emphasis on the more radical elements in the area of citizen participation. I think, perhaps, he now sees that there is a double dimension to it. I think there are different kinds of community participation and community action.

We have identified, I think, two here. Both the member for Riverdale and the member for Scarborough East have indicated that there is what might be called the traditional establishment, communication-type of citizen participation, which revolves largely around organizations which are well respected; which are acceptable in the community and which tend to see, perhaps, the total problems in a community.

Then you have, and I am not suggesting that these are two exclusive groups, on the other hand, the more radical issue-dominated, issue-oriented, and perhaps even short term issue-oriented, in the sense that these organizations may come and go as the issue becomes more or less important.

I think that you have two very important groups and they may be crossing over. In fact, I am sure the minister would recognize that some of the organizations, which were a part of the Windsor and Cornwall conferences, at one time, were regarded as being extremely radical, but over the years they have become more and more acceptable and perhaps have become less confrontation-oriented in their approach to matters on the social scene.

I am going to suggest to the minister, I think he has got a very real problem here. I do not think that within the present structure he is going to be able to resolve it. There have been suggestions here this afternoon as to how he might come to grips with making the decision as to whether seed money should be paid, and perhaps an even more important decision, as to whether, as a result of the seeds that have been planted, he really wants the crops he is going to get as a result of those seeds.

I think that is where the real crunch is going to come. You may very well find that after the seeds have been planted some part of the establishment feels itself very much threatened by these seeds; and may I say to the minister, that part may not be on the front benches of the government at all.

For example, my colleagues and I were up in Ottawa last Saturday and we met a very interesting group of people from Sandy Hill,

the Sandy Hill Community Organization. Their main problem had nothing to do with the government here at Queen's Park. They came to see us because they wanted advice and assistance and consultation with a group of people who were involved with municipalities across Ontario. Their problem was to make themselves into an effective participating organization, not necessarily really combat but to make their views relevant to the planning department and to the council in this particular area.

Now I am sure the minister can very well consult with his colleague the Attorney General and the legal minds in the House as to why various city councils have not set up rental advisory committees across Ontario.

There are many citizens' groups who want to do this, but they simply have not been able to organize themselves effectively and efficiently and push sufficiently hard at a municipal council to get this kind of an agency set up.

He can consult with the Minister of Education (Mr. Davis) about how many advisory committees have been set up across Ontario in the hundred school board areas across the province. Maybe there are only a half dozen, although the legislation has been available to all these boards of education. The minister must realize that in many ways, perhaps we are a good step ahead of local politicians or municipal politicians in realizing that this is now a part of the game. We live in a different kind of political milieu. Perhaps this is the most revolutionary aspect of politics over the past five years.

But municipal politicians still tend to see or at least some tend to see, community action groups essentially as a threat to themselves. "We were elected, we went out and we faced the electorate on December 1; why should these people come along and say they have the right to speak for any group of people who elected me to sit on city council or on the board of education?" they say.

There is a very real feeling that what the provincial government was doing in putting through legislation to set up an advisory committee at the board of education level is undercutting the board of education members, making him less effective, his position less important and his status less significant. I think we have to recognize these problems.

So after the seed money, for example, given to, say a citizens' group, let us take another step. We are involved in setting up committees in school areas to develop community schools which will involve people throughout the entire community; not just the students.

and the teachers in the schools but the entire community. What is the board of education member going to feel about that? You give some seed money to that group, let us say, and suddenly they begin to make some suggestions as to the kind of curriculum, or who is going to have control of the gymnasium, or who is going to pay the caretaker.

Now these may seem like silly and insignificant problems, but they become very important problems. These are where the spears get broken, when it comes down to whether the seed money becomes development money.

I say to the Minister that he is involved here in a manner which may seem minimal and maybe one that is peripheral to the main work of his department as Provincial Secretary, but I suggest to him that this may be one of the most important aspects of his work.

One notes the areas we will undoubtedly be getting into in the next few moments, involve the Indians and the Eskimos of this province. The overtones that are involved there, you know, are absolutely monumental. I am sure he realizes what these are, but I tell him that he will find himself continually at odds with community government, municipal governments, boards of education and planning boards.

He is going to find himself continually in discussions with the Minister of Social and Family Services (Mr. Yaremko), and people like the Just Society or groups of unemployed demanding seed money and development money so that they can attack the legislation which the Minister of Social and Family Services has at his disposal.

He is going to find Pollution Probe groups across the province who will say: "Why are we not entitled to the money? We are, after all, spending many dollars' worth of, let us say, human resources making tests across the rivers and lakes of this province. Why should we not have some role as a citizens' group in creating the kind of environment this province needs, therefore why should not we receive the kind of seed money the minister has suggested?"

He will be led into some kind of confrontation with the Minister of Energy and Resources Management (Mr. Kerr) and the chairman of the Ontario Water Resources Commission.

I am suggesting that these are very, very real problems. I wonder if the minister might not consider that it is time to think of a new structure? Perhaps we need a council for community action under the minister's direction, very much as the council for the arts is

under the Minister of Education. I suggest this as a means of placing him one step away from the kind of political confrontation.

His main role will be that of making sure that that council is properly constituted and give as wide a range as possible. I do think the Minister of Education finds himself in the rather unlikely position of arguing to whether the National Ballet should receive so many thousands of dollars as compared to the Toronto Symphony Orchestra, and trying to balance off which group and which cultural activity has more viability and more importance in the society of Ontario.

I just think that there may be some advantage in the minister's considering at least, this kind of activity. I am not suggesting the possibility that perhaps the Indians and the Eskimos may demand a different kind of structure—one in which they themselves have a more active role—because I think this is a special service.

I do think that the comments that have been made by the member for Riverdale and the member for Scarborough East have some very real relevance to the fact that the province of Ontario must not just be fair, but must seem to be fair and just. I just do not see how the minister is going to be able to resolve those kinds of conflicts and those kinds of confrontations which are going to arise.

The Company of Young Canadians, in a different jurisdiction, I think brought up those problems. They came into conflict with municipal councils and with other social agencies. It is always going to be true that the new, seemingly radical and maybe radical, is either right or left—after all, the minister may very well get a request for seed money from those who wish to fight the white paper, get fairer taxation, or what they consider to be fairer taxation—

**Mr. Lewis:** In fact you are funding them now!

**Mr. Pitman:** Maybe they are. Maybe chambers of commerce will be the first recipients of your seed money as a community group to provide a particular type of service for participation in this province.

But I am suggesting to the minister, or trying to suggest obliquely, that it is not a problem of the left wing feeling "threatened." It is rather a very real concern of all of us on this side of the House that the minister has the opportunity to be just and fair—to seem to be just and fair—is going to be very, v

distorted under a structure in which he finds himself directly responsible for making the final decision as to whether this particular organization in that particular community is really the kind that he wishes to support as to seed money. And particularly after the seed money has been used, the development money.

This I think is very important, because in a sense what we are talking about here is the failure of our political structure. I am sure the minister would realize that, in a sense, the media, the whole society has moved past the political structure's ability to cope with the needs of society and the fact that the society can no longer communicate through these old traditional political structures which we in a sense represent here this afternoon.

I simply leave it to the minister to consider that as a possible solution to this dilemma.

**Mr. Lewis:** Mr. Chairman, on this subject for just a few minutes longer. Having listened with real interest to the debate and knowing that the minister's grants thus far are not given of overwhelming amounts, or of enormous courage in their unorthodoxy, to the various groups. There is no shrieking heresy in what you have given out you will have to admit, in \$500 quantities. It is hardly sufficient yet for outside auditing to prevent the takeover by criminal concerns—

**Mr. T. Reid:** It will get to that.

**Mr. Lewis:** It will get to that point when they reach \$750 and \$1,000, no doubt.

Mr. Chairman, given those things, out of curiosity, how is the Minister making his judgements? How will he make his judgements? Tell us on this side of the House how you feel in given situations?

Suppose the Just Society comes to you and says: "We want \$2,500 to indicate by way of documentation and subsequent social pressure, including demonstrations on the steps of the Legislature—perhaps even prostration at the opening of the Legislative session—we would like \$2,500 from government in order to take the workmen's compensation board on." Would you, as a minister, grant them that \$2,500 and on what basis would you make your judgement? What would the criteria be?

Suppose the Warden Woods Community Association, about which I know some small bit, came to the minister and said: "We want \$1,000 to do a survey to show that the amount of money which John Yaremko is giving us for family benefits, is entirely inadequate to

our needs, and that we are virtually destitute—we cannot properly and adequately care for ourselves and our children. What is the minister prepared to do in giving us this money and in allowing us, not only to do the search but take the important next step, would be to enlist the press and the media to let members of Parliament, to purchase time necessary, wherever necessary; to create a kind of public furor which will bring the government to a recognition of the problem.

Suppose the Pollution Probe in an unincorporated community, say Peterborough, came to the minister and said: "We cannot get the appropriate samples to take Lakefield School court, the Ontario Water Resources Commission has failed us. We know they are culpable, we want to take the samples, make a public issue out of it, humiliate the OWRA if possible. We admit that, because it is obviously the establishment body which is frustrating us, and for that purpose we need \$2,000. This is a legitimate community project with social implications." What does the minister's department do?

What I am really asking him is. What do you leave the Lion's Club circuit where do you enter the real world? That is what I am asking.

Where do you stop giving dollars and there to people whom you know will not cause you any great discomfort where do you begin to get involved with kind of social activism which has real meaning in this society? Will you ever get involved, and on what will you base your criteria? And I do not ask that provocatively. I ask that in a real wish to know how you are going to make your judgment. Have you thought about it? Have you talked about it?

**Mr. Sopha:** In other words, would you let a branch of the Viet Cong get some money?

**Mr. Lewis:** No, no. The member for Peterborough is taking it too far too quickly, and he always does. He has pressure groups in Peterborough with which he always has to cope.

**Mr. R. F. Nixon** (Leader of the Opposition): We are just developing goals and I am leaving you to do so.

**Mr. Lewis:** Right. But I want to leave the Maoists out of this and I would like to take a little shorter cut to more legitimate areas.

**Hon. Mr. Welch:** Mr. Chairman, I say this point that—and I say this quite sincerely—the contributions in this discussion have been very, very helpful. The member

Scarborough East and Peterborough, and now the member for Scarborough West, not to overlook the contribution by the member for Riverdale, have raised some very interesting matters and certainly have anticipated some areas of real concern.

I want to start off by saying that I sense that there is some feeling that I am not fully aware of the problems that this might develop. I want to assure you that I, for one, would not—and I do not think anyone in responsible government would—ignore the fact that the whole concept of dissent is a very important factor in our way of life. This is, in fact, what gives it its real meaning and those things which keep it fresh in my opinion. I do not think there should be any surprise that we want to identify ourselves in a very real way with this developing phenomenon in our society.

May I simply say this, without repeating all that has been said, in a very positive and in a very responsible and in a very helpful way, that I am very much impressed with the contribution in this discussion. I can assure those who have raised the various points that they will, in fact, be taken into consideration as we take the second step.

I am embarrassed by the fact, at this stage of the game, that we are talking about an idea for which we have not got great sums of money at the moment—that this committee is not being asked to vote a very large sum of money for this project. We are talking about \$31,000.

**Mr. Lewis:** Oh, enough to create a social revolution!

**Hon. Mr. Welch:** Now, wait a minute, wait a minute.

**Mr. Lewis:** You give that to the NDP before 1971 and we will turf you out!

**Hon. Mr. Welch:** I would be the first to indicate that this is not any great sum of money. Every journey has to have its first step, the member for Scarborough West even would have that.

**Mr. Sopha:** Chairman Mao!

**Hon. Mr. Welch:** How does that sound?

**Mr. Lewis:** You are not reading Alinsky, but you are reading some heady stuff.

**Hon. Mr. Welch:** Certainly consistent with the very quiet way this department goes about its work.

**Mr. Lewis:** Almost indiscernible!

**Hon. Mr. Welch:** Leaven in the great community lump. We are, in fact, starting in a very modest way with our community conferences and with the follow-up. I hope I did not hear the member for Scarborough West correctly when he attempted to belittle the efforts of the service clubs of this province for social good.

**Mr. Lewis:** Oh, you heard me correctly!

**Hon. Mr. Welch:** Surely he was not saying that Lions and Kiwanis and the Gyros and the other wonderful volunteer organizations were not making a very valuable contribution to society?

**Mr. Lewis:** No, Mr. Chairman. On a point of personal privilege. I do not know how you could take that implication from my remarks. I at no time said that it was the Lions Club International which invited Governor Wallbridge to Toronto to speak at its annual convention a few years ago. I did not advert to those kinds of problems. I said that there were obvious qualitative differences in terms of social activism which were worth looking at. Do not imply anything else.

**Hon. Mr. Welch:** No, Well, I just want the record clear because—

**Mr. Lewis:** It is clear enough.

**Hon. Mr. Welch:**—when the hon. member says, in his usual way, that we will leave the Lions Club circle and move into other areas—

**Mr. Lewis:** Circuit, I said. Not circle, not circuit.

**Hon. Mr. Welch:**—or circuit, I would want the record to show that I, for one elected member in this Legislature—

**Mr. Lewis:** I like the Lions Club circuit.

**Hon. Mr. Welch:**—appreciate the fact that if it was not for the contribution of service clubs and fraternal organizations and the good works of these, we would not, in fact, be able to subsist for taxes. Let us get that question clear.

**Mr. Lewis:** In Lincoln riding they are indispensable.

**Hon. Mr. Welch:** No question about that.

**Mr. Lewis:** Like the union of the unemployed—

**Hon. Mr. Welch:** That was before the time of the member for Scarborough West. T

were a very responsible, and I hope will continue to be a very responsible group, notwithstanding the fiery oratory, the incitement, of the member for Scarborough West.

Be that as it may, I want to assure the member for Scarborough West—but I already have assured by virtue of the speech that I gave—we will move into these other areas on the basis of criteria that will be laid down. I shared with the member for Riverdale the view of the basis upon which grants were made up to now. I recognize that there are other areas of activity, and indicated by way of the policy of the department that we would be moving into them.

I am impressed by, and I want to give some further thought to, the suggestion of the member for Peterborough with respect to that council. Certainly, I could not agree more that we must not only be, but appear to be, very objective insofar as the apportionment of whatever the amounts may be in order to stimulate this type of interest which we consider to be healthy. I think, in answer to the member for Scarborough West in a very specific way, that as part of this department's consideration of the next steps to be taken in this community development programme, his suggestion with respect to this council will certainly be given every consideration.

**Mr. Chairman:** The hon. member for Scarborough East. The last two speakers have been from the New Democratic Party.

**Mr. T. Reid:** No, I yielded my place to the member for Peterborough because I was going to move on to subitem six on community development projects for Indian communities. If we have finished with this, I would like to move into that area.

**Mr. Lewis:** Well I have a couple of small things. I will not prolong this. I still want to know from the minister, Mr. Chairman, who has not answered—

**Hon. Mr. Welch:** Mr. Chairman, let me go to the specific question.

**Mr. Lewis:** Okay, fine!

**Hon. Mr. Welch:** In the first place I have not had a request from the Just Society and I have not had a request from Pollution Probe. I am not going to be drawn in to speculate as to what my reaction would be to hypothetical requests; until such time as we have requests and we can analyze the type of programmes and measure them against some type of criteria which are being developed

along this particular line. But I have, interestingly enough, the Warden Wood people in.

**Mr. Lewis:** Right!

**Hon. Mr. Welch:** The Warden Wood people have been in and they have asked a couple of hundred thousand dollars, I think, for the building of some community centre.

**Mr. Lewis:** Right.

**Hon. Mr. Welch:** Now the answer is obvious. I have \$31,000 for a year to stimulate some community development work and we have an association that has asked for a considerable sum of money. However, in my first meeting with the Warden Woods people we have attempted in some way to suggest some organizational ways in which we could work together with respect to providing some type of supportive services with our staff and their staff as they are working to reach their objectives.

This is in a very early stage. We have not had a complete meeting two weeks ago, I think; they were in. So that is not a hypothetical matter about the Warden Wood people. They have just recently, I think yesterday before yesterday, sent in some specific aspects of their programme, which we—

**Mr. D. C. MacDonald (York South-West):** What about the request from the Thistletown community group?

**Hon. Mr. Welch:** I have not had such a request.

**Mr. MacDonald:** You have not had such a request?

**Hon. Mr. Welch:** Thistletown?

**Mr. MacDonald:** This is the one which another department is selling a portion of the property to a private developer.

**Hon. Mr. Welch:** It has not been brought to me yet.

**Mr. Lewis:** Mr. Chairman, just to put it together, may I point out to the minister his allocation for community action and citizen participation works out on a very small arithmetic figuring to 0.0004 cents per person in the province of Ontario. You will have to admit that is not what one would call a development of Ontario. That is not the m

courageous sum for the development of citizenship work and the support of citizen communication which the government might allocate, so some of us are necessarily sceptical.

**Hon. Mr. Welch:** That, plus strong faith will accomplish—

**Mr. Lewis:** Well, that plus faith—the minister is addicted to faith. He needs it because it is what underlies government at the moment. It is not enough.

The second point that is perhaps worth noting is that the sums that have been handed out thus far, have been handed out in pretty safe and secure circumstances. I am not denigrating them but they have been largely safe. That leads to the third question which is, will the minister's department be anything more than an operative fetish for the words "citizens' participation"? Will it have some substance in terms of those groups of active, belligerent, vocal dissent?

In fact, there should be encouragement to those groups in a society. In fact, it is wrong that the CYC went out of operation; entirely wrong that people, as the member for Scarborough East said, got wet feet in the process. It should have been supported however outrageous the middle-class establishment thought it was. We do not really expect from this minister, Mr. Chairman, the temerity or the heart of the lion to see it through. But it would be nice on occasion—even in the case of Warden Woods, to mention something which bears no conflict of interest for me—to have moneys expended for social protest, which is articulate, and decisive and embarrassing to government.

Give some credibility to government and give some real support to these organizations. That is the basis of the argument. We have really not heard from the minister that he wants to do that. We have heard that he wants to do everything else.

**Mr. Chairman:** Is there anything further on what I presume has been community development, before we go back to the Indian matters?

**Mr. De Monte (Dovercourt):** I wanted to speak to this whole question of community—

**Mr. Chairman:** Community development?

**Mr. De Monte:** —development in relation to the—

**Mr. Chairman:** The same topic about which we have been speaking?

**Mr. De Monte:** I think so really, specifically in relation to the community areas—

**Mr. Chairman:** Before we get back on Indian development, the hon. member Dovercourt.

**Mr. De Monte:** Mr. Chairman, I waited quite a while to take part in debate in connection with the estimates for the House at this time.

I am wondering whether the hon. minister has considered the whole question of development in direct relation to the development between the new Canadians in the province and the established communities which they find themselves when they come from countries beyond the seas.

I wonder, Mr. Chairman, what research has been done by the department in connection with the cultural gaps, both social and economic, which, of necessity, exist in centres in Toronto, Windsor and other centres in the province that have a great influx of immigrants. Particularly, I would like the minister to inform the House what he is doing about the cultural gap that exists between generations within the ethnic community—instance, between the immigrant and the second generation Canadian; the gap that exists when an immigrant comes here, who has either a very highly developed skill or profession because of his lack of understanding of the English language—and I do appreciate that he is very active in the language field—the gap that does exist between an immigrant who comes here, highly skilled, but cannot get a job because he cannot understand the language.

I think perhaps it is not the minister's fault that in England and in some of the countries in Europe there is a bit of a con game going on by some of the officials at The Department of Manpower and Immigration up above—to tell these people, "Oh, it is very easy to get a job in your particular trade or profession in Canada, and if you go there the jobs which you can pick up".

We know that that is not true, Mr. Chairman, and we know that a person who comes here from another country must necessarily learn to speak the language before he can practice his trade or profession. But I am wondering, Mr. Chairman, if the minister could possibly consider instituting day classes and subsidizing the immigrants' learning. I am sure, if he learns English quickly, he can take part in his trade or profession much sooner and integrate into society much sooner.



Perhaps from the taxes that flow from that, the cost of subsidizing the immigrants, say for five or six months, would be picked up.

The thing that strikes me, and I am a first-generation Canadian of Italian background, is the lack, sometimes, of communication or the loss of communication between a parent who is an immigrant and the child who is born in Canada. Necessarily, Mr. Chairman, this child or this adult is confronted with two distinct cultures—the culture of his father who maintains, of necessity, his culture from the old country, and the new culture in which the young adult or young child is immersed in Canada.

I think that the child or the young adult sees it is necessary to take part in this other culture and the speed with which he accepts the other culture does create many problems. I suggest that the minister institute some research into this very crucial aspect of our society which exists, in my opinion, today.

It is all very well, Mr. Speaker, to speak about confrontation groups and the type of confrontation that is going on today in society. But if we do not solve this problem we are very shortly going to have some very decisive confrontation groups within our society, within Toronto and the centres where there are great immigrant populations, because the problems are becoming critical in this regard.

There is a lack of true recreational facilities for these young people. They sometimes are unable to communicate, even though they want to, with the larger social and cultural structure in which they exist. Attitudes like those of His Honour Judge Robert Taylor tend to accentuate in the young immigrant's mind, or a young first generation Canadian's mind, that there is a lack of understanding and a lack of communication between the established structure as it exists and their existence in a structure that they cannot wholly take part in.

They appreciate that there are certain areas in that structure which they cannot enter, particularly because they are first generation Poles or Slavs or Italians or French or other ethnic groups from Europe.

There is in existence in our schools, for instance, an attitude that the immigrant child who definitely—and I think it is difficult to understand this concept—is existing in two cultures and sometimes it is difficult, or perhaps the teachers do not want to understand, that when the child comes to school in the morning, he is moving from one culture to another. This constant shifting back and forth between the cultures, and the clashes of per-

sonality within the cultures—the parents—the people in the other culture—tend to make the immigrant just a little bit less sure of himself within the Canadian structure.

I wanted to point those out to the hon. minister, Mr. Chairman, and I feel that it is incumbent upon him to do something about that. I notice that he has instituted many projects, but one of the places that has been decidedly lacking in projects is the city of Toronto—and the city of Hamilton, and Kitchener-Waterloo—where the bulk of the immigrants are going when they enter our country. I think he is laying too much stress on the fact that we have to have community relationships within the community as it exists other than the ethnic community.

I feel that his research now should take a real turn and go over to finding out what the problems within the city of Toronto, for instance. I know that the hon. minister sees many of his representatives, for instance the immigrant aid society. I met one of his representatives the other night at a discussion that took place at the IAS about the future of the ethnic, particularly the Italian community in Toronto and its co-ordination for its better understanding of the whole social structure in Toronto.

It is striking that the minister has not paid too much attention to this whole aspect of the department. When I define citizenship, Mr. Chairman, I define it as newcomers who have to be, not necessarily assimilated into the melting pot, but assimilated into the Canadian social structure as we see it. Where a man can maintain his cultural ties with the old country and at the same time take part in the Canadian fabric of things and make Canada greater than it is today. There is no doubt, Mr. Chairman, that the immigrants to Canada have made Canada what it is today.

There is another aspect I wanted to bring out; the first problem was the learning of language by the immigrants. Among the first generation Italians or immigrants, the problem is not one of language. We must implore upon the minister that this is not the main purview of his endeavours. He has to consider the fabric in Ontario from the point of view that it is made up of many nations and many people from many nations. We must understand the difference in the cultures in order to make Ontario a better place to live.

I would like to direct the hon. minister's attention to the project that the west end is attempting. As you know, the area of the west end Y has a fairly heavy immigrant population and they started a project in or

to be able to make the Y in that area more relevant to the people who live in that area. They commissioned a study which I recommend to the hon. minister.

Is he aware of the project of the Y out in the west end? Does he have a copy of the report that came out of that project?

**Hon. Mr. Welch:** We have not got a copy of that report. We have been working with the Y, but I do not recall having received a copy of that report, Mr. Chairman.

**Mr. De Monte:** I will make it available to you.

**Hon. Mr. Welch:** Thank you very much.

**Mr. De Monte:** I am trying to find it among my documentation here, Mr. Minister. If I can just lay my hands on it I shall read from it. But in any event, it is a report which goes into the deeper aspects of the immigrant community in Toronto. I would recommend that report very highly to the minister and, as I said, I will send it over to him.

But it strikes me, Mr. Chairman, that the minister, in a sense, is not really concentrating on the true aspect of the problem as it exists in Toronto. It is all very well if you have a meeting in Brockville, and a conference in Windsor, and a one-day conference in Toronto in connection with the teaching of the English language. I think that the minister should concentrate his efforts on having a conference that delves into the problems, the cultural problems, of the new immigrants and their families in Ontario today, and there are many of them. I recommend that he institute this conference very quickly.

I do recommend to the minister the many reports that have come out of New York—I think that I discussed these with the minister once and with the person who had come from New York at the conference, the language conference. I mentioned it to him then and I mention it to him again.

Let us get on with trying to look into the problems of the immigrants in Toronto and Ontario and let us see if we cannot do something for them as quickly as we can, because the confrontation groups might become more prevalent in the future if we do not do something about it today.

**Hon. Mr. Welch:** Mr. Chairman, if we are going to move in—is there anything more on newcomer integration? Perhaps if we could have newcomer integration, I would like to respond to that, then we could get into the Indian development.

**Mr. B. Newman:** Mr. Chairman, I would like to make a point on the contents of member for Dovercourt's remarks. That the minister is going to have to employ individuals who are conversant with the various foreign languages to meet with these people to explain a lot of this. To simply have the various conferences with everything discussed in the English language, does not penetrate into the ethnic community, especially the individuals we are trying to help the most the soonest.

So I would suggest to the minister, that he consider using those who are conversant with the various ethnic languages when he has some of the conferences that the member mentions.

**Mr. De Monte:** Mr. Chairman, I would like to say I think that it is incumbent upon the minister, if he does hold this conference, that he should get the various leaders of the groups to come in and present their problems. It should not be a one-day conference. I think it should be a conference in depth. It should be held in a city like Toronto, where problems exist and where there is a large immigrant population, and perhaps we can get to the root of the problem.

**Mr. Chairman:** The hon. member for—

**Hon. Mr. Welch:** I just want to respond briefly to the newcomer integration committee and then move on to the Indian development branch.

I appreciate the comments of the member for Dovercourt and Windsor-Walkerville on this whole question. I hope that all members of the House would appreciate that the whole aspect of newcomer integration is a very integral part of the department. In fact, it was one of the first programmes to be transferred to my predecessor, as the citizenship aspect of the office of the Provincial Secretary was being developed.

And so I share the concerns that have been expressed by both members, because in that spirit and the background I gave yesterday, as we think in terms of the work of the department, and the objectives of this department, in ensuring for all residents of Ontario full and equal citizenship, this means work at any disadvantage, felt or experienced by anyone, to accomplish that. We recognize here-once-again, the special problems experienced by newcomers, who are new both with respect to language and to culture and customs and so on.

I would like to say to the hon. members who have made comments insofar as the newcomer integration programme is concerned, that certainly, part of the new thrust of the department, and in expanding its programme in the total citizenship field, will be to carry on, with added emphasis even, the newcomer integration programme—to add to this programme, and in some places, improve it.

I just want to give you one or two headings of the directions, or rather signposts, which would indicate the directions which we intend to follow.

I hope that you would realize that our newcomer integration work cannot be related to specific community conferences anywhere in Ontario. Certainly, at any of those conferences, our people have gone in with instructions, as far as our department is concerned, that part of the community to be represented would be the new citizen communities. But our work is on-going work through language training and citizenship preparation classes. It is an on-going work in co-operation with International Institutes and with COSTI, our relationship with the ethnic press and a number of on-going continual things.

All I am saying is that I would not want there to be any misunderstanding that our only activity in this field would be with specific community conferences. But, let me say—and the member for Dovercourt has raised some of these points—I see, in the months to come, some emphasis along these particular lines as we develop even further a newcomer integration programme. I think, for instance, in co-operation with others who are in the field, we have to think in terms of the establishment of reception centres for newcomers at points of entry which would provide some initial advice and information. Second—and this is what the member for Dovercourt was making reference to, I am sure—I think in terms of the development of orientation courses which are aimed at helping the newcomer in a very practical, homespun way, to adjust—as the member for Dovercourt says—to the social and economic and the cultural aspects of life in this province. We are presently, as the member will know, experimenting with several of these courses at COSTI.

I think, too—and I make reference to the announcement of last Friday—I think of our new community advice centres programme with which we are going to experiment. I hope that he would see these as serving to help newcomers by providing them, along with many other groups in our society, with easy access to information and advice about

the government and about private agencies well, who are there to help.

I think, too, as I list these things of random, of the need to support private agencies who are, you know, very dedicated and very much at work in this area. We develop a programme, perhaps, of purchasing counselling services from existing private agencies rather than attempting to duplicate the good work which they are already doing. Then, any list of expansion in this work would include a plan to develop a program to strengthen, through a variety of means, multi-cultural aspects of our life. I am sure we are agreed on the fact that this is an emphasis that we should place, as far as this province is concerned—the multi-cultural aspects of our population.

We will be building up over the next year as the member for Dovercourt has urged research capacity in the department will equip us to focus more clearly, as he says, on the adjustment problems of the newcomer in order that we can in turn report the results of that research in new programmes.

We plan to initiate improved liaison between the various departments in the federal and provincial governments. This is a confusing for the newcomer, is it not? comes in with some specific question, but does not know that it involves federal manpower, federal citizenship, provincial education, provincial manpower services. We think that we can provide a meeting place where we invite representatives from all the agencies and sit down and have a talk about coordinating these particular matters. And so, in the name of liaison, I think we have a very important role to perform here.

I think, too, you would agree that we should step up our efforts to extend English-language training to those newcomers who still do not have easy access to language courses. We have been doing a lot of experimentation in this line with some dedicated people in various private agencies. The Earls court United Church project where mothers of pre-schoolers is providing some facilities for the children while their mothers are learning English, recognizing the difficulty that some of these people have going to classes, and you will remember Professor Richmond's study on pre-school children, of course, on the whole question of motivation of pre-schoolers and so on.

All I want to say at this point is to do away with any fear that anyone would have that there is any lessening of our interest in this field.

Recognizing as we always have that with half of Canada's immigration coming to this province, and then thinking in terms of the percentages of that half which concentrate in large urban areas, such as those mentioned by the member for Dovercourt, we have special responsibilities for these people. I can assure you that we will not slack in our efforts, and I hope that by giving these seven or eight points of our future planning you have the assurance that is required with respect to this type of programme.

**Mr. De Monte:** Just one more thing about this whole thing, Mr. Chairman. If one is to look at the problems that still exist in large metropolitan areas like New York and Boston, where this whole question was not even considered, there are a multitude of studies down there. But I think that it did create problems, and the problems are still existent down there. They have the "ghettoization" that has not broken up yet in New York and Boston. You have the peculiar attitude that we have a melting pot — the Americans tried to melt everybody into the same pot without considering the cultural backgrounds of the different peoples that have come into the United States. I think they are still doing it with Puerto Ricans; you are an American regardless. That is true: they are Americans.

But what I am trying to point out to the Minister is, let us not wait until it is too late. Let us do the research. I cannot agree with the Minister that they cannot have conferences or that they should not have conferences; you are having conferences now. And I submit with respect that you are concentrating on the wrong aspect of the whole situation.

**Hon. Mr. Welch:** I did not say we cannot have conferences.

**Mr. De Monte:** No, but you said—

**Hon. Mr. Welch:** I did not want you to relate all our newcomer works simply to these particular conferences.

**Mr. De Monte:** Oh no? But I do submit with respect, Mr. Chairman, that translation services are all right; they are beautiful things, and the other services are all right; they are beautiful things, and the other services that his department provides are very nice. But I think that the minister cannot lose sight of the fact that he has a large immigrant population with specific problems and that it is incumbent on him as the Minister of Citizenship to see that those problems do not develop into crises. That is my whole position. I do feel that the Minister says that we will not have a

conference, but I do think he contemplated a conference. Well, perhaps a conference this would bring the problems to the fore and would point out to the hon. minister exactly where they exist and how they can be solved. It is similar to the conference he had on the teaching of English as a second language; I think that was a very fruitful thing, and I think it was a very necessary thing. I held it in Toronto, and I attended it, and I think it was a great conference. We can have a similar thing in Toronto.

**Hon. Mr. Welch:** I think your idea of a conference on this whole question of newcomer adjustment is an excellent suggestion.

**Mr. De Monte:** Well, that is fine and I think if the hon. minister does have a conference, that it will be a fruitful one and it would point out to him the problems that do exist.

**Mr. Chairman:** Anything further on newcomer to community development programmes? The hon. member for Yorkview—

**Mr. F. Young (Yorkview):** Mr. Chairman, just briefly in following up this matter of the newcomer and the whole concept that the minister outlined here a few minutes ago.

I would like to bring to him the extension of the general theme. Many of these newcomers feel that they want earlier participation in the decision-making processes of the democracy. They feel that once they have come here, learned the language, have jobs and have bought homes, that they should at that point have a right to vote in municipal and provincial elections and they want to participate.

The minister has spoken about the training that is going on; that has been pretty thoroughly discussed. I think that is all to the good. But once that training is along to a certain stage, it seems to me that there is a reason why, once the newcomer has fulfilled his requirements and he has met the tests, he should not, at that point, be able to apply for his citizenship. A suggestion was made to our select committee on election law a committee that we should think in terms of a vote without citizenship. A very intelligent committee headed by Professor Costa from the University of Toronto presented this whole case to us.

But I see the difficulty in voting without the achievement of citizenship, and so I would say to the minister that he should be extending that work with the federal government which he mentioned, initiating discussions and pushing those discussions with

idea that perhaps we could cut in half the time for application and achieving of citizenship for people who have reached certain standards. At the end of two years, why cannot they apply? At the end of two and a half years, why cannot they achieve citizenship, providing that they have met the requirements here? This is a question which is being discussed very widely among our newcomers. They feel that since the people can come from any part of the British Commonwealth and vote at the end of a year, they should not be discriminated against by having to wait for five years.

So, Mr. Chairman, I would think that the Minister could take this under advisement and, with his federal counterparts, could discuss this very carefully. He should push this idea for the benefit of those who are here, who have decided they want to stay in Canada. They intend to become Canadians; they are ready to revoke other citizenships; they are now in a position where they want to apply for Canadian citizenship, and they want to be full participants in the democracy in this province and in this land.

I would ask the minister for his comments, and I wonder whether in fact these discussions are progressing at the level of provincial-federal relationships?

**Hon. Mr. Welch:** Well, Mr. Chairman, may I quickly say that I am very sympathetic to this approach. I have had a very brief introductory meeting with Mr. Stanbury, the federal minister whose views are well known, at which time we discussed a number of matters simply by way of introducing ourselves insofar as our respective positions are concerned.

I think, along with what the hon. member says, you will see the necessity for our department providing even stronger support services and orientation services to assist our newcomers to adjust that more quickly and prepare themselves for this. So I think perhaps it would be sufficient to say at this time that I am very sympathetic to what the member says, and can assure him that I will include this in my discussions with the federal minister at the next opportunity.

**Mr. Chairman:** The hon. member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, to qualify the size of this grant to community programmes—

**Mr. J. E. Stokes (Thunder Bay):** Have fun.

**Mr. Deacon:**—it seems to me completely inadequate, in relation to the importance of the role that developing communities have in the maintenance of the economic and social life of any area. I point to an area such as Kensington, down here, where they have had the use of facilities of St. Christopher's House. With that meeting place and the gathering together in that area of people from many backgrounds, they have been able to develop and maintain such a strong community spirit that they have been able to stop a destruction of what is really a most attractive part of this city—old Kensington—and something that we would like to lose. But it has been possible because of the strength of the organization that they have been meeting in that community centre.

The same type of programme is being attempted in the DonVale area by a group that wants to take over an old church and use it as a meeting point for community activities. There are areas in other parts of the city where they have had made available to them, at a very low cost, a building perhaps ancient vintage, but suitable for a neighbourhood where people can meet and where they can have a definite programme going ahead.

I suggest to the minister that this type of programme warrants the overall planning and development of a much more concerted effort than is possible under a \$31,000 item, and this means there might have to be seed money going into areas. For example, remember the wonderful area in the east end of Toronto called Beaches. Beaches in the late 1930s was a very bustling community, all on its own and as a result the area kept itself in good shape; there was no deterioration in housing in the area at all, even though a lot of it was quite old. The people had pride in their area, because it was a centre of activity in which community leadership could be maintained.

It is possible, as we have seen in a recent study of the Bureau of Municipal Research, to see community groups formed for crisis fighting rezoning or to deal with frustration over the educational facilities, or some other special need. But it is not possible for these groups to remain effective unless they have a staff centre out of which they can work and have a staff programme that will give them a continuing focal point between these crises that do occur. So I suggest, Mr. Chairman, that this amount of \$31,000 is totally inadequate and that the minister has not suggested, other than conferences, how he is going to really increase

and take an overall approach to improving and developing and fostering a much stronger community spirit.

I am not confining my interest here to new Canadians. I am talking about Canadians who have been living in existing communities where the spirit has been dying out; where people are not caring any more, because there is no focal point for their activities and their involvement and participation in their own affairs. I commend to the minister an overall approach, recognizing the need for co-operation, perhaps with assistance from the federal government, as well as working through municipal governments, where we do have a continuing physical form and a continuing programme. Perhaps the major contribution from the community itself is to show that they want it. At the least we give leadership in this approach.

I know in the DonVale area they are struggling to maintain the heart and the spirit of the people in that community, so that they will continue and improve and carry on in that attractive little community and not be swallowed up by the high rise cells that we have been building for ourselves in so much of the area around here. There is a lot more importance to having a character and a heart, so to speak, to a community, than almost anything else you can have for it. Only by having this type of centre, through which people can work and meet where there is a continuing programme to be carried on, can we hope to see this really take shape across the province. So I commend to the minister a much more aggressive approach than that which we see here in this estimate.

**Mr. Chairman:** Anything further before we go to Indian affairs? The hon. member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Thank you, Mr. Chairman.

While we are discussing community affairs and new Canadians, the previous speaker has mentioned a more aggressive approach and I am wondering just how much investigation this department does when it is seeking to assist residents of this province who cannot handle themselves in the English language.

If I may be parochial, I have some 12,000 persons of Finnish extraction in my own riding and we often think of them as a community within a community, not necessarily by their own choice but by the mere fact that many of them have not as yet been able to master the English language.

It concerns me specially in these times because I have established sort of an information centre in the riding in order to coordinate the assistance of this government back to the people of my riding in as big a measure as I possibly can, and I do not expect to get too much from some 6,000 or 7,000 people in the riding by the mere fact that they will not be able to communicate with me. Gradually I have begun trying to learn the Finnish language; but it is a difficult language and there is no way for me, during my work here, to immerse myself in the language and the culture so that I may learn it properly.

I just wonder whether I could ask the minister at this time to make contact with the people of the Finnish community—they are fine people, there is no question about that, I have always received a welcome from them—to find out whether there is a need here for some kind of a crash programme in the English language or if there is something more we could do for them that we are not doing.

They are a modest type of people. They are not pushy, they make very few demands, so there is some indication here, I think, in all due respect, that this might make them somewhat backward in their search for their needs. I certainly would like to be able to communicate with them, as I am sure the government would, and I would appreciate it if the minister would consider instituting some kind of investigation to find out whether what I say today is perhaps true.

**Hon. Mr. Welch:** There is no question about our interest here. I think the general policy is that we do provide this type of training where it is not being provided by the board—and by a board I mean a board of education doing this work as part of its general education programme.

I think perhaps we could simplify the answer by saying that is what we are doing, and if there are, in fact, residents of the province who require this special training it is not being provided for in any other way. We will in fact establish classes.

I can give the member this assurance that the director of this branch, who is particularly concerned with this, will be in touch with you to find out with whom we should make contact in your area. He will be glad to investigate the matter and follow it up to the end there.

**Mr. Chairman:** The hon. member for Tupper Bay, on Indian affairs.

**Mr. Stokes:** Thank you, Mr. Chairman.

**Hon. Mr. Welch:** Perseverance!

**Mr. Stokes:** Right. Since 10 minutes after 8 o'clock last evening!

I would like to concur, first of all, in a good many of the remarks made by the Leader of the Opposition when he led off for his party in addressing himself to the Indian development branch.

**Mr. T. Reid:** On a point of order, Mr. Chairman! I gave up the floor to the member for Peterborough before going into my remarks on the Indian question—

**Hon. A. Grossman (Minister of Correctional Services):** The member for Thunder Bay has not won his battle yet!

**Mr. T. Reid:**—and if we have now shifted to that subestimate I would like to have the floor back.

**Mr. Chairman:** Well, I should like to say that in order to be fair with all members of both parties we have to take turns, and the hon. member for Thunder Bay indicated last evening he was just about ready to speak on Indian affairs. The hon. member for Scarborough East, I believe, was not present, having taken his seat in favour of someone else. The hon. member for Thunder Bay has been waiting since last evening. I have been trying to switch the speakers back and forth. I think it is only fair that he be given the opportunity now and the hon. member for Scarborough East may speak next on Indian affairs.

**Mr. J. Renwick:** It is also the question of relative importance.

**Mr. Stokes:** I would also like to—

**Mr. T. Reid:** Mr. Chairman, with that remark from the member for Riverdale I would like to have the floor back.

**Mr. Chairman:** The speaker is the speaker who is recognized by the chair and addresses the chair. The hon. member for Thunder Bay.

**Mr. Stokes:** Thank you, Mr. Chairman.

To continue, I would like to associate myself with the remarks made by the Leader of the Opposition in wishing the Provincial Secretary well in his new responsibilities, that is the responsibility of administering the Indian development branch that was formerly the responsibility of the Minister of Social and Family Services.

However, I am just wondering whether the minister fully appreciates the importance of his new task. I am wondering if he is cognizant of the real import of the assignment which he has taken on. I was a little dismayed that the minister, having regard to his new responsibility, had not taken so much time to make mention of it in some opening remarks, relating to the House and assuring the House that he did feel that it was an onerous task and also that in the short time that he has had this responsibility that he might indicate to the House just what direction the Indian development branch of the department is prepared to go in its responsibility toward our first citizens.

As I notice on page 133 of our estimate book, by far the largest single amount of citizenship is to be allocated for community development projects for Indian people. These may be approved by the Lieutenant-Governor-in-Council—a sum of roughly \$1 million, of which \$14,000 going to the minister's Indian advisory committee. I am wondering why the projected figure of \$1 million for community development projects for Indian people? This figure was batted around by the department which formerly held the responsibility for administering these various projects, and I am wondering how the figure of \$1 million arrived at?

I would also like to ask of the minister whether there was no Indian participation in the conference that was held last Wednesday evening, Thursday and Friday at the science centre out in Don Mills, when I think it is fair to say that everybody in the province—certainly everybody who lived under some form of municipal government—was represented. There was no recognition given to well over an excess of 100,000 people in the province, 10 per cent of whom live on reserves and the remaining 50 per cent live in unorganized territories or in communities without municipal organizations. So that I am a little bit disappointed in the minister in not having made some remarks other than his general response to the Leader of the Opposition.

But before I get into the main import of what I have to say with regard to his responsibilities to our native citizens, I will once again wish him well in his new responsibilities and offer any co-operation that I may be able to give him with regard to my responsibilities to the Indian people in my riding. I have 22 Indian reserves and Indian communities in my riding, and I can assure you that I am prepared, willing and anxious

assist in any way possible in the administration of those new responsibilities.

Now I was wondering just what the approach of the Provincial Secretary will be to the government's new Indian policy, and I am talking here about the settlement of treaty and aboriginal rights. Our Indians who are entitled to full citizenship in the province, and this includes the representations that various government agencies and departments are able to make and the pressures they are able to bring to bear on other jurisdictions on behalf of all citizens of the province.

I feel that this government, and this particular branch, have been lacking in as much as they have not in any meaningful way stated the provincial position with regard to the Indian population in our province. I think it is fair to say that all departments of this government have taken a sort of a hands-off policy with regard to the approach of the federal government toward the Indian problem. In the hoped for settlement of treaty and aboriginal rights, I do not think that this government has taken the part that they should have in assisting our native people to achieve that end.

I think that we have failed to consult with our Indian people as to their aspirations and in regard to the kind of community development projects that they would wish.

I think it is only fair to say that well in excess of \$500,000 have been given by the previous minister to various projects throughout Ontario as sort of a last ditch stand so that they would not be held accountable for any unexpended amounts in the funds allocated for these projects. I do not hesitate to say for one minute that a lot of these funds did serve a very useful purpose, and no doubt we will see something concrete come out of them, but I do think that the approach to community development as it affects the Indians has been by and large without any meaningful consultation in a general way with Indian bands and councils, or with the Union of Ontario Indians or any other group which purports to speak for the Indian people.

I think the objective was outlined loud and clear by the order-in-council dated January 6, 1966, with regard to the setting up of an agreement respecting community development programmes for Indians in the province of Ontario as a joint undertaking by the province and the federal government. Generally speaking, its terms of reference were that Canada and Ontario agreed that in matters respecting community development programmes the principles shall be maintained

that there shall be joint consultation with Indians and that their consent should be obtained where such programmes are to be extended to or to include Indians who reside on an Indian reserve.

Now about 50 per cent of the Indian population do not live on reserves; and most of these live in small settlements without municipal organizations. So for all practical purposes they have no one to represent them other than persons like myself who, when certain problems are brought to our attention, intercede on their behalf. But there is something formal in the way of an on-going consultation between the responsible branches of this government and those who do speak for the Indian bands, councils and men throughout across the province of Ontario.

To get back to my opening remarks, I suggest to the minister that I think perhaps he does not realize just how onerous the task is going to be in supervising community development projects and bringing our Indian population into the mainstream of life—economically, socially, culturally—while at the same time maintaining their own aboriginal and treaty rights and their own customs and the feeling of community that they have with their own people.

I would like, Mr. Chairman, to refer to the results of a study by Dr. Graham Cummins of the medical services branch of the federal department last October and reported in public in the House of Commons shortly thereafter, that, when he stated that the death rate for all Indian males had gone up by six per cent from 11.15 per 1,000 to 11.81 per 1,000 during the last three years; and for all Indian females by eight per cent from 9.58 per cent to 10.35 per cent.

This memorandum by Graham Cummins also states that the increase in the mortality rate appears to be associated with increasing numbers of fatal accidents by suicides and violence, all suggesting serious social disaffection.

It went on to say that the average life expectancy for an Eskimo male is 20 years and an Indian woman 27 years—less than the life expectancy in countries to which Canada sends foreign aid. The death rate for a pre-school child is eight times that of the North American white and four times that of the North American Negro.

He also went on to point out that Canada is sending aid through "Miles for Millions" and the Overseas Aid Association to establish book centres and bookstores, while 10 per cent of our Indian population is illiterate.



"Miles for Millions" throughout Ontario are vigorously opposed to having any moneys going to the native development fund to develop communities, teach Indians their past and do the research into appropriation of lands and preparing briefs for the claims commission. Forty per cent of the Indian affairs budget is spent on welfare and only seven per cent on community development, thus encouraging the continuation of poverty and dependence. Fifty per cent of our aboriginal population live on less than \$1,000 annually per family, and 75 per cent live on less than \$2,000 annually per family. Only seven per cent of Indian homes have indoor plumbing and only 40 per cent have electricity.

I will not burden you any more with the rest of the remarks on that, other than a brief reference they made to the Hawthorne-Tremblay report which, while it urges that where Indians express their consent, means be sought by which the provinces, in constant communication with the federal Indian Affairs branch, could play a larger role in relation to Indian affairs; for example, in treating Indian reserves as municipalities.

They have presented a case for the development of a unique position for Indian reserves. There is support for the view that reserves can remain viable and distinct Indian social entities, which many Indians want them to be, while gaining the full benefits of provincial as well as federal services.

When one assesses the full import of those statistics that were released just last fall, and if one is to assume that the provincial government of Ontario and specifically, the Indian development branch of The Department of the Provincial Secretary, is going to become involved in any meaningful way with community development as it applies to our native population, you should realize that you have a formidable task before you—at least, I hope you do.

The terms of reference under which the Indian development branch was set up, I think in 1965, were to look after community development needs and the social needs of Indians living on reserves or in small communities off reserves. I think it is fair to say that very little of a meaningful nature has been accomplished to date.

I would like to refer the minister, Mr. Chairman, through you, to a paper on provincial services for Ontario citizens of Indian background. The stated wishes of the province of Ontario at that time were as follows:

The government of the province of Ontario wishes to make its position clear with

regard to treaties and treaty rights. It reports the following statement by the author of a survey of the contemporary Indian in Canada: "Common morality suggests that it is an obligation of the Canadian people, acting through their governments, to ensure that the treaty rights received in return for relinquishing title to land on which they are flourishing, industrial society has built, are scrupulously respected." Furthermore, subject to the wishes of the Indian people, the government of the province of Ontario supports the creation of an Indian claims commission to consider claims based on treaty obligations and it would abide by any decision of that commission.

Now, this is the stated position of the Ontario government and of the Indian development branch at that time—with regard to aboriginal and treaty rights of our native people.

Nothing that I can find in—and I have done considerable research on it—indicates that any assistance has gone forward to native people in the province of Ontario would assure them that they would have full co-operation and complete authority of the Ontario government behind them in their dealings having regard to that commitment.

I quote further from that same report:

One other outgrowth of the treaties is the Indian Act has been the position of provincial governments that government service for Indians is the exclusive responsibility of the federal government. This assumption has often been reinforced, in fact if not officially, by the federal government itself. This situation has been further complicated by the definition contained within The Indian Act of who does and who does not have Indian status for the purposes of the Act. Status Indians as a result have found themselves quite dependent on a single branch of the federal government for the provision of all services.

Non-status Indians, on the other hand, are neither recipients of such federal services nor do they receive extensive provincial services because the area in which they live along with their values, attitudes and general way of life identify them as Indian persons. Uncertain then as to what their role should be, the provinces have often been confused, inconsistent and usually inadequate services to the Indian people. While the provincial position referred to above would seem to have some validity, it is also a fact that these basic services

within the constitutional jurisdiction of the provinces.

Now if there has been any departure from that view taken by this government when that paper came out some four or five years ago I would like the minister to comment on it.

Outside of these major points of contact, government and resource industries mutual isolation was for many years characteristic of the relationship between most Indian people and the greatest portion of the general public. This situation allowed neither the Indian people nor the general public the kind of contact with each other that makes for a mutual understanding. This is so true particularly in northern areas of this province of opportunity where they have lived in isolation, they have been hived off to fend for themselves on fishing, hunting and trapping. In a good many of these areas they are forced to become nomadic because, living on the resources that exist in the province when these become depleted, naturally they would have to move elsewhere for a livelihood. So it has been difficult to bring services on a continuing basis to these people because, by the very nature of the life they have been forced to live, they tend to become nomadic.

But in this day and age where the Indians themselves, and certainly, hopefully at least, the government is trying to provide something better—something more meaningful for our Indian people—I think that it is high time that we did become involved in bringing services to these people. They have attempted to live on the outskirts of unorganized communities where a good many of the people live and a good many problems facing the native people in this province and those government agencies which are trying to provide government service at the present exist.

I think you have to appreciate that no longer can you slough off this responsibility on the federal government or say, because of their isolation, it is impossible to bring services to them. I do not think this argument is any longer valid and I hope we have heard the last of it.

Now, to quote further from this report by the government:

Unfortunately, the images and stereotypes which have always resulted from partial knowledge have been frequently, and not always inadvertently, reinforced by both public and private communication media. Not the least significant example of the dissemination of this kind of information can be found in reference to Indian

people in a number of our textbooks in both the public and the private system. The government of the province of Ontario will accordingly encourage all forms of the communications media to promote and disseminate more accurate more pertinent information about Indian people, both in terms of their history in terms of their present situation.

It is so important that the people of the province of Ontario really learn more about the native people, learn more about the way they want to live; learn more about their religion; learn more about their culture and learn to appreciate what the Indian people are trying to tell us. I think this is one of the areas where we really have failed, to a great extent, to communicate with the Indian people to learn what their aspirations really are and to appreciate their sense of value. I think if anybody takes the trouble to become acquainted in any real way with our native people, you cannot help but appreciate their sense of value; their sense of value in their community life; their sense of community with nature. Their whole sense of values, I think, has been not only misrepresented, but we have failed to appreciate them in a way that would contribute to a much greater understanding between the white and the Indian population in the province.

The government states furthermore that it will make every attempt to assure an accurate portrayal of Indian people through its own communication media. It will give special consideration to any recommendations forthcoming from the Ontario Human Rights Commission as a result of the current review of public school textbooks and references to Indian people.

Now, if this has been done, I am not aware of it. I hope that the minister will at least tell me that something towards this end has been accomplished or that he is in the process of doing something to look after this very important aspect of the overall problem.

They also state:

More recently and in an ever-increasing manner, the situation of mutual isolation has been replaced in many northern communities and in most urban centres by an atmosphere of confrontation, an atmosphere which may seem to many the natural production of the interaction of people with different and, in many ways, conflicting values and goals.

The government of this province, however, finds it unacceptable that in this country, which long ago rejected the m

ing pot in favour of what has been called the vertical mosaic, the original inhabitants of this land should be faced with only two alternatives in relationships with the larger Canadian communities: assimilation or alienation.

And I would hope that in the overall attempt for community development with regard to our native people it will provide more than just those two alternatives for the Indian community.

Further on, the report states:

Provincial government positions that have denied recognition of bands of municipalities for the purposes of most Acts, have closed to the Indian people a possible alternative device for the growth of viable local government.

And in that connection, Mr. Chairman, I would just like to call the minister's attention to the recent dialogue that has been going on in northwestern Ontario, particularly at Quetico Centre, where people are discussing the possibilities of regional government in northwestern Ontario. We have taken the trouble to invite representatives from Indian communities. We feel that it is absolutely essential that, if any form of regional government is instituted in northern Ontario, it should encompass all of the people in northern Ontario. And we happen to think that the Indian population has a very very important part to play and a very significant contribution to make toward regional government in northwestern Ontario. That gets back to the point I made earlier: I do not think that we can deal with Indian problems by hiving them off to somebody else who really is not aware of what the Indian problem is. If we are going to continue to isolate them and exclude them from any dialogue that we have that is going to contribute in any way to an upgrading of their life, and permitting them to take greater advantage of the things that we have to offer in the province of Ontario, I think it is ever so important that we include them in any such dialogue; we are attempting to do that, and I would hope the government would do so as well.

Another area where it is almost impossible for the Indian to do something on his own, because of the isolation, is the economic problem. I think that the minister who formerly had responsibility for the administering of the Indian development branch did travel quite extensively throughout the whole province of Ontario, but particularly in northern Ontario, where he had an opportunity to see first-hand

the dire need for some kind of economic development based on resources in areas that will contribute to the upgrading of the economic possibilities and development in the regions. I think there is one great thing that this branch could do towards fostering that kind of development, and that is the setting up of boards of directors that would administer an Indian development fund, and I have some reference in this document to it. But I do not think that anything significant has been done through complete consultation with the Indian people, where they make the decisions and you allow them to call upon members of your staff, or staff of other branches of government departments, for technical advice based on requests from the Indian people themselves. All I am saying is that in economic problems that are facing our native people, I think that you must become intimately involved with their aspirations; there must be more complete consultation with the Indian people themselves.

I understand that you do have an Indian advisory board to the interdepartmental committee; that is where you have nine members on the board, three from northwestern Ontario, three from northeastern Ontario, and three from southern Ontario. Now the last I heard about that particular group, several of the members of the advisory committee had resigned. I would like, if the minister will have him provide me with the names of the native people who are on that Indian advisory committee; and also to what extent you rely upon them for this advice and what action have you taken to date as a result of any consultation that you have had with them? Or perhaps he could read out the recommendations that they have made through the interdepartmental committee.

Now you do have another committee supposedly concerns itself with the Indian in the province of Ontario, and that is a cabinet committee on Indian affairs, which is completely independent of the interdepartmental committee.

On this committee are represented the Department of Agriculture and Food, the Department of Health, The Department of Education, The Department of the Attorney General, The Departments of Municipal Affairs, Lands and Forests and Social Family Services, with the minister of the acting as the chairman. I suspect now that he has the responsibility for administering Indian development projects, possibly the Provincial Secretary will be chairing the meetings.

We would like to find out from the Minister if he has had an opportunity to find out for himself, in the short while that he has been responsible for Indian development projects, just how often this cabinet committee has met and what conclusions they have reached, if any.

I would also like to find out what representations have been made to the cabinet committee or the interdepartmental committee insofar as the health needs and the human rights and the housing needs and the economic and development needs, the educational needs, of the Indian people are concerned. We would like to find out whether there have been any suggestions by those various governmental departments which I have mentioned to the Indian development branch; and how much participation there has been, in a meaningful way, by the Indian community.

When I say that, I am talking about well in excess of 100,000 Indian people in the province of Ontario who have precious little to say about anything that affects their daily lives. I think that until we get complete coordination of the total effort of all departments and provincial agencies funnelled into one committee or one branch, whether it be this one or some other, until you can come up with something meaningful that will act as a whole steering committee that will sit down and assess the needs of the Indian people in complete consultation with them, I do not think that you are going to achieve too much. I would suggest that the \$1 million that has been made available for the past two or three years and is repeated here again, is completely unrealistic.

I would hope that the minister would make some remarks about how he sees the operation of this branch in the future, and whether there is any opportunity for a greater success in the future than the insignificant or inconsequential results that we have had from the operations of this particular branch in the past. I might have something more to say, but at the present time I wish the minister would answer some of the questions that I have raised.

**Hon. Mr. Welch:** Mr. Chairman, I appreciate the comments that have been made by the hon. member for Thunder Bay. Certainly, he has reminded me, I think, four or five times about the seriousness which he attaches to these responsibilities. I would hope that he and other members of the House would not consider that I have taken on these responsibilities lightly, by judging only on the basis

of the fact that I made no introductory remarks to these department estimates.

I really do not measure these new responsibilities which I have assumed, or rather which have been transferred to me, by way of problems which are part of those responsibilities. Rather, I look upon them as part of the challenges and the opportunities I have as the minister in this department meeting the special needs of our community development branch.

Had I made some opening remarks, and given a great deal of thought to this, I would have reminded myself and, indeed, all members of the House, that the community development services—and I think this is the process which we are going to have to understand pretty fully—to Indian people, grew out of a recognition that while services which are available to all residents of Ontario, are not available to Indians, quite often, Indians cannot take full advantage of what is offered. They require special services in order to increase their readiness to participate, in order to take advantage of the opportunities in order that people—and I think we are speaking along the same wavelengths here and other comments that have been made in order that our residents of Indian ancestry might fully participate in the life of Ontario in their own unique way. This is making the point of the member for Thunder Bay again.

The Indian community development branch is now such an important and, indeed, I consider, very integral part of my department's endeavours in its way and with its mandate to assist Indian people to find and to implement means whereby they may achieve what the member has referred to as maximum social and economic and cultural advancement for their own community, as part of Ontario's development function, to which I just made reference primarily carried out through co-operation and with the encouragement of local leadership and local initiative, speaking to the member's point, Mr. Chairman, with respect to the involvement of the people themselves and the consultation there must be and the legitimate approach in this whole area.

There are many definitions, and I think it is important that we understand this. There are as many definitions of community development as there are, of course, people who write about this particular subject. Perhaps it is fair to say that a fully satisfying definition of community development—because that is the name of the branch—is impossible to give. We may have to be satisfied with a descrip-

of the process itself, how it will function in this particular area.

When you survey the descriptions of the Indian community development projects in which our staff has participated during the past year, there are some common and clearly definable and identical trends which reveal themselves. We can witness a process of what some have called social development, Mr. Chairman, whereby members of a given community have come together for a problem-solving effort.

They identify not only their problems, which may be as narrow as an ungraded road or as wide as general unemployment in the area, you name the problem, they have it specific or unique to the area.

They also choose a concrete step whereby they can tackle their difficulties, albeit with some help. In some instances the solution has been found in a better organization of the already existing community resources, Mr. Chairman. In others, certain moneys were provided, and in still others the services of other provincial departments have been called upon.

The sequence of events, as you take each particular project in the project book, is repeated over and over again. It is easy to see that this process really fits the acceptable definitions of what we know as community development. We do not really identify it with the project, but the process which has developed to the project, or to the solution or to the discussion.

Even more important than that, the process, as far as I can ascertain in my study of this,

appears to meet with the approval of the Indian people themselves, because they are involved in it and very much a part of it. And this is the point which the hon. member makes.

They approve because our work involves respect for the priorities set out by the Indian people according to their own order of importance. They set their priorities with respect to the situation.

I think our work has demonstrated that we are really not interested in imposing our priorities, but are simply responding to requests emerging from their own situation.

Perhaps at this point I could conclude, Mr. Chairman, by saying—and I assume we could discuss this after the supper break—as Indian leaders emphasize, the government should demonstrate its confidence in local leadership. Our programmes have moved to rely more and more heavily on their own determination.

While we can reflect with some satisfaction on the work which has been done up to the present time, I am sure we all agree we cannot stand still. The problems faced by Indian people have to be approached with ongoing concern and with renewed vigour. I can assure you that this is the posture which is mine as the new minister as we move into these new responsibilities.

Mr. Chairman: Is there further discussion on 1702?

It being 6 o'clock p.m., the House to recess.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Tuesday, April 28, 1970  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 28, 1953

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF PROVINCIAL SECRETARY AND CITIZENSHIP (concluded)

On vote 1702:

**Mr. Chairman:** The hon. member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Chairman, if the minister has finished the remarks he made in answer to some of the specific questions that I asked him, I would like to continue on for a few more minutes. I would ask the minister if he is prepared at this time to go into detail as to the responsibility of the Indian development branch as he sees it, particularly with regard to the resignations that took place in the branch about a year ago and the reasons given by the director and the various members of the branch—

**Mr. P. D. Lawlor (Lakeshore):** I hope that does not happen to the hon. minister.

**Mr. Stokes:** —for their resignations. I am not going to go into those reasons. They were well documented, I believe, at that time. I would like, if I may, to have some indication from the minister that in fact the problems which caused the resignations, the mass resignation at that time, have to a large extent been corrected and that the branch is now looking at the overall problem from a new point of view or with a new perspective.

**Mr. Lawlor:** I would present a faint hope, or is it a prayer?

What is that? Just answer questions!

**Mr. Stokes:** Just before 6 o'clock I was talking about the economic disadvantages of living in reserve settings and squatting on the fringes of small communities, particularly in the north. I would like to continue quoting from the document that I referred to earlier in bringing some of the economic, social and cultural problems before the House. Perhaps

I could prompt the minister to dwell on this in somewhat more detail than he chose to do so before the dinner break.

Dealing first with the economic problem the report says:

Rapidly declining opportunities for making a living in the traditional occupations of trapping and fishing, and the low economic potential of most reserves, must be viewed in the context of many other factors to appreciate the full scope of Indian poverty. The isolation of many Indian people from alternative sources of employment; the lack of education and the scarcity of job retraining and job placement services; the strain imposed on local initiatives by the highly centralized system of reserve administration. The considerable difficulties of tapping financial and technical resources when initiative does take place and a rapid population growth in recent years are factors which apply to many Indian peoples.

The marked cultural differences between Indian and non-Indian people, has also been a factor. Most Indian people place a very high premium on family, kinship and band relationships and, consequently, are not highly mobile. The limit of activities, including work, is still geared to the season rather than to the day or the week, making it difficult for Indian people to adjust to the regimentation required of many workers in our society.

Desiring different rewards for work than prestige or material benefit, having a much greater tendency to have job interests and preferences associated with other non-work activities than is the case with non-Indian people, the Indian person has often found participation in industrial society a highly disorienting and disturbing experience.

All these and other factors have led many Indian people to a heavy dependence on welfare, which has probably had its own deteriorating influence on initiative which helped contribute to an economic situation which is easily the most unhealthy in Canada.

Turning to the social problem:

The breakdown of the traditional economy, the lack of other income opportunities in the proximity of many Indian communities and rapid population growth have helped foster an increasing outmigration, especially among the young. This phenomena in turn has put incredible strains on the traditional kinship security system.

Discriminated against in access to recreational facilities, many Indian people drink as a form of recreation. Heavy drinking has helped reinforce the unfortunate image that many non-Indian people have of Indian people. It has also led many Indian people to drink simply because that kind of behaviour conforms to the image that they have come to have of themselves.

I would like the minister to comment on that if he may.

The fact that many Indian people who do migrate to urban centres are educationally and culturally unprepared for working and living in a highly complex and regimented industrial society, and the further fact that many of these people face various forms of discrimination in the provision of housing and employment opportunities, has put even further pressure on an already severely strained system of social and personal organization.

Turning to education—and, Mr. Chairman, these are recommendations put to the government itself shortly after the Indian development branch was formed so that I think it is particularly relevant that I quote from these at this time to see whether there has been any change in attitude of this branch with regard to the native people in the province.

**Mr. Chairman:** I must point out to the hon. member that the new rules, specifically rule 16(a) 4, do not permit the reading of any lengthy excerpts from any documents, so I would ask the hon. member to keep the reading down to a minimum.

**Mr. Stokes:** I shall refrain from doing that by simply saying that this document, which is a government document, spells out in great detail and at some length the various problems confronting the Indian people. And to relate that more specifically to problems that I am faced with in representing the people—not only in reserve settings but in unorganized communities—I am faced with the specific problems that I am referring to in these documents.

As a matter of fact, I had a delegation from the Garden River Reserve about 5 p.m., this afternoon, asking for assistance upgrading recreational facilities on the reserve. Now, in order to do this, it meant that they had to go to some representative of The Department of Indian Affairs, which meant that they had to go to a representative of The Department of Agriculture, specifically the community centres branch, which meant that they had to go to a half a dozen different governmental agencies at both levels in order to see what form of assistance was available to them.

Now if it was some delegation or some organization in an organized community, this of this would be accomplished by the people going to or working with or through municipal councils. This is not possible for Indian people, in many cases, where they do not have the necessary resources to travel to get the necessary information, or they do not have the resource personnel available to them to work for them and they have to travel a considerable distance at considerable expense just to find out who they should be contacting in any given instance.

**Mr. B. Gilbertson (Algoma):** Why do you not try the member in their own riding?

**Mr. Stokes:** You will have to ask that.

**Mr. D. C. MacDonald (York South):** should not have asked that question.

**Mr. Stokes:** You will have to ask them the reason for that. All I am saying, Mr. Chairman, is that I would like the minister to respond—hopefully in a positive way—some of the specific things that I have brought to his attention. I would like to find out the answer to a question I asked earlier in the debate with regard to the specific amount that has been allocated to the Indian development branch; it is \$1 million. Obviously you must have set up a budget, or at least your predecessor must have set up a budget, for specific programmes; indeed with some degree of flexibility, for certainly you must have an overall view of what is required, having regard to this very excellent document that was made available to you quite some time ago. So I would like some answers to those specific questions, if I may.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Chairman, I do apologize that I did not have time prior to the supper break to

around to some of the specifics, which I would hope we might do now.

Insofar as the philosophy, the general approach of the branch to these responsibilities is concerned I intended to set that out prior to supper. And in the context of those remarks prior to the supper break, I did share with the hon. member and other members of the House the community development approach and the principles that will certainly guide us as we move into this area of responsibility.

Against the background of that general statement of the whole concept of the community development process, may I now turn to deal specifically with some of the matters which the hon. member mentioned. This may not be the order in which these problems come up, but if in fact I miss some points, I hope the hon. member will remind me.

First of all, with respect to school curriculum. Steps are being taken in this connection, as the hon. member has already pointed out, and may I report at least these two developments.

First, OISE, the research people, and the human rights commission are co-sponsoring a study by OISE with reference to minority groups in social science textbooks which are used in the province, and I understand from those responsible that the study will be completed shortly. A grant of \$20,000 was made to OISE by the Indian community development service branch in 1969 to assist in the development of a particular teaching kit dealing with one particular group of Indians.

I also understand that The Department of Education is carrying out a very extensive review of the approved textbooks with regard to their treatment of Indian matters. This came up in the comments of the hon. member and last night in the comments of the hon. Leader of the Opposition (Mr. Nixon). This study, I am advised, will be completed shortly and will be reflected in what the department calls "Circular No. 14". I know that my colleague, the Minister of Education (Mr. Davis) has taken a very keen personal interest in this particular matter and no doubt will expand on that particular point once the study is completed. I also am told that The Department of Education is working with textbook publishing houses to eliminate any inappropriate references and ideas regarding our native peoples. And so, as a coordinating function, we have obtained this information insofar as The Department of Education is concerned.

The hon. member raises the question about the \$1 million appropriation. I suppose the most succinct way of answering that particular question is to say that the program is being steadily expanded, but it has to be done at a very deliberate pace. I suppose on the basis of requests that were submitted here in the last fiscal year, we were provided with the funds that were then provided, with some exceptions, to actually provide the funds on the basis of the requests. The point is that, as we expand this, we have to go along with some amount, and so we have had the experience of that full fiscal year and the requests that came in and those that were honoured, and in the community development scene and in the whole process of community development. Inappropriate action resulting from haste, I think, in many cases caused the opposite to the results which were desired. In other words, we want to go along with the requests and with the development.

The purpose of this item—and I think it is important; at least, I find it very important as I assume these responsibilities—is to provide the resources to facilitate and harmonize community activities and to channel that activity into what we would call constructive and concrete objectives. It has to be kept in mind that in the programme that has been started we are attempting to respond to the needs of the people as the people see them, and, in this case, as the Indians see their needs themselves. Therefore, there are difficulties in really formulating any long-range plans, because we are not really establishing any objectives for them; they in fact are doing it for themselves. And so, in keeping with the spirit of the hon. member's remarks, it will be my responsibility now to assess this particular fund as to its adequacy as we go along, fact, watch the developments of the community development process itself.

The member quite rightly asks some questions in connection with the policy of the government of Ontario with respect to Indian affairs, and at this point I must say that I have made it my business to attempt to look at the document to which the member has been referring. It would appear—and I just want to satisfy myself we are preparing the same thing, I have come across a 38-page typewritten document entitled "A Paper on Provincial Services for Ontario Citizens of Indian Background."

Mr. Stokes: Right. This is a 26-page document.

Hon. Mr. Welch: Oh! Apparently it has been increased by 12 pages.

Mr. Stokes: There are 27 pages, to be precise.

Hon. Mr. Welch: Is it? Are yours long or short pages?

Mr. Stokes: Long!

Hon. Mr. Welch: Oh, I see, I have the short form here, if this is the same paper. It starts off with a preface and a preamble and then a foreword and background and all this sort of thing.

As I leaf this for the first time I understand this is some branch position paper that was prepared by former staff in the branch. As a matter of record I would like to say at this point that it certainly does not necessarily represent government policy with respect to our approach to the whole Indian development field.

Mr. Stokes: Do you subscribe to it?

Hon. Mr. Welch: You will have to give me an opportunity to go through it in far more detail. It is one of many papers, many publications, that are available to me now in this responsibility to study. I can assure you that now that you have drawn it to my attention I will.

But just for the purposes of the record I want to indicate that if this in fact is the paper to which the hon. member has made reference, it does not necessarily represent the policy of this government. I understand it was an interstaff attempt to prepare some type of a position paper in order to consider certain issues relevant to this matter.

I think it would be fair to say that in view of the situation—to go back to the question of policy—in view of the situation created by the federal government's Indian policy, to which reference has already been made in these estimates, we really do not think that it would be appropriate to issue a provincial policy statement as such. Instead we are proceeding with our programme of community development and with the improvement of provincial services to Indian people. In other words, people, as you say, are now here and they are entitled to provincial services as are all residents.

We have expressed—and the Prime Minister (Mr. Robarts) has done this on at least two occasions—our willingness to co-operate in any Indian-non-Indian agreement concerning the federal Indian policy while stating that the Indian people—and I think this is very, very

crucial, certainly very crucial to our point of view at this stage—that the Indian people and the government of Canada have to resolve their differences before the province can articulate anything to be known as an official policy as such.

But, in the interim—and this is the present and the immediate situation—the Indian development branch of this department is in the course, operating under the lines of emergency management which basically involves community development, as we explained prior to the supper break, working through and with organized groups and their spokesmen.

The hon. member, Mr. Chairman, makes some reference to certain committees and advisory groups—the cabinet committee, interdepartmental committee and the minister's advisory committee. They are all to be continued under my ministry and will be meeting in the next few weeks. In fact, in consultation, Mr. Elliot Moses, chairman of the minister's advisory committee has suggested the first meeting of that committee on May 11, and letters have gone out establishing that date. Also, part of the agenda will be to give consideration to filling of the two or three vacancies, to which the hon. member made reference.

The question was raised as well as to the representation off the reserve. I think it is sufficient to say at this stage that we deal with the band if there is one; and if there is one, we encourage the founding of community development corporations to carry out in the spirit of the comments of the hon. member. I am very hopeful and certainly appreciate the number of reserves in the hon. member's riding. I am very hopeful, as soon as convenient after these estimates are cleared, to be visiting the northwest and the northeast parts of Ontario.

I had an opportunity, briefly, on my way to Windsor the other day and back to Ottawa on three and to meet with the chiefs of particular bands and to discuss this with them. I think it is very important to establish this type of personal contact, to afford the opportunity to meet me. Certainly I want to meet them and chat with them, to ascertain what goals and what objectives they have and how we, as a branch of government, can in fact be of some assistance in their projects and in working out the priorities which they establish.

I think it is important to realize that the Indian development branch within my department is really a co-ordinating type of activity. We are really not establishing

department of Indian affairs as such. Rather we are attempting to co-ordinate and to focus in one place the many activities of this government that are finding expression in many of the operating departments and using those operating departments, naturally, to deliver those services wherever that is possible. Under the circumstances, I think with these specific references, I once again assure the hon. member I approach this responsibility with a great deal of enthusiasm and a great deal of interest. I assure him as well that I do not take the responsibility lightly. I would welcome at any time any suggestion that he might have in order for us to work together to provide the type of service which our Indian people not only want, but which they deserve.

**Mr. Chairman:** Vote 1702. The hon. member for Humber.

**Mr. G. Ben (Humber):** Mr. Chairman, under community development. If—

**Mr. Chairman:** We have completed the discussions on community development and at present are on Indian affairs.

**Mr. Ben:** I beg your pardon?

**Mr. Chairman:** We have completed the discussions on community development aspects of this vote; we now switch to the Indian affairs portion of the vote.

**Mr. Ben:** Community development projects for Indian people may be approved, but it is still on item 1702.

**Mr. Chairman:** Yes, but not the community development aspect of this vote. This has been completed.

**Mr. Ben:** Let me put it this way. One of the recommendations made by the bi-bi commission was that the federal and provincial governments get together to make grants to groups in Canada belonging to other than the two major groups, i.e. English and French, to enable them to preserve their cultural and their language aspects.

What has this government done to implement this recommendation? How much money has it given by way of grants to the various ethnic groups in the city of Toronto especially, who do have quarters in which they can carry out extensive programmes? I can refer to the Ukrainian groups, Polish groups and the other groups in the city of Toronto. Would the minister care to comment on that?

**Mr. Chairman:** Now before the hon. minister does comment, is there anything further

on the Indian affairs having to do with the vote?

**Mr. J. B. Trotter (Parkdale):** Yes, Mr. Chairman, I wanted to—

**Mr. Chairman:** This is the very thing I am trying to convey to the committee, that we were still dealing with Indian affairs.

Now by saying that I do not mean that we are completely restricting further debate on vote 1702. But with respect to the hon. member, we had covered community development and the matter of newcomers to the country and so on; we have gone to Indian affairs with the full concurrence of the committee. I think at this moment we should finish our discussion regarding Indian affairs. Now is there anything further on Indian affairs? The member for Parkdale.

**Mr. Trotter:** Mr. Chairman, I wish to make a few brief remarks and may have a couple of questions for the minister.

One thing I am concerned about is that the minister says that we have no Indian people in Ontario that we are not going to set out any program for.

In the past, too much of the responsibility of ourselves as white men—if you want to put it that way—with the Indians has been left to the federal government. I would be much happier to see the provincial government, particularly the government of the province of Ontario, take more of an interest in Indian affairs.

In the past the record of this government has been very poor. In fact the record of nearly all the governments in Canada has been very poor, insofar as we have dealt with the Indian people. I think, as I read in the past, that the governments of Canada, including the provincial governments that have treated the Indian the best are those that have a larger French population. For example, if you examine the living conditions of the Indians in the province of Quebec you will find on the average and on the whole that they are much better, because the French-Canadian has had far more interest in the affairs of the Indian.

I think British Columbia, particularly in its northern part, has had a good record in treating the Indians. The province of New Brunswick, again a province with a large French extraction, has treated the Indian far more kindly than we have.

The province of Ontario, if you will look at the figures on Indian life will show that we as a whole have one of the worst records in all of Canada—not particularly with

Indians in the southern part, but as you go up north we are extremely bad. On the average we come out very poorly.

At one time—and I am sorry I do not have the figures before me at the moment and probably the Chairman will be glad I do not have them, that I will not be able to bore him with lengthy figures—but you know, the minister talked about the enrichment of the Indian population and culture. I think it should be borne in mind that these figures are for all of Canada, but they apply even more so to the province of Ontario—40 per cent of the Indian population cannot read or write. You can see how little has been done by any government in Canada over the years.

Even today, with modern science, with modern medicine—despite the fact that for a few years the Indian population was increasing at a very great rate, we find now that the death rate among the men is increasing in the last three years. It has gone up six per cent. I think it is even worse for the women; it is some place in the neighbourhood of eight per cent.

When we find they cannot read or write and when we remember that the average Indian family—at least half of the Indian families in Canada, live on \$1,000 or less per year; and over 75 per cent of the Indian families in Canada live on less than \$2,000 a year, I think it is rather nonsensical for the minister to say that we are working on the enrichment of Indian life. They have not got down to the very basics of what the Indians are going to need in order to live and it shows a neglect. I admit all governments are to blame, but certainly no one is more to blame than the province of Ontario, and if you wish, Ottawa, as to the situation of the Indians in Canada as a whole.

I believe that seven per cent of Indian homes in Canada—only seven per cent—have indoor plumbing, something we all take for granted in this country. About 94 per cent of our homes in Canada have indoor plumbing, and it is seven for all of the Indian homes in Canada. In northern Ontario it is about half that.

In other words, Ontario is below the average, bad as that average is, so the minister's words that he is interested in the enrichment of Indian life do not bear much weight with me, particularly when I see we have an estimate of \$1 million, which is not going to go very far.

The other thing is that the minister and this government are simply going to have to have

an Indian policy that means something to those of us who are in government and to the people in general, and particularly to the Indian population. I do not think that such a policy can be formed unless it has the interested co-operation of the Indian population themselves.

This has been our fault in that we have been too paternalistic. We have not sought the interests of the Indians in forming their own lives. As a result, because we have neglected this policy over the years, because we have neglected this issue over the years, it has accumulated in the serious way it has caused us as a financial problem and as a social problem. I feel that the government has sadly neglected what has been obviously needed for many, many years.

There are two things that I would like to ask the minister. One question is this: would he treat the Indian reserves in the same manner that he would treat a municipality?

In other words, you give grants to municipalities for various things; would the Indians be regarded as an entity unto themselves and receive the same grants in the same proportional way as any other community would in the province of Ontario? That is one question. If I can get an answer to that I have one more, Mr. Chairman.

**Hon. Mr. Welch:** I think this is a very reasonable question. One which, in many ways, would have to be asked to the operating department which, in effect, was dealing with the service and providing the grants. I think, too, in answering the question from the standpoint of the disbursement of the community development funds, this is a matter under very constant review.

A lot would depend, Mr. Chairman, on what the Indian council itself wanted to do. Here, once again, we have to remember that they are very sensitive about the relation they have with the government of Canada. I cannot help but be impressed with the fact that they are very anxious to settle that particular area of negotiation and obligation before they move out into others. Now, I have said that, I can certainly assure the member that the question he raises is a question which is no doubt being considered by the department that would be involved.

**Mr. Trotter:** Well Mr. Chairman, this highlights and emphasizes my statement that there is no Indian policy and why there should be. I admit, in dealing with the Indians, you could say it affects social

family services, health and, if you were going to give grants and treat the reserves as a municipality, it would also include The Department of Municipal Affairs.

**Hon. Mr. Welch:** Mr. Chairman, in those cases where the Indian bands in fact wanted to be treated that way, that is the way they are. That is provided for in the Act now.

**Mr. Trotter:** Fine, but it involves—

**Hon. Mr. Welch:** The point I am trying to make to you is this: I hope the hon. member understands that this itself should be a matter of consultation with the Indians as to whether or not they wish to be treated like a municipality or not. I mean, I think this is a very important point. Now some of the enabling legislation which provides us with the delivery of welfare services is there; and, in negotiation with the department, no doubt this has been accomplished. But it has been a two-way consultation, and I think this is a very important point to make.

**Mr. Trotter:** Well, Mr. Chairman—

**Mr. R. F. Nixon (Leader of the Opposition):** They are certainly not interested in paying land tax.

**Mr. Trotter:** I hear the Minister of Public Works (Mr. Simonett), who is muttering in the background there. He is the man who thought the Indians wanted to live in wigs, and to me this has been an indication of how this government has treated the Indian situation. When you have 40 per cent of a major group of our citizens who cannot read or write, it is high time that the government had some definite policy. And I think it is ridiculous to say, "Well, we are waiting to find out what the Indians are thinking." Surely, the Indians do not want to be in a situation where 40 per cent cannot read or write and where 50 per cent of their families live on less than \$1,000 a year. This is an emergent situation and it has been treated as another debate.

I really feel that the minister's answer is completely unsatisfactory. I was hoping the new minister, who really does not have around his neck the albatross of having neglected it as an individual over the years, would come out with some refreshing ideas. Unfortunately, you are reflecting in your whole approach to Indian affairs the consistent approach of this administration over a quarter of a century. And it is time that you snapped out of it, because you have got a tremendous

opportunity. Your predecessors have completely misdirected the Indian people, and would expect far more from the present minister than we have been getting in the past.

I have one more question for the minister. It comes, I believe, from the Hawthorne-Tremblay report on Indian affairs prepared for the federal government. There is something that I object to in that report, and the Indians are deeply concerned about treaty rights. In the Hawthorne-Tremblay report, it was suggested that instead of Indians going to a court of law—and, in all, this is part of the administration of justice in this province—to ascertain what treaty rights are, a commissioner should be appointed by the federal government, the Indians should go to the commissioner, and that commissioner should decide what should be heard, or what issue should be heard by a court. A court, I repeat again, is administered by the provincial government. Here again, if this goes through, this is an instance where the Indians are treated differently from ourselves. They are literally kept cut off from the use of our courts, and I am wondering if the minister has any opinion on this.

**Hon. Mr. Welch:** I have got to say, in my opinion, it is a very good report, and it casts some refreshing new light on this whole situation. I think that the hon. member knows, sharing the same professional background as I do, that this is really an area that is all entangled. I think the report to which the hon. member makes reference certainly sheds some light, and I hope that it will shed the parties into some type of an atmosphere whereby they can adjudicate many of these matters.

**Mr. Trotter:** Would the minister be in favour of that cutting the Indians off, to a certain extent, from our courts and having a commissioner, one man, decide what treaty rights could be heard, would be an improvement for the Indian people as a whole? Should they be treated differently in that respect?

**Hon. Mr. Welch:** In frankness, if the minister is going to be any particular advantage to the Indians, I really do not know. I really do not know. I have raised this particular question on several preliminary visits.

I would hope that the member would allow me the opportunity to consult and discuss this matter with the Indians, and their legal people as well. As I tend to understand their approach to this matter, I

a very sensitive area, these negotiations. These are negotiations to which the Indian people themselves attribute a great deal of importance as they attempt to understand their legal and treaty position in this country.

**Mr. Trotter:** Mr. Chairman, just to wind this up. The reason why the Indians are sensitive is because they really do not believe us, the white man. They do not believe us simply for this reason—and I think this was typical of what you said on these estimates—that you really have nothing to offer—that very little is being done. You have what is really a major crisis on your hands.

It may not be so noticeable on Bay Street, nor on the main street of St. Catharines, but as you get up into the northern areas, or where the reserves are, it is a very major crisis. You have offered nothing in these estimates, and it is typical, literally, of the white man over the years.

No wonder they are suspect of us and they are sensitive to what we say, that you simply have to be better informed and have far more to offer, far more options. I do not say to go to the Indians and say, "this is the programme, take it." You have to bring them into your confidence. You have to have a number of options and say that there is money available.

This can be done, if this is what you want. But I have heard no suggestions from you in this regard whatsoever, and no wonder they are sensitive.

**Hon. Mr. Welch:** Mr. Chairman, I think the hon. member is being very unfair. He is prejudging the discharge of this responsibility under a new ministry.

I do not know when he last was on a northern Indian reserve. I have not been on one yet. I intend to do this not long after I—

**Mr. Trotter:** 1965.

**Hon. Mr. Welch:** That certainly would give you a great deal of expertise in the matter of five years ago. Certainly it is my—

**Mr. MacDonald:** It has been that way for 100 years.

**Hon. Mr. Welch:**—it is my intention to get first hand information. I have always been taught to have opinions based on fact, and that is the spirit with which I accept this responsibility. I will be judged on the discharge of these responsibilities a year from now, I think, more clearly than you have tonight.

**Hon. S. J. Randall** (Minister of Trade Development): Does the hon. member want to apologize now?

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

On Indian affairs. The hon. member Scarborough West.

**Mr. S. Lewis** (Scarborough West): There are numerous members who will want to enter into this debate, because it picks up from the last year in a sense, and is no less complex now than it was then, albeit in the hands of a new minister.

I might ask the minister whether he has evolved any position, or whether his government has evolved any position, on some of the basic questions. Has the government evolved any position of the federal department's Indian affairs policy? Have you evolved it a part of your responsibility to reflect the Indian viewpoint about that policy paper? Have you yourself made representations to Ottawa? Have you in any way commented on it?

**Hon. Mr. Welch:** No, I have not made any representations to Ottawa. I have made some comments on it, other than the comments made before the supper break, when I respected the fact that the Indian people and the government of Canada had to ventilate these matters out themselves.

We stood ready to be of some assistance in the general way, but particularly now to meet our responsibilities in looking after the community development process which I have already outlined.

**Mr. Lewis:** Does the minister not feel that the Indian case on the federal white paper is a valid one and that, in fact, much of the white paper is repugnant or inappropriate? Or does the minister not feel that a government with so many Indian people living in its own jurisdiction should take a position on these things?

**Hon. Mr. Welch:** I do not understand your question. You were asking me a few minutes ago about the government of Canada's white paper. Are you asking me to comment on the white paper or the Indian—

**Mr. Lewis:** I am asking you about the provincial government's view of the federal government's white paper on Indian affairs.

**Hon. Mr. Welch:** Tell me what the Indian view is on it. What is the Indian view on it?

**Mr. Lewis:** Well, the Indian view—



Hon. Mr. Welch: The Indian view?

Mr. Lewis: The Indian view! Oh, there is divisiveness in that view?

Hon. Mr. Welch: You tell me the Indian view.

Mr. Lewis: The Indian view appears to be, from all that one can read and hear, a pretty major rejection of the federal position in all its aspects, particularly those relating to land. All right, now there seems to be some legitimacy in asking whether the Ontario government has a view on a stated federal policy which will fundamentally affect our position as a province one way or another.

Hon. Mr. Welch: Speaking to that specific matter, we certainly do. It is the very point I made prior to the supper break that this particular—

Interjection by an hon. member.

Hon. Mr. Welch: —that these—no, wait a minute now. I will answer the question. I listened to your question.

The provincial government has taken the position very clearly that these rights have to be adjudicated. I am very much aware, after visiting only three reserves, of the sensitivity with respect to land, and the position of the Indian people with respect to land. Naturally, if I was an Indian, I would certainly make sure that those matters were adjudicated properly. We say, as a government, that that is quite right. That is a matter that has to be in fact settled between the two parties involved. I have already said that three times.

Mr. Lewis: I am trying to ease you into a position just a little further along the road.

Hon. Mr. Welch: We have really been requested, if you want to know, by Indian people not to get involved in the negotiations with them.

Mr. Lewis: I am not suggesting that you are going to act as a party to the legal arguments or that you are going to provide lawyers or get involved in that sense in the negotiations. I am saying that it would enormously strengthen the hand of those who felt hard done by if the government of Ontario said, as it would be appropriate to say, that the federal proposals are presumptuous and invidious and handed down without consultation, and that they violate the spirit of all the agreements that were previously arranged.

It would be evidence of good faith on part of the Ontario government which seem to me evidence worth demonstrating. It would tend to remove what other members of the House, especially the member for Thunder Bay, have this evening suggested is what the government in such a vulnerable position where Indian matters are concerned.

Has the minister been involved with other departments on some of the complaints, some of the problems, which arise in order that they may understand this co-ordinating a little more? In the Hurst case which the leader of this party has raised in the Legislature a dozen different times, and the Attorney General (Mr. Wishart) has responded to on one occasion, has the minister's department been involved? Have you sat down with the Attorney General and with the human rights branch of The Department of Labour to discuss this kind of case? Is that the way it works?

Hon. Mr. Welch: I think really what I should tell you now is that since assuming this responsibility two or three weeks ago I have had meetings in connection with housing, with the Ontario Development Corporation and with municipal affairs. That has been the extent of my consultation with other ministers to date. A meeting with all my colleagues insofar as further co-ordination concerned has been arranged for some time. I think within the next week.

Mr. Lewis: Is this at cabinet level?

Hon. Mr. Welch: Yes.

Mr. Lewis: This is at cabinet level. I do not know whether I find it reassuring; it has not been reassuring before. Maybe it will be more congenial under this ministry. But it would certainly be useful if some of the matters that was available to your colleagues was also available to you, since you bear primary responsibility. There are a great many suggestions in the minds of a large number of Indian people about the treatment afforded them under given departments of government.

Hon. Mr. Welch: I think that since we are starting out this new responsibility, we should make it clear. You see, the hon. member used the word primary responsibility. Now that is not correct.

Mr. Lewis: It is not?

Hon. Mr. Welch: I have primary responsibility for the Indian community development branch of government with this community development fund. Surely the primary responsibility insofar as the Attorney General

department is concerned is the Attorney General—

**Mr. J. Renwick (Riverdale):** You said you were co-ordinating.

**Hon. Mr. Welch:** —and so the operating departments. I mean I am really trying to cast it in its proper perspective, that those departments which are delivering services, or providing services, are the departments responsible.

Sure, you must have the primary responsibility—the co-ordination and the attempt to bring departments together through the operation of this branch of government is, of course, in my interest. To improve communication, and so on, is in my interest. But I think that you have got to understand where the primary responsibility may be.

**Mr. Lewis:** Then let me try to understand it just a little better.

**Hon. Mr. Welch:** We have not got an Indian affairs department.

**Mr. Lewis:** Yes, I understand that if you had an Indian affairs department it would all come under the one department, but I heard you use the word “co-ordination”. I had the sense, when I used the word “primary”, that you were in some way focal to what occurred.

There is, for instance, on file in the office in The Department of Labour, quietly hidden away in the human rights commission office, something called “The Ontario Human Rights Commission and The Ontario Provincial Police”. It is a report which is a chronological outline respecting the northern regional office of the Ontario Human Rights Commission and alleged mistreatment of Indian people by Ontario Provincial Police officers.

It lists some 17 concerns regarding the activities of the Ontario Provincial Police brought to the attention of the northern regional office from 1966 until well into 1969. That is the latest that I have access to the file—through to November 1969; 17 different cases of alleged violation of Indian rights by the Ontario Provincial Police.

Some on this side of the House are concerned about the way in which the Attorney General treats such alleged violations. Obviously, The Department of Labour is not particularly interested, because at no time has the Minister of Labour (Mr. Bales), using the Ontario Human Rights Code as a vehicle, intervened. Therefore, surely it is logical that both the members of the opposition in this

House, and the Indian community itself, access to some other locus of government against which to have complaints registered. What I am really asking then is that individual items can be channelled through individual departments.

Suppose there were alleged violations serious and critical—to the person of Indian in northern Ontario and satisfaction was achieved through the Attorney General's department. Is there the possibility of approaching using the minister's department and the Indian community development branch as a vehicle which Indians will have to express discontent which has been frustrated on all fronts through other departments?

**Hon. Mr. Welch:** I do not see that primary responsibility of the Indian community development branch. I think if I am a member of the opposition, and I had particular problems in those areas, I would question the Minister of Labour, under whose the human rights commission functions, I would question the Attorney General, who is responsible to account to this House for the provincial police.

Maybe just the reverse happens, in order of co-ordinating the approach to projects requests for project assistance. Certain matters may come to our attention; I would be very surprised if no matters came to our attention through our field staff. Our responsibilities at that particular time would be to see that it was brought to the attention of the proper department who holds the responsibility.

This is in keeping with my understanding of the overall organization and responsibility.

**Mr. Lewis:** All right, so be it. I am trying to lay some groundwork and sort it out.

The next area I would like to come very briefly, Mr. Minister, and then I satisfy myself at this point is what do you have on hand by way of specific requests from northern areas in particular, for allocation of funds?

**Hon. Mr. Welch:** We have a number of projects that are presently and currently being reviewed by the branch. I could list them to you, but perhaps it would be sufficient to say that there are 18 projects presently before us. That gives, if all were approved, the amounts suggested in the request for a total of approximately \$500,000.

**Mr. Lewis:** Can you give us some sense of what they encompass, by way of projects

**Hon. Mr. Welch:** We have a band that is interested in purchasing the assets of a ski club. We have another band interested in the tourist camp. We have another band interested in some quarrying operations in the establishment of a marina, a tourist park, the acquisition of a bus, the installation of a water system, the purchase of some pulp equipment—these are specific matters in which they feel that if they had some help in acquiring these pieces of real estate or this type of equipment they could in fact help themselves in some economic way.

**Mr. Lewis:** Suppose you receive sufficient numbers of requests to exceed the allocation decisively. Suppose \$2 million, or \$3 million worth was what came in. Is your government prepared by warrant or otherwise to increase the money by that amount?

**Hon. Mr. Welch:** That would be a matter on which I would have to consult with my colleagues.

**Mr. Lewis:** You would have to consult your colleagues. In other words, you would still view the appropriation as a limit. You do not view it as the Minister of Trade and Development viewed the EIO allocation or one of the others?

**Hon. Mr. Welch:** Mr. Chairman, I did not say that. I said that I am asking the committee to vote \$1 million for this project on the basis of last year's experience and, on the basis of what is developing this year, it would appear that we might have enough. If, in fact, because of the popularity of this and the interest in this, there are more requests than I have funds, then it will be my responsibility to take that message to my colleagues to ascertain whether more is available.

**Mr. Lewis:** Okay. One last question. Is the Mobert reserve listed amongst any of the requests which came to you?

**Hon. Mr. Welch:** It is not one of the 18 to which I have made reference.

**Mr. Lewis:** It is not one of the 18? Then perhaps, you could explain to me how requests get to you? The Mobert reserve, the minister will know, is about 22 miles due west of White River. It had made a number of very specific requests of the provincial government from a community centre to land for a trailer park and tourist development. Now, what happens? I do not understand how these requests, which are passed by band resolution and come through to the provincial

government sometimes on several occasions are never listed amongst those—

**Hon. Mr. Welch:** I think in that particular case that there has been some consultation with the band and our field worker. There has been a type of preliminary discussion there and now they are formalizing the request to the department. To answer the question in more general terms, this is the way these matters are generally developed either by writing or communicating directly with this branch of government, or dealing with our field representative, whichever the band find more convenient. In this particular case I understand there have been negotiations with our field representative.

**Mr. Chairman:** Indian affairs; the member for Thunder Bay.

**Mr. Stokes:** Before we leave this, I would like to refer to, or carry on from some remarks that the member for Parkdale made with regard to the primary responsibility of this branch for total co-ordination of all the needs of the Indian people.

The Minister of Social and Family Services (Mr. Yaremko) received two documents which were presented to him on his last northern tour of Indian reserves. One was from the Rocky Bay band at Macdiarmid on the north side of Lake Nipigon, in which they made specific requests in definite areas such as unemployment, education, health and things of this nature.

Another one was presented by the northern western Ontario native peoples, which is a mix-up of the Lake Nipigon Metis Association, the Armstrong Indian Association, the Arctic Indian Association, the Geraldton Thunderbird Club, the Northwestern Ontario Native Brotherhood, the Red Lake Indian Association and the Kenora Indian Association.

They deal with specific areas such as housing, employment, native organizations, hydroelectric power, and all of their aspirations.

I am wondering just what does the minister do when, say, I make a request on behalf of one of these organizations, or they do directly to the Provincial Secretary, who is responsible for the administration of the Indian development branch. Do you suggest that we should go with a housing problem directly to the minister responsible? Do you suggest that we have a health problem that we should be going directly to the Minister of Health?

In many cases where there is no municipal organization, no group to underwrite the

of sharing some of these programmes, it becomes the responsibility of some government agency. I suggest it is the Indian development branch, as was the case when the former minister who was responsible for this co-ordinated all governmental efforts to bring hydro power into Aroland. Obviously it was going to take a substantial government subsidy, and that is precisely what it did take in order to bring electricity into Aroland. How do you treat these specific requests when they do come in?

One other final point I would like to make is that the most northerly Indian settlement that the minister is responsible for in the province of Ontario is about 1,100 miles by air due north from Toronto. That is Fort Severn on the south shore of Hudson Bay. I represent that area. I have never been there in my life but I hope to get there this summer—and that just shows you the problems confronting not only me as a member representing that area, but the problem those people have in articulating their problems to me, and becoming more aware of what services you say are available if they so wish.

I am wondering if there is any thought in the mind of the minister—and I might say that the member for Kenora is faced with the same problem; he has almost as many reserves as I have in the northern part of his riding that are just as inaccessible to him as mine are to me—I am wondering if there is any way that we could arrange at least to take the message to those people of what government services are available; or at least provide us with the wherewithal to get out there and do it ourselves.

Those are the two final questions I would like to have the minister answer. One is of communication, a two-way dialogue between those people and their member, or some government agency, meaningful dialogue to make them aware of what is available to them and to what extent we are prepared to make these services available as stated by the minister earlier. The other is how you deal with specific problems of housing, education, health, what-have-you, when requested to do so by various Indian groups.

**Hon. Mr. Welch:** I am very glad that the hon. member has raised these questions so that I can clarify, if there has been any misunderstanding. Let me start with the second question. I think the point which you make is a very reasonable one. We have already been requested by the band at Fort Severn to be of some assistance with respect to radio communications. Our man at

Moosonee has been working with them and has been there. I think in the spirit that I raised this question, we might further develop this particular information dissemination in this context, as you suggest.

I would be glad to keep the hon. member informed with respect to this project which we are working. I think, too, the member makes a very valid point, particularly from the standpoint of the Indian, who emphasizes the importance of minimizing the number of contacts that may be made over here, so that you have not got people running all over the place.

I remind you that I made some distinction with respect to primary responsibility, which had some reference to do with the delivery of the particular service. But I think we have some primary responsibility as the co-ordinating agency to bring the particular request or need to the attention of the delivery department of government. In other words, a request—and we have these 18—before we touched upon another department, then we have some responsibility to consult with various departments and agencies of government. We would do this, rather than have the band itself running around making these things. We are co-ordinating the project. Therefore, we may be able to give our answer following that type of consultation.

**Mr. Chairman:** The member for South.

**Mr. MacDonald:** I have a question I would like to ask the minister in relation to the policy which we are evolving. The Indians are quite insistent in saying that until there is some settlement with the federal government on the issue of treaty and aboriginal rights, they are not interested in talking about anything else. For a moment I take that as my premise.

Assuming there is a satisfactory solution to these fundamental issues in the Indians' mind, does this government or this new minister in view with favour the proposition of exclusive, ultimately perhaps complete, decentralization of other services to Indians from the federal government to the provincial government where it can be integrated with control of natural resources—hydro, fish, mining, and other things—where, in my view, there is a greater possibility of fulfilling the needs of the Indians?

**Hon. Mr. Welch:** The hon. member raises a hypothetical question because a lot will be based on the terms of the settlement.

**Mr. MacDonald:** Assuming the settlement was made on the aboriginal and treaty rights, assuming that was made—

**Hon. Mr. Welch:** In what way?

**Mr. MacDonald:** In whatever way it is made.

**Hon. Mr. Welch:** Let me put it this way, it is important to my answer.

**Mr. MacDonald:** I would suggest to you that no matter how it is made, in meeting the health, educational and economic development, and all the other needs of Indians, the needs can be more fully met if they are integrated with resources and other services which are primarily provincial.

My question to the minister is—is the provincial government, this government, this minister, at least open-minded to the proposition of a fairly extensive decentralization of all of those other Indian affairs issues to the provincial level, where they can be treated as citizens of this province; or at least as inhabitants of this province entitled to an acceptable level of service?

**Hon. Mr. Welch:** The reason I am trying to be very particular about the settlement is, you see, that there are many aspects of this. First of all, there is the settlement between the Indians and the federal government, whatever that might be. If you are going to assume that it is exactly the way the Indians want it, then that is item number one.

Then, of course, there is the matter of negotiation, I would assume, between the government of Canada and the government of Ontario with respect to whatever arrangements would be made between the two levels of government in order for the government of Ontario to pick up the responsibilities in those areas which, up to the time of the agreement, had been the responsibility of the government of Canada.

Thirdly, with respect to all of these matters of course, I hope one thing that permeates through my entire consideration is what would be the attitudes of the Indian people themselves with respect to these services. With all these particular conditions, certainly this minister is receptive to anything which, in fact, will help the Indians in their self-determination and in overcoming any disadvantages which they may feel is blocking them from a full life in this province.

**Mr. MacDonald:** Let me make a brief comment and I will let the matter rest because the minister is correct that for the moment it

is hypothetical. It is all predicated on a tion of the treaty and aboriginal rights. two or three years ago, the minister may not recall, a proposal emerged, allied with the support of the Union of Ontario Indians. I think there were serious divisions in their ranks on the issue. Certainly it was with the support of the Indian-Eskimo Association of Canada and the related organizations.

It was that there should be a fairly extensive decentralization of services from the federal to the provincial level. I was really interested when Harold Cardinal spoke at Glendon College, indeed, at a meeting which was chaired by the president of the Union of Ontario Indians. The president expressed a solid, indeed, unqualified support for the general remarks and thrust of Harold Cardinal's speech that night.

When I asked Harold Cardinal afterwards, "Assuming that you do get a settlement of these basic treaty and aboriginal rights, would you be open-minded to the proposition of decentralization of the responsibilities to the provincial level?" he gave an unqualified

I relate this to the minister because I think Cardinal is increasingly becoming a voice for the Indians all across the country, and I took it as an expression of Indian views. I stand foursquare with the minister in that we have not reached a stage in our relationships to Indians that we are going to do only what the Indians want and after extensive consultation with the Indians.

This, at least, was his tentative view. I hope the minister will make a mental note of it with the hope that some time soon, when the government at Ottawa has resolved its policies, we will have a new context within which we can operate, so as to formulate policies in the province of Ontario.

I have no hesitation in personally expressing the view that we, in the province of Ontario, have the major responsibility. I have given up on Ottawa doing the job and, furthermore, I think that the needs of the Indians can be more appropriately and effectively met by use of resources that come under provincial control. If you go down the basic needs of the Indians, whether it be education, or economic development, or welfare assistance, or access to job opportunities in lands and forests or in mining, or wherever you will, most of them come under provincial jurisdiction. I think part of your problem is that you have had a government at Ottawa trying to meet the Indian needs without immediate access to some of the ingredients that are necessary for meeting Indian needs. However, I will let

matter rest there now, having got at least some glimpse of what the minister is thinking, until we reach the stage where we can proceed with some further implementation.

**Mr. Chairman:** The member for Rainy River.

**Mr. T. P. Reid (Rainy River):** Mr. Chairman, I have just a few brief remarks. The minister has indicated that he is going to make a tour of the Indian reserves of the province. I would ask him at this time if he intends to invite the members of the ridings he is visiting, in which these reserves are located, to accompany him on these visits.

**Hon. Mr. Welch:** Knowing something of the reputation of the hon. member for hospitality, that would certainly be one of the first things on my list.

**Mr. MacDonald:** Every northerner is hospitable!

**Mr. Lewis:** That is a major reversal of policy, but it never had to do with hospitality.

**Hon. A. Grossman (Minister of Correctional Services):** Are not the southerners?

**Mr. Chairman:** The member for Algoma-Manitoulin.

**Mr. Gilberston:** Mr. Chairman, I have been trying to get up.

Interjections by hon. members.

**Mr. T. P. Reid:** You go to the bottom of the list now you are up.

**Mr. S. Farquhar (Algoma-Manitoulin):** Mr. Chairman, the minister is becoming aware that those of us who have five and six reserves in our riding—I have six; two large ones and four small ones—are a little bit nervous about this word, “co-ordination.”

A good part of our constituency and our work load comes from these reserves. We get very adept at sorting them out, and saying, this is a federal matter; this belongs to education; this is welfare; and so on. Now, is your department—we have to find this out—is your department going to seek out the problems? I am worried how much co-ordination you can accomplish and how effective you can be in co-ordination without knowing anything about the problems. To get into specifics, for instance, do I go to your department when my Indian school children have no money for lunches at school? Or do I, as usual, go to Education, a combination of Education and Indian affairs, for that kind of

thing? This is what we are really concerned about, whether we just have one more agency to confuse the issue with, or whether we let the Indians continue to operate through proliferation of departments.

**Hon. Mr. Welch:** It may be that the concern expressed by the hon. member came as the result of an answer I gave the hon. member for Thunder Bay, when I said we were prepared, in some cases, as requested, to have the first contact in order to distribute the problems among other departments. But I do not see why there would be any change in the hon. member's approach to the matters that come to his attention, as a result of servicing the people on those six reserves to which he makes reference. Under the same circumstances, if the member, in his own words, has become skilled in sorting out the particular matters that come to his attention, he would come to this department, which is a branch of the government, only if, in the first place, there was some specific community development project in which he were trying to interest us to help the people on these reserves.

I want to dispel any thought that we are trying to superimpose ourselves with respect to this work. That is the very point I am making in answer to the other members, that we were, in fact, not the agency of primary responsibility in the delivery of many of the services, some of which you have mentioned, but rather, the community development branch of the government. So I cannot see why you would change your dealings with this government in any way.

**Mr. Farquhar:** In that case, Mr. Chairman, if we do not change our approach in any way, what I was afraid of is happening. This department has no real function at all.

**Mr. Trotter:** That is right; no policy.

**Mr. Farquhar:** And if it has, tell me what it is. In connection with community development programmes in my riding, we work through ARDA; we get them. So I am as confused as ever about exactly what we do when we have a specific problem. We do the same, you know, as we were doing before.

**Mr. Trotter:** You do not know where you are going or what you are doing.

**Hon. Mr. Welch:** Really, you cannot have it both ways. You cannot talk out of both sides of your mouth or, as they say, suck and whistle at the same time. In fact, you are quite satisfied that you are getting the response to your questions the way you

Then I say, "Well, there is no reason why you cannot continue," and I sit down, and then you beat me over the head with that and say, "Well, what are you doing there? You are not co-ordinating." Now do you want me to co-ordinate this, or do you not?

What I am trying to say is that the primary responsibility for the community development branch is in fact the whole co-ordination of community development projects. And in studying any requests for financial assistance in this regard, we have reference to other departments of government who may be involved in the provision of some of these services or crown agencies with respect to hydro and so on. The point of the matter is that many of the day-to-day constituency problems which you may have will have nothing to do with community development projects at all. You would naturally go to the provincial government agency or department that would, in fact, deliver that service.

**Mr. Chairman:** The member for Algoma.

**Mr. Gilbertson:** Thank you, Mr. Chairman. As the member for Algoma, I have got several Indian—are you listening, Mr. Minister?

**Mr. Lewis:** They never listen to their back benchers.

**Hon. Mr. Welch:** I sure am.

**Mr. Lawlor:** He talks about participation, but he never does it.

**Mr. Gilbertson:** In the riding of Algoma, there are several Indian reservations. I want to congratulate the minister on the new addition to his department—

**Mr. E. W. Sopha (Sudbury):** Are you listening, Mr. Minister?

**Mr. Ben:** He should have started off that way.

**Mr. Gilbertson:**—also on the grants that the Indians got in the Michipicoten reserve, also in Garden River, to purchase some equipment that will enable them to help themselves. I think that is the proper approach, rather than giving direct welfare in so many cases. I think we should concentrate on helping the Indians to help themselves, and I think you made a good start when you gave a grant to the Indian reservation at Michipicoten, which will enable them to bring their pulp out to the siding. I think that is a start in the right direction.

Now I have some suggestions for the new minister. I would like to say on behalf of the

Indians, that I hope some provision will be made whereby they can get additional siding timber adjacent to their Indian reserves. In some areas now, I know, there is timber adjacent to their reserves. I feel that we should not sell ourselves short, because the Indians need this timber to help them to live, and I would like to invite the minister into my riding this summer to spend a while. In fact, I will go so far as to tell the minister that both he and his wife and I are invited up to my riding. You can bring your wife with you, and we will see that she has some enjoyment while you are to do with me on the various Indian reservations.

**Mr. M. Gaunt (Huron-Bruce):** That is a bribe.

**Mr. W. Ferrier (Cochrane South):** Any cakes?

**Mr. Gilbertson:** I dare say we could suit him with some pancakes and some of the good St. Joe Island maple syrup. So for a new minister of Indian affairs, I think that will be your initiation; come up and I will get you acquainted. I am sure that if a chief from one of my reservations was invited, he would be ready and he would say, "Chief now ready to have powwow with provincial government."

**Mr. Stokes:** Now you know there is an Indian in Ontario that speaks that language. That is where you make your mistake—

**Mr. Gilbertson:** You be quiet; you are trying to make a little political hay for yourself. There are a lot of Indian chiefs in Ontario who would like to speak that way. I think sometimes we overdo it, you know; we want to get the Indian so integrated with the white people that they forget that they are Indian. They forget their language, and that is something that I think that many Indians cherish.

**Mr. Lewis:** It is the first time the minister has been sweating since the estimates started.

**Mr. Gilbertson:** The one thing we should remember is that not all the Indians want to get to be like we are.

**Mr. Trotter:** I do not blame them.

**Mr. Gilbertson:** They like to be free, they like to be on the reserve, they like to be able to go out hunting and fishing and trap. Last Saturday I bought a nice rainbow trout from an Indian.

Who else can stand around on the Indian reserves along the tourist area and sell bow trout? That is a real privilege.

can take their nets, set them out and be able to fish. If you tried to set a net and catch a fish what would happen? The game warden would be after you. If you took your gun and went out in the woods to shoot a deer, what would happen to you? They would come along and you would get fined.

**Mr. Lewis:** There is no doubt that they have special privileges in this society.

**Mr. Gilbertson:** You know it is all right to get up here and talk about the poor Indian and the plight of the poor Indian; but you know in a lot of cases the Indian has it pretty good. They like it that way. They do not want to be bothered with people coming along, trying to integrate them and telling them what they are going to do and what they have to do.

**Mr. Trotter:** Is this government policy?

**Mr. Stokes:** Heaven forbid!

**Mr. Gilbertson:** I am just making some statements here now. You can suit yourselves, you can use your own judgement whether it is government policy or not.

**Mr. Lewis:** The minister's silence indicates concurrence.

**Mr. Gilbertson:** I think that many times we overdo it; we just think that it is a terrible situation. I know on the Garden River reservation and down on the Mississauga reservation they are having homes built for them. I think it is time that we as a government were saying something about this instead of hearing all the criticism from the opposition.

**Mr. Lewis:** Let us talk a little about the Garden River reserve.

**Mr. Gilbertson:** It is in my riding.

**Mr. Lewis:** Is it?

**Mr. Gilbertson:** Yes.

**Mr. Lewis:** Well, then you should be doing something about it because it is a shambles.

**Mr. Gilbertson:** It is a shambles? Have you ever been up there?

**Hon. Mr. Grossman:** Who has got the floor?

**Mr. Chairman:** Order; order please!

The member for Algoma has the floor. Please address all your remarks through the chair.

**Mr. Gilbertson:** Look, I have been up that area for years.

**Mr. Lewis:** That is the trouble.

**Mr. Gilbertson:** As a boy I travelled through the Garden River to the Indian reserve. They have got pretty nice homes there now. If you are talking about homes, sir, why do you not look at some of the white people that are living in the north and compare their homes to some of the Indian homes? I do not think that the Indian are discriminated against that much—maybe a bit up in the extreme northwest part of Ontario. I have not been up in those areas on the Indian reserves, but I want—

**Mr. Lewis:** Just look at the Garden River reserve.

**Mr. Gilbertson:** —to speak on behalf of the Indians in my area, and you can come up and look at the Garden River homes.

**Mr. Lewis:** My colleague and I travelled that reserve earlier this year, home by home.

**Mr. Gilbertson:** The new homes that have gone up at Garden River are fairly good homes—

**Mr. Lewis:** Yes, but 90 per cent of the people live in intolerable conditions.

**Mr. Chairman:** Will the member please address his remarks to the chair.

**Mr. Gilbertson:** Mr. Chairman, I live in a log house where I come from.

**Mr. Sopha:** You are painting yourself in a corner.

**Mr. Gilbertson:** And it is not so bad, Mr. Chairman, I know. We do not mind it that badly. The main thing that I want to bring to the attention of the minister—

**Mr. Lewis:** To you, Mr. Minister, this is not funny, but you should intervene just once and slap him down.

**Mr. Gilbertson:** —is that you, Mr. Minister, and the Minister of Lands and Forests are sitting together. I would come to meet with you and the local member for the area. We will discuss some of the Indian situation and make some provision so that when the Indians need some extra timber so they can make a livelihood for themselves, let us see that they can make a livelihood for themselves, let us see that they have got it if we possibly can. Thank you.



Mr. Chairman: The member for Sudbury.

Mr. Sopha: I have considerable sympathy for the plight the member for Algoma got himself into, because there have been occasions when I have got into trouble in speaking about Indians. I could only comfort myself with the knowledge that I have as much contact with Indians at the personal level and in a legal capacity as a sitting member in the House.

I wanted to say a couple of things on this score and say them from the vantage point of that association that I have had with Indians. One thing that has bothered me in recent years with increasing frequency is the amount of study that the white man gives to the Indians. I felt that the Indians, if I may draw a very clumsy analogy, are quite like the systems in the Apollo space capsules.

They tell me that if they test the systems there is a danger they will wear them out before the astronauts actually take off and put them in peril. I thought the Indians are in that same position; that the study the white culture gives to them will eventually wear them out by sheer over-burdening impact.

You see and hear of all kinds of meetings and organizations that are engaged in the study and, one gets the impression, directed toward the improvement of our Indian brethren. I have been at several. I say they are largely attended by white people motivated by the most pure of instincts, and a couple of aspects become apparent.

There is a certain amount of self-flagellation that goes on. There is a public confession of sin against the consciousness that, historically, we have treated the Indian so badly. By making a public penance about it there is some emergence into a state of grace resulting from it. The other is—and I must say I am always on the alert to look for this, maybe there is more in my mind than actually occurs—but I am on the lookout for that inarticulated major premise among participants in these conferences that somehow, in one way or another, or for provable reasons, the white culture is superior to the Indian.

If we could only raise the Indian to the level of the white culture, then that improvement of him would redound to our benefit and would help the Indian to enter into that state of grace. I must say that I detected that inarticulated major premise among the participants in the conferences. I remember the last one they had in Sudbury not too long ago; I did not go to it. I went to the one before

which only preceded it by a couple months. But the last one they called 'learn-in'; it was a learn-in about India and I am not sure that is grammatical—that is what they called it.

Following it, a young lady called me to complain about something in the field of education, and I had the advantage of asking her what the difference was between learn-in and a teach-in. She told me one of them means that there is more listening, less participation than the other. I forget which one is which now, but that appears to be the difference.

If I sound critical of that type of approach I can only do so against the background of my association with the Indian people. I have had the honour to be the solicitor for six bands for quite a number of years now. I think I am safe in saying that I have seen all the homicide cases involving Indians in the area in the last half-dozen years.

I think I am safe in making that statement since I made my last speech—that ill-fated one of a couple of years ago. I have had to see since that time. I have not lost their confidence, at least in that area of the public domain.

I ought to go on and make public confession that with those six bands that I am for—and a couple of them are more numerous, as my friend the hon. member for Algoma-Manitoulin has pointed out. A couple of them are in numbers overwhelming of the other four; they are rather small. Concerning those six bands, relations between us have cooled to some extent.

The reason for the cooling of those relations—and it may be important in the public domain to say this—is because I made the bands aware that I was not all that delighted with Mr. Chretien's policy. There came a time when they asked me to go on delegation with them to Ottawa to make complaints about the policy of the white paper and I refused to go. I said I could not in conscience say that I was against the eventual integration of the Indian people into the fabric of Canadian society.

The qualification I append to that is to that that must be done every step of the way with the Indians' consent and approval. And it may take a generation to do it. Mr. Chretien, I think, wants to do it in five years, but it may take 25 years to do it. If it takes that long, then so long as it has the Indians' consent and approval, that is fine. There is nothing lost in that.

But I came to that conclusion very vividly one day last year. We were doing something with the Minister of Lands and Forests, and I am not going to tell what we were doing. We had something going in respect of the six bands and in relation to that I went over to the island, to Wekwimikong. I believe it is the largest of the reserves—the unceded one—4,000 my friend tells me.

I went over there to meet with the band council on a Sunday afternoon. It was a late winter day, the sun was shining—a beautiful day. I arrived a bit early before the meeting of the band council and I stopped at the rink to watch a hockey game in progress. I looked around a bit and came up outside the band council house, and met a few of them who had arrived early. There is a graveyard right next door and we began to talk about when the first Indians came there—the circumstances under which they came to that portion of the island.

Later the meeting started, and I recall very well at the outset of the meeting I looked at the chief and the principal men of the band and I said, "You know, this is no good." I said, "It struck me today that it is no good. You do not want this segregation—living in identifiable, geographical areas separated from the rest of the society. You do not want that for your children and your grandchildren. Eventually you have got to be moulded into the fabric of the society." The chief and all of them said "You are right. We agree with that. We do not want it for our descendants, we must eventually become integrated."

That had a great impact on me, that they can see that it is wrong. It is wrong for society to separate any group of citizens apart in a definable area and treat them separately. Ultimately the ideal must be that they come in and participate in the most total way with the rest of us in the benefits of life in living in Canada.

That in essence is the purport of the Chretien policy. And as I say, relations have cooled between us because that is the way I see it. I hope that government at Ottawa have learned their lesson and they stop publishing these policies and white papers, as they are doing. They are very clumsy and they are very awkward about it and they think this is a great exercise in participatory democracy.

They unravel the whole business, so that everybody can have a peek at it and discuss it and wear it out, and worry it and chew it like a dog does at a bone. Eventually out of that will emerge some quintessence of

agreement. I hope they have learned their lesson about it. They have made, in my view, a horrible mistake in relation to the Indians in publishing that white paper, because, if nothing else, they absolutely graphed their policy. The impact upon the Indians was just absolutely horrendous.

I do not agree with the way that a person like Walter Currie, who works for the Minister of Education, responds to it in publishing the adjectives, the verbiage that he uses to show his contempt for it. I do not think that gives it a fair chance or tries to analyse in detail what the government is ultimately attempting to achieve.

All right. How does that translate into what this government should do? Several years ago that I made a speech in which I said that if there are attempts at persuasion of this government to do more for our Indian brothers, then the government must deal always with the consent and approval of the Indian people, first and foremost.

When I said that a number of years ago the Prime Minister agreed with it as a fundamental principle of the government. I do not see that the government has departed from that. I think that has been their policy right along and I think they have stuck to it. The Minister of Lands and Forests (Brunelle), I can say unhesitatingly, has had just splendid in his approach. He is a great improvement over his predecessor, who was hopeless, of course—I refer to Kelso, who was the predecessor.

The Minister of Lands and Forests, as far as I can see, has gone out of his way to employ as large a number as he realistically can in the various aspects of his department's work. The Minister of Lands and Forests has been very fair about the treaty provisions when he could have been much more harsh, much more legalistic, and he is to be commended. One knows the tremendous pressures that there are on him in regard.

I express my public approval, and I am sure I echo the sentiments of the Indian bands in making public commendation of him.

We have had a lot of palaver today. We have had a great powwow. Everybody got into the act. And I must express my suspicion, which shall be perennial with me of the sentiments of those who do not have contact with the Indian people. I think it is the first premise for having a sophisticated opinion, because communication with the Indians is extremely difficult—you never know what

you are getting your point across or whether you are making an impact on them at all. It is a problem to get them to communicate and to unburden; I think that is because of historical reasons, that they are suspicious of us. They have been done in so many times that they are reluctant to make a complete clean breast.

The only other thing I wanted to say was that when my friend from Algoma says he has not been in the far northern regions, I have met those Indians in the great hinterland up to Hudson Bay. I saw them, and the thought occurred to me that they lived the most idyllic existence of anybody in the whole province. The person living in Rose-dale or Trefann Court, or in one of the high-rises, should have an existence such as they have in the great out-of-doors. Beyond the beauties of nature and the rather basic pursuits that they follow, there is the absence of alcohol from their culture and, of course, beyond that there is the lack of exposure to the white man. They have not got the white man in large numbers. When the Indian runs up against the white man, as is so often the case, that is when his trouble starts. The white man brings him trouble.

I have often thought of the great benefits that would accrue, if a fellow could go up to Big Trout Lake or Pikangikum or—the member for Rainy River ought to help me with the names of some of these places—Fort Severn or Winisk, and perhaps live for two or three years up there among them and away from this frenetic, neurotic society in which we have to exist. I hope that group is left alone for a good while.

Notwithstanding my friend from York South's remark about the federal government, they are disappointed in the white paper. But it is remarkable to observe the great trust they have in the federal government; that is of very long standing. They have looked to that government as their protector since the year one, and I do not think that has been eradicated by the clumsiness of the white paper. There is a real residual fear about what this government will do when it comes in the act; they will have two governments to contend with. It if were a case of preference, I think I can say with assurance that they would prefer the federal government, because of their experience in dealing with them.

So our task is all the more difficult here. We want to do a great deal more; opinion on all sides of the House is unanimous that we want to make them in every way full citizens

of the province. Well, the burden on a terrible one, because we must win trust and confidence—and the confidence must be based on the full participation themselves in the programmes that we put out for them.

I do not envy the young Provincial Secretary's task at all, if he is the one that the Prime Minister has laid hands upon. I have been translated to replace the Minister of Social and Family Services in this; then he has a major job cut out for him—the ambassador plenipotentiary among the Indian people.

**Mr. R. G. Hodgson** (Victoria-Haliburton): The Queen's representative!

**Mr. Sopha**: The Queen's representative right!

And he has to try to win that measure of confidence from them. I would say a good way of beginning, if I may be given the opportunity to give any advice, is to approach them from the point of view of saying, "The time has come when you are going to see every benefit in the province that every citizen has; there will be none that will be denied to you. That is to say, everything that is going by the way of program organized by the state for the welfare of the inhabitant shall be yours, without fetters without any inhibitions and with no strings attached. You are going to be full citizens of Ontario in every way." By George, that would be a good beginning, because we have many senses of injustice about being denied and being discriminated against that score alone.

I do not want to give the impression that I have severed as legal adviser to the bands—I hope that goes on for many years just because there is a disagreement on the point, on the ultimate effect. But I hope, finally, that I hope I live to see the day when, with the complete accord of the Indian people, the last of the reservations in this country, will disappear and they will be moulded into the society in such a full way that you will not even notice that a person is Indian, but he will be a total participant; he will just be another factor.

I like to think, you know, that maybe in my ancestry there is some Indian blood. I would like to discover that there was some and I have always said, of course, about my French-Canadian brethren—they may have been offended a bit—that if you are French-Canadian and have been here for two or three centuries, you have to have some

Indian blood, you have to. Those things that went on behind the teepee, you know, I do not have to paint pictures for you.

There is a doctor in Ottawa, the member for Ottawa East (Mr. Morin) probably knows him, who says that 70 per cent of French-Canadians have Indian blood. That does not offend the Minister of Lands and Forests, does it? No, it does not offend him. That would be a great discovery to make, that coursing through your veins is blood of the first citizens of this country.

One of our great contributions to the human race can be that we can show such dignity and decency toward our Indian brethren that we do not have those problems that other countries suffer, that we are so fair-minded and so civilized that everybody in this country is treated the same—the same dignity whatever his origins. In short, having said that that is what we owe to the Indian people, let us altogether, from that point of view and not trying to improve him or make him better, set out on the task of the mission that confronts us.

**Mr. Chairman:** Anything further on Indian affairs?

**Mr. J. Renwick:** Mr. Chairman, I just want to comment very briefly and ask the minister some questions about the role which he sees himself playing in this branch. The member for Sudbury, of course, used the phrase that some people feel that they belong to a superior culture to the Indian. I think that it cannot be gainsaid that the problem, really, in the relationship between the cultures is that this is the dominant culture and that most of the problems flow from that dominance.

Indeed, so far as the province of Quebec is concerned, we are going to see the working out, probably tomorrow, of a good degree of that conflict between the French-Canadian people in the province of Quebec who feel the dominance of the Anglo-Saxon culture on the North American continent, let alone in the rest of Canada. By this time tomorrow night we may very well know whether or not that particular option is a viable one for the French-Canadian people in Quebec. I certainly hope, personally, that it is not, but so far as the Indian community is concerned, they do not have any such option. Therefore, part of the problem runs—most of the problems, in my view run—from this question of the dominance of one culture over the other.

But I am not going to speak philosophically about the topic; I want to try to find

out what the minister is about. As I understand it, he has quite clearly said that it is not a department of Indian affairs, and therefore, he said, the government in that sense absolved from having a policy about Indian matters in the province.

**Hon. Mr. Welch:** I did not say that. I said that there was no department in Ontario primarily concerned with Indians. But that has nothing to do with the fact that we have no complete official policy as such. There is no connection between those two statements that is my point.

**Mr. J. Renwick:** I had taken that connection from the remarks which were made in response to the member for Parkdale. I will certainly stand to be corrected if the record shows that to be incorrect.

The minister has said that he does have a role with respect to the Indian development branch and the allocation to projects of monies which are in these estimates for the purposes of that branch. But then he referred to this question of co-ordination, and I want to try to get clear, by using three or four specific examples, just what the minister's role, in fact, means about the role which he is playing. I want to use past examples because we do not know what is going to happen in the future, where the role may have to be clarified. But I would like the minister to shed the light of those past examples, to indicate to us what he considers his role to be.

For example, the Minister of Lands and Forests had the problem of delineating the boundaries of Polar Bear park. They found when they had delineated them that they had not given due regard in that department to consultation with the Indian communities, to the traditional rights of the Indian communities in the areas delineated by Polar Bear park. I understand that consultations had been taken place and they are rectifying the boundaries or alleviating that kind of a problem.

I want to ask the minister specifically whether, in that kind of a situation, he considers that he has any role to play, so far as responsibility for the relations of the government with the Indians. This is a role which the Minister of Lands and Forests played.

We had outlined in the House a year or two ago, no two or three years ago, the question of the Minister of Highways and the expropriation policies of that department with respect to the Batchawana band at St. Ste. Marie. There was a complete destruction of any remaining trust between

Batchawana band and the government of Ontario and, specifically, The Department of Highways, when the price which was offered per acre went from \$100 to \$1,100 or \$1,200. The Indians had so little faith in the government that they ultimately refused that and the highway was never taken through in the way in which it was planned into Sault Ste. Marie.

**Hon. G. E. Gomme (Minister of Highways):** I would like to correct that statement—

**Mr. J. Renwick:** No, Mr. Chairman. He can correct it later on.

**Hon. Mr. Gomme:** The highway was planned to go where it goes now. It was never planned to go through the reserve.

**Mr. J. Renwick:** Let me state the hypothetical situation of the meeting which took place in the band council of the Batchawana band, at which the present Minister of Highways, my colleague, the member for Hamilton East (Mr. Gisborn), the Attorney General as he then was, and numerous other officials participated with the band council. My colleague was acting in an advisory capacity to the band council about the question of expropriation.

The price cannot be gainsaid. The first price was \$100, and it ended up at \$1,100 or \$1,200 per acre. There was no justification for the initial bid of \$100 and the Indians refused the final offer that was made. Everyone knows that the final outcome would have been to go through the federal government in order to get approval for that expropriation procedure.

I want to know if the minister sees any role that he should play in this co-ordinating function between himself and the activities of the Minister of Highways.

I would like to know about a third example. We have—if I may use the term because I believe it to be an accurate description of it—this ridiculous project of the Ontario Economic Council and the 10 houses being built at Moosonee under this programme of the Ontario Economic Council.

The houses are not yet complete; they have been building them now for many months. Does the minister see himself involved in saying to the Minister of Trade and Development (Mr. Randall) that this project of the Ontario Economic Council is ridiculous in conception and ridiculous in its implementation?

Does he see a role by discussion with his colleagues to say "We do not do things that

way"? Nobody else in the province of Ontario builds his own home—and there is no particular justification for having the Indians at the Moosonee area building their own homes—with donated materials collected by the Ontario Economic Council under some disguised operation of the free enterprise system.

We have the question which my colleague the member for Scarborough West raised—is the relationship of the minister, in the co-ordinating role which he has to play, in connection with the treatment of the Indian community by the Ontario Provincial Police. We have had, and will have again with the estimates of the Attorney General before us, the whole question of Bird Stevens.

There is another investigation pending—the Attorney General has not yet reported into an incident which again took place at Moosonee. There is also the strange incident which I understand and I believe to be accurate in which one of the members of the Indian community at the mouth of the Attawapiskat River or the Albany River, I am not certain which one, was shot and killed. Because of the jurisdiction of the Ontario Provincial Police in that area came from Kenora and not from the Moosonee detachment, the body of the Indian lay in the street for some 24 hours until arrangements were made for the body to come in.

I want to know, in those kinds of instances which are all past ones I am using to point out the kinds of problems which arise, whether or not the minister would illustrate or state for us how he sees himself performing this co-ordinating role. Or is it, really, just a term which is going to be used when, really, his only role is going to be identical with the role of the former minister, the Minister of Social and Family Services, who had responsibility for the Indian development branch?

We might as well know whether the responsibility of this minister is limited to the Indian development branch, whether he has any other responsibility. Or we should have clarification of the kind of statement the minister has made, that he has this co-ordinating function to play. I am certain many other members of the House could illustrate in other instances, which could be used to draw the minister out on this question, what his role is in the specific instance of the past events which I have commented upon.

My last question, which is separate and detached from those comments, is relative to the question of lands. I want to ask

minister about the lands which were deeded to the government of the then province of Upper Canada by deed of grant, having nothing to do with the treaties under the Constitution by which Indian lands agreements are clearly matters between the federal government and the Indian bands, and under the total jurisdiction of those bands.

I want to know whether or not there has ever been any intimation to this minister that the Indians in the province of Ontario consider that the deeds of grant—which were taken from them, which they signed, by which they ceded their lands to the Crown in the right of the province of Upper Canada, pursuant to the provisions, I believe, of either The Quebec Act of 1775 or The Constitution Act of 1791—whether the Indians have ever indicated that they are dissatisfied with, reject or take the position that their ancestors were, in fact, not aware of what they were doing when they deeded those lands to the Crown in the right of the province of Ontario?

The minister may recall, and the volumes are in the legislative assembly library—there are two or three volumes that set out not only the treaties but all of the known deeds conveying lands from the various Indian tribes in southern Ontario to the Crown in the right of the province of Upper Canada. I would like to know whether or not there has been any intimation that the Indians, in short form phrase, believe that their ancestors were robbed of those lands?

**Hon. Mr. Welch:** Mr. Chairman, I might start with the second question first and say that no individual Indian or band of Indians has expressed any opinion to me on that particular subject matter at all.

To go back to the role of this minister as the Minister of Citizenship, to whom has been given the responsibilities of the Indian community development branch; with this falls the chairmanship of the cabinet committee. I wanted to, perhaps, emphasize once again that the role is that of community development with respect to the special circumstances around the Indian people.

If I might answer the question as briefly as possible, with reference to the examples that he mentions, I would not see my role interfering in any way with the operation of The Department of Lands and Forests, or The Department of Highways, or The Department of the Attorney General.

I come to the questions that he raised in connection with the economic council. Interestingly enough, just today the economic council itself has asked us, as a branch of

government, to take a look at that particular project to see if it would fit into the context of community development which has been developing with respect to a government proposal.

**Mr. J. Renwick:** Are those houses completed yet?

**Hon. Mr. Welch:** I think five of them.

**Mr. J. Renwick:** Five of the 10?

**Hon. Mr. Welch:** The point being the word “co-ordination” comes into the standpoint. When these requests come from the Indian bands, there is a great need to consult with other departments of government and other agencies to satisfy ourselves whether or not there are vehicles, procedural statutes or regulations within their departments that would help to fulfil these particular requests.

There would be the broadest consultation with other departments of government as we carry out the specific responsibilities given to us with respect to the operation of the community development branch. This process invites the Indian people to engage in discussion themselves, which will end up with the submissions for specific help, to produce specific programmes, in order to help to raise their economic activities, or whatever else the motivation might be.

Speaking to the specific items which were raised, three of them, in my opinion, will rest with the operating departments as they carry out the responsibility which is theirs. But, interestingly enough, the fact that you raised, at the instigation of the corporation itself, has been referred to our branch of government in order that we would ascertain whether or not we feel that it would fit into our terms of reference, in fact, could be one of the projects which we would undertake to continue to super-

**Mr. Chairman:** The hon. member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Yes, Mr. Chairman, I would like to express my concern as one member about the possibility of the extinction of what was probably the original language of this province, the Ojibway Indian language.

I only mention it because a year or so ago I attempted to obtain a dictionary; Ojibway to English, English to Ojibway. It took me a long time to put my hands on the book. Even Coles bookstores here in Toronto

not have them and if they do not have it, it is an indication that it is not too popular.

I think that what is significant about this is that while the Indian people do speak their own language among themselves, one rarely hears them speaking it when they are in groups of mixed ethnic backgrounds. I wonder if they do not speak it primarily because they are not ashamed, but somewhat embarrassed about it, because one rarely finds a non-Indian speaking the Indian language.

I can recall last year attending a workshop of the Thunder Bay Indian Youth Friendship Centre which involved, primarily, the Indian young people. At the three-day conference one did not hear the Indian language even once, and while speaking with one particular group, after half an hour I asked the youngsters if anyone there spoke the Indian language. They all put their hands up, so I said: "Why have we not been speaking it here?" They, of course, did not know.

But I think that if any of us attends any meeting of an ethnic group anywhere in this province, you will usually find the native language of that group spoken somewhere in the public agenda. Our native people seem to be somewhat embarrassed about speaking their language, so that gave me some cause for concern.

Getting back to my search for an Ojibway-English dictionary, with the help of Mr. H. B. Rodine, superintendent of Indian schools, Ontario region, Department of Indian Affairs—the federal department, somebody happened to mention his name to me—I made contact and he very kindly sent me his own copy. He said that it was now out of print and this was the only thing that he could find—and this is the superintendent of Indian schools, Ontario region—from which to learn the Indian language.

Just to put my point across, if I may, I would like to read briefly from the introduction of this dictionary by its author, the Reverend Edward Wilson. This tells the whole story—the story of his time in relation to the attempt to retain the Indian language and perhaps the story of today. These are his words in the book:

In presenting this manual of the Ojibway language to the public, the writer wishes it to be understood that he by no means assumes to himself the title of grammarian or philologist, neither has he had the advantage of a very lengthened term of acquaintance with the Ojibway people. He feels satisfied that there are others who

are far better qualified than himself to undertake the work, but finding that no one else seems prepared to do so, feeling the great need that there is for such a manual as an assistance to missionaries and others in acquiring the language, he has resolved to do his best in the matter and he assures his readers that however imperfect his work may be, he believes they will not find anything in it which is calculated to misguide them.

So, Mr. Chairman, there is the story. Qualified people are not putting the language down and therefore they are not taking steps to preserve it.

I wonder if this is not an area where a branch of this department could come in itself. Surely we should, out of respect for no other reason, just in order to acknowledge the great contribution that these people have made, just to honour the original language of this province, we should make some attempt to make sure that this language is being preserved? Surely we should in that a dictionary such as this one, or a better, is readily available to anyone who would like to learn the language?

In this very same vein, when we speak of Indian culture, I know that many of our Indian people in Thunder Bay have been concerned for a long time that many of our old Indian crafts—the ability to work with various hides and so forth—are being lost because they are dying out with the native people as they go. So I just add to it—we have got to get to these people while they are still with us, acknowledge their presence and see to it that we preserve their language and their culture.

**Hon. Mr. Welch:** I think, comment on that we do have, in one of the 18 projects to which I referred when answering the hon. member for Scarborough West, a request from the Institute for Indian Studies. Part of the project in the plan is along the lines of the hon. member and I can assure him it is receiving very active consideration at the moment.

**Mr. Chairman:** Anything further on Indian affairs? Vote 1702. The hon. member Humber.

**Hon. Mr. Welch:** The hon. member Humber asked a question, not on Indian affairs but he has been waiting until now to raise the question with respect to the B-and-B report, particularly as it had reference to ethnic groups in Canada.

I have been going through these reports and there is a total, Mr. Chairman, of 16 recommendations made in the fourth volume of those reports. Seven of these are the direct responsibility of the provincial government and five, I feel, have provincial government implications. Perhaps this would be sufficient at this stage. I will make another comment after this.

These recommendations contained in the fourth volume are being studied, along with other proposals that are there and which we consider relevant to the needs of the people of this province. The implication of these recommendations is being considered, Mr. Chairman, in conjunction with the present reorganization of my department.

This afternoon, in answer to the member for Dovercourt, we did go on to expand about an eight-step programme which would encompass, among other things, some of these emphases, together with the realization that in the development of people groups within the province there would be some implications insofar as these recommendations are concerned as well.

**Mr. Ben:** Mr. Chairman, I take it from the minister that nothing has been done to implement these at the present time.

I was especially referring to recommendation No. 14 of those particular recommendations. Today, for example, Mr. Minister, I was approached by the very splendid choir of the Lithuanian organization. The Minister of Social and Family Services will be aware of it because he may be approached for the same thing, if he has not already.

**Hon. J. Yaremko (Minister of Social and Family Services):** I am a godfather.

**Mr. Ben:** Well there you go.

It is the Varpas choir. These people need a piano and they are going through the community soliciting contributions. Just by coincidence I happened to be directing my attention to this recommendation No. 14, and it occurred to me that there are very many of these organizations, not just in Toronto, but through Ontario who also need help.

Here was a very, very expensive commission—probably the most expensive this country has seen—bringing down recommendations ostensibly trying to effect a reconciliation between the various groups in this country of ours. It is recommending that both the federal and provincial governments get together and make grants to encourage the

propitiation of the cultures that were brought into this country other than the two which were called the cultures of our founding nations. Surely propitiation of the sons of these groups would be one way of giving effect to this recommendation No. 14?

Then may I take it, and can we say the word, that this government, through the minister, will start to give effect to these recommendations?

**Hon. Mr. Welch:** Well, we are talking about recommendation No. 14.

**Mr. Ben:** Yes, there are other recommendations, but this one arose today and it is the most useful vehicle for what I have in mind.

**Hon. Mr. Welch:** It is on my agenda for consultation with my counterpart in Ontario as soon as I can meet with him.

**Mr. Ben:** Well, I will look forward to having a report at the earliest date on this particular matter.

Along the same vein, is the minister giving any grants to the carnival that they are having again in Toronto? They are getting passports and going from one ethnic location to another and sampling their food, singing and the atmosphere. It is like the Caravan.

**Hon. Mr. Welch:** I think that is provided by the arts council or The Department of Tourism and Information; this department is not making any grants.

**Mr. Ben:** I was just curious, because your department has been giving grants to the Community Folk Arts Council and the Ontario Folk Arts Council.

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

**Mr. Ben:** I just wondered why this particular item, which in essence is sponsored by the Community Folk Arts Council, is not also within this vote.

**Hon. Mr. Welch:** It apparently comes through another department.

**Mr. Ben:** Is there any hope that some day we can amalgamate all these different branches of the different departments so that all these estimates come under one department?

**Hon. Mr. Welch:** Well, that is a matter of government organization.

**Mr. Ben:** And that is something that is lacking.



Votes 1702 and 1704, inclusive, agreed to.

**Mr. Chairman:** This concludes the estimates of The Department of the Provincial Secretary and Citizenship.

### ESTIMATES, DEPARTMENT OF CORRECTIONAL SERVICES

**Mr. Chairman:** Estimates of The Department of Correctional Services; page 22. The hon. minister.

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Chairman, in the interest of saving the time of the hon. members, while it is rather late, I think it would be advisable to take advantage of the time and proceed with the estimates anyway.

The Department of Correctional Services annual report for the fiscal year ending March 31, 1969, was tabled in the House on April 14, 1970. As this report contains a wealth of information which I feel does not need to be repeated, I do not intend to deliver a lengthy address on the activities of my department in this past year.

Instead, I shall confine my remarks to the developments that have resulted from two changes in legislation which were proclaimed last August 26. Those are the equalization of provincial and federal remission rates and the establishment of our new temporary absence programme.

For many years my department has been concerned about the difference between remission of sentences available to inmates in federal and provincial institutions. While inmates in both federal and provincial institutions were permitted to earn good conduct remission, statutory remission of one quarter of a prisoner's sentence was available only to persons sentenced to federal penitentiaries.

It was our contention—

**Mr. G. Ben (Humber):** That is a 1967 speech you are making.

**Hon. Mr. Grossman:** Well, I imagine, Mr. Chairman, I will probably get all the 1967 questions asked.

**Mr. T. P. Reid (Rainy River):** We will get the same answers we got in 1967.

**Hon. Mr. Grossman:** It was our contention that the substantial disparity in remission was the main reason for the excessive number of escapes and attempted escapes from Burwash Industrial Farm. I would point out that

Burwash houses long-term recidivists, a number of whom have previously served terms in federal penitentiaries. They were well aware that, because of the disparity in remission, it was possible to escape from Burwash and be sentenced to penitentiaries and still be released sooner than if they had not escaped or attempted to escape.

Last August 26, provincial remission rates were equalized with those in federal penitentiaries, and the hon. member for Huron will be interested now to find out what the results were. The dramatic effect of this new system on Burwash escapes is indicated by the following figures for comparable eight-month periods. From August 26, 1966, to April 26, 1967, there were 117 escapes from Burwash.

**Mr. Ben:** How many?

**Hon. Mr. Grossman:** 117. And from August 26, 1967, to April 26, 1968, there were 75. From August 26, 1968, to April 26, 1969, there were 75, and from August 26, 1969, to April 26, 1970, there were 14.

As can be seen from these figures, there was a reduction to 14 escapes from Burwash Industrial Farm in the past eight months, a reduction of 80 per cent over the same period in the previous year. And Mr. Ben, if you will pardon my suggestion, as a matter of fact, this justifies the contention that I was expressing here year after year about this particular aspect of the remission rates between the two governments. And this justifies our department's concern and our proposition that a change in this would make a dramatic difference—

**Mr. Ben:** Did anybody ever contest that statement on your part?

**Hon. Mr. Grossman:** I did not say that. I am just—

**Mr. J. B. Trotter (Parkdale):** Why not ask about it now?

**Hon. Mr. Grossman:** I was having trouble getting it done at the federal level, and I finally got it done.

**Mr. Ben:** With our co-operation.

**Hon. Mr. Grossman:** Fine. I am glad to have the help. As already mentioned, we have claimed, last August 26, the sections of the Correctional Services Act which establish our temporary absence programme. Simultaneously, we supplied information to the adult correctional institutions to familiarize prisoners with this new scheme.

In mid-September, the first applicants were approved and began participating in this programme. Since then, through to the middle of April, 1970—about seven months—498 men and women were granted temporary absence. This programme is another illustration of our recognition of and our response to the continuing need to expand opportunities for selected men and women prisoners to strengthen family ties and to learn to adjust gradually to life in the community. Our awareness of this need has been apparent in the extensive use of parole in recent years. A temporary absence programme enables well-motivated persons not yet ready for the added responsibilities of parole to also benefit from community contacts but under closer supervision.

Under the temporary absence programme a temporary absence of one to 15 days may be granted on humanitarian grounds or for other reasons related to rehabilitation. A temporary absence of longer than three days must be approved by a committee of the institution and another at main office, the final approval coming from the deputy minister.

In the case of emergency situations, such as a sudden death or other serious crisis in an inmate's family, all superintendents of adult institutions are authorized to grant temporary absences of up to three days without obtaining approval from main office. This authority has been vested in superintendents in order to maximize our flexibility in responding to emergency situations.

We have utilized this type of absence to meet a wide variety of individual needs. Men and women have been permitted to return to their homes to attend funerals and marriages; to go for job interviews and arrange academic programmes; to arrange personal financial matters and to deal with family accommodation problems, and so on.

Another interesting facet of this programme is that residents of Ingleside, the minimum security cottage at the Vanier Centre for Women, have been granted temporary absences to attend community churches of their choice with volunteer community workers. On a single Sunday recently, 13 residents from this centre attended five different local churches. Mr. Chairman, in the seven-month period from mid-September of last year, 401 prisoners have been granted temporary absences of from one to 15 days.

The second type of temporary absence involves permitting men and women to go out into the community during the day to

attend school, receive vocational training to work at gainful employment. They report to correctional institutions at night and remain there on weekends. In the same seven-month period, 97 persons were permitted this type of absence. Of this group, 27 have resumed academic studies at secondary schools, community colleges, and universities. In many cases young men who had dropped out of school prior to their incarceration have been able to resume their education under this programme.

Mr. Chairman, I would like to repeat—that these young men, in some of the cases, who had been dropouts, have been able to resume their education under this particular programme. Others continue their studies they were pursuing at the time of their sentence. Another 20 persons have attended training courses in welding and carpentry at manpower training centres in nearby communities. Fifty persons have been permitted to work in the community during the day and return to institutions at night. These individuals pay \$20 a week toward their expenses in our institutions. They pay taxes, support their families, and put money aside for use upon release.

The men who have worked regularly in the community include: construction workers, truck drivers, a logger, an iron worker, a plumber, service station attendants, an accountant, a mill worker, a store owner, several salesmen, and so on. At least two of these men were fathers of large families; one had six children and another 10. In one case a man was able to save a small business which would have collapsed without his presence. One young man did so well academically that he made such good adjustment that he attended university which he attended employed part-time, and later on a full-time basis. In a number of instances, individuals who had proved themselves over a fairly long period of working or training in the community during the day were permitted to take end leaves with their families.

Obviously, for a variety of reasons, many individuals sentenced to reformatories do not qualify for participation in this programme. Many men and women must be motivated—and may very well benefit most from—treatment and training within the setting of a correctional institution. We recognize, regrettably, that with our present knowledge it is almost impossible to motivate some inmates toward socially acceptable goals and that some offenders are incapable of responding to our programmes or unwilling to take advantage of the assistance available to them.

When we initiated this programme I announced that we would move slowly and cautiously. We have remained mindful of our responsibility, in the interests of protecting society, to screen each applicant carefully. The response from the men and women granted temporary absences to the trust we have placed in them has been most rewarding and most encouraging.

Most of the inmates granted temporary absences for visits to their homes or for other purposes have returned to our institutions with a new appreciation of the sincerity of our interest in their rehabilitation and with a new willingness to accept direction and assistance from staff. Those who go into the community daily for training or for work develop confidence in their abilities, regain a measure of self-reliance and self-respect and exhibit determination to continue in law-abiding roles upon completion of their sentences.

It is gratifying to note, Mr. Chairman, that 492 of 498 participants successfully completed or are actively involved without violations in this programme. In other words, in only six cases did unsatisfactory conduct necessitate withdrawal of temporary absence privileges; only six.

As I mentioned earlier, the temporary absence programme reflects our increased awareness and support of the contention that men and women offenders should re-enter the community gradually, and in some cases need not be separated so completely from society while serving their sentences.

Increasingly, where possible and practical, we are developing and encouraging other types of community-orientated activities. In this connection, our juvenile training schools already rely heavily on the utilization of field trips, Christmas leaves and a variety of recreational and educational activities involving interaction with people in neighbouring communities. In addition, volunteer citizens' groups contribute their time and energy to the programmes at many of our institutions and we are currently studying ways of increasing the participation of volunteers in our work.

In this respect I would like to express my appreciation, and the appreciation of the government, to a group of outstanding citizens who have served on an *ad hoc* committee studying the role of community volunteers in our work. I am presently studying the report submitted to me just recently by this very capable committee, composed of the chairman, Mr. E. Graydon Jarman, vice-

president of the Canadian Acceptance Corporation; Rev. Sydney G. West, director of corrections, corrections committee, Board of Community Services, Anglican Diocese of Toronto; Mr. A. M. Kirkpatrick, executive director, John Howard Society of Ontario; Miss Phyllis Haslam, executive director of the Elizabeth Fry Society, Toronto Branch; Lt. Col. Peter Lindores, director of correctional services, The Salvation Army; and Harold King, resident director of the Harold King Farm, Keswick; as well as four senior officials of my department who also served on this committee.

As I said, Mr. Chairman, we are most grateful for the time and energy expended by these people in the public interest.

Mr. Chairman, among its other advantages the temporary absence programme opens new avenues for the broad utilization in the rehabilitation process of existing community facilities. I have already referred to the use of manpower training facilities and the enrolment of men and women in courses at secondary schools, colleges and universities.

Under the temporary absence programme and through the co-operation of The Ontario Department of Health—specifically the addiction research foundation and the North Eastern Psychiatric Hospital in South Porcupine—it has been possible to initiate a number of new and complementary rehabilitation programmes.

Thus far, 16 inmates from the Montserrat industrial farm and one student from the training centre have attended weekend group counselling sessions at the North Eastern Psychiatric Hospital. They are granted temporary absences to stay at the hospital from Friday afternoon to Sunday afternoon. During their stay, they are involved in group counselling sessions aimed at improving their self-image, their self-control, and their self-awareness. In all cases, local citizens are participating in the groups in which charges are involved. Obviously the provision of counselling in other than a correctional setting and in groups which include local citizens has positive therapeutic advantages and provides opportunities for social learning that may not otherwise be available.

Agreement has been reached for the establishment at the same hospital of an experimental unit for our inmates. The addiction research foundation will provide training for professional workers to counsel groups of up to 10 inmates and students who have alcohol or drug-related problems. Under the temporary absence programme, these inmates

will be taken to the hospital for counselling sessions four days a week over a three-to-four-week period. It is also proposed that evaluative research will be a major part of this programme from its inception.

I would point out that the addiction research foundation and the North Eastern Psychiatric Hospital are presently providing other services to the Monteith Industrial Farm and Training Centre. Addiction research foundation workers assist in staff training at Monteith, as well as leading counselling sessions at these institutions for inmates and students who have experimented with such drugs as marijuana and LSD. Professional hospital staff also provide psychiatric assistance and evaluation at Monteith on a biweekly basis.

The foregoing, Mr. Chairman, is I believe, an excellent example of the sound use of the temporary absence programme, as well as an outstanding example of co-operation between government departments, to ensure the maximum utilization of existing resources with the attendant savings to the taxpayer.

In regard to the assistance being provided for our Monteith facilities, this department is greatly indebted to Mr. John Maynard, the administrator of the North Eastern Psychiatric Hospital; Dr. Philip Melville, clinical director of this hospital; and Mr. Cliff Bennett, the director of the addiction research foundation at South Porcupine.

In speaking of co-operation, I am pleased to inform the hon. members of the fine co-operation this department is receiving from the solicitor general, the hon. George McIlraith. In addition to frequently exchanging correspondence, I have met with him privately and several meetings have been held between senior officials of our respective departments. Mr. McIlraith has shown a keen interest and willingness to assist in resolving problems of mutual concern, and we look forward to continuing and mutually beneficial dialogue in the future.

In conclusion, Mr. Chairman, I wish to express my appreciation to my deputy, Mr. Hackl, and the other dedicated and hard-working staff of my department and to other members of other government departments, various after care agencies and volunteer groups who have contributed so much to our programmes, particularly over the past year.

Mr. Chairman, I trust the work of my department has earned the support of all the hon. members of this Legislature, and that their unanimous support of my request for the funds for the continuation of this work

will be forthcoming. Thank you, Mr. Chairman. I suppose it will be in order at this time to move that the committee rise and report.

**Mr. Chairman:** Hon. Mr. Grossman moves that the committee rise and report. Shall the motion carry?

**Mr. H. Worton (Wellington South):** all right, Mr. Chairman?

**Mr. Chairman:** Will the hon. minister vote to draw the motion?

The motion has been withdrawn. The member for Wellington South.

**Mr. Worton:** Mr. Chairman, during the course of these estimates, we shall be dealing with votes worth a total of \$48.5 million. This, roughly \$33.5 million goes toward rehabilitation of adult offenders, and over \$12.5 million toward the rehabilitation of juveniles.

So the first question that thoughtful people must ask themselves is whether or not the expenditures could have been avoided if we spent perhaps a fraction of this money on helping people before they got into trouble. This concern is underlined when one sees the Whiteoaks institution. It is possible to go to Hagersville without thought crossing one's mind that if Social Family Services was doing its job properly perhaps the need for the kind of institution at Whiteoaks would diminish. The parallel between Whiteoaks and Warrendale is obvious. The tragedy of this is that so many deprived people have to go through the court before they come in contact with the kind of dedicated person who can help them.

I would like, at this point, to pay a tribute to the minister because I recall that his predecessors did not stay very long in the portfolio that he has held with distinction for seven years. It is quite clear that the correctional services mean more to the present incumbent than even a cabinet position. The minister is obviously sincerely concerned, not only about The Department of Correctional Services but about the whole process of rehabilitation of the offenders.

I recall that in 1963, around the time of the death of President Kennedy and shortly after the minister took office, he invited me as the sitting member for the constituency to accompany him on a tour of the Ontario reformatory at Guelph, which was, at that time, certainly one of the largest institutions of its kind in Ontario.

One of the encouraging things is that the minister's zeal for reform has not diminished over the ensuing years and this has certainly communicated itself down the ranks so that he has been able to attract staff of a higher calibre than the candidates coming forward for some other departments.

Mr. Chairman, I am not going to attempt to cover the waterfront in this lead-off speech. Instead, I intend to stick with three or four main themes. The first of these is the nature of the staff commitment in this atmosphere of therapeutic community which has replaced the conventional authoritarian kind of atmosphere in the institutions of this province. Some institutions are more ahead than others in this regard, but the change in atmosphere is obvious throughout them all. The leadership given by the Vanier institute, for example, will likely be followed over the next few years by a similar climate in all the institutions in the province.

In the early state of affairs, the prisoners and the staff knew their place. There were rigid rules to abide by and there was also an undercover game to be played, with the prisoners outwitting the staff and the staff detecting violation of the rules. It was possible in these circumstances to be a correction officer without too much mental strain. But these times are passing, and the demands on the staff are being increased a hundredfold. The minister's emphasis on rehabilitation, which we in the opposition

commend wholeheartedly, has placed tremendous emotional strains upon the members who are in any way sensitive, they must be in order to do a good job under the new circumstances.

Mr. Chairman: I must point out that in order to adjourn at 10:30, the hon. member has gone as far as he can.

Hon. Mr. Welch moves the committee and report that it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will carry on with consideration of these estimates, to be followed by the estimates of The Department of Public Works.

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

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.





ONTARIO

# Legislature of Ontario Debates

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Third Session of the Twenty-Eighth Legislature

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Wednesday, April 29, 1970

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, APRIL 29, 1970

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today we have as guests in the east gallery students from Walter Perry Public School in Scarborough and Norman Cook Public School in Scarborough; and in the west gallery from St. Elizabeth Separate School in Etobicoke.

Statements by the ministry.

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, I am pleased to present a report entitled "The Fisheries of Lake Simcoe". This is a very interesting book giving information on Lake Simcoe.

This is only one of the 11 fisheries management units that we have in the province and as time goes on we will have a similar publication for the 10 other management units.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, a question of the Minister of Lands and Forests in his capacity as protector of the fishermen in the Great Lakes.

Is he in a position to announce what action the government of Ontario will take, either parallel to or in addition to the suit brought by the Attorney General of Ohio against Dow Chemical of Canada, Dow Chemical of the United States and Wyandotte Corporation, that requires and calls for a court order to stop the mercury pollution, a court order to require the cleanup of Lake St. Clair and a court order to pay compensation to those concerned?

A second question: Does the minister not believe that this approach is in the best interest of those concerned, rather than the policy of this government as so far announced, which leaves the responsibility to the fishermen to bring such a suit?

**Hon. Mr. Brunelle:** Mr. Speaker, at this time all I can say is that these matters are being looked into, as the hon. Leader of the Opposition knows, by the Attorney General (Mr. Wishart); and he is looking into the

question of whether this government take civil action. As of today I have heard the results of the Attorney General study of the situation.

**Mr. Nixon:** A supplementary question: The minister can assure us that the option of government bringing suit against the chemical companies concerned is still wide open?

**Hon. Mr. Brunelle:** I would say so, Mr. Speaker.

**Mr. Nixon:** Mr. Speaker, I would ask the Minister of Energy and Resources Management if he can give a fuller report on activities of the air pollution branch, particularly in their survey of the air pollution levels in Metropolitan Toronto? Specifically, what happens when the index reaches a level of 30; what industries are closed down in what order? Second, does he envisage expanding this survey beyond the corner College and University to the more heavily industrialized areas of the city? Third, do he intend to set up a similar monitoring function in other centres troubled by pollution, such as Hamilton, Windsor, Sudbury? We will let it go at that for the moment.

**Hon. G. A. Kerr** (Minister of Energy and Resources Management): Yes, Mr. Speaker, when the air pollution index reaches the height it reached yesterday, for example, we do contact sources that we know contribute to the high index. I am thinking of sources such as the Toronto incinerator, the Health plant, Toronto General Hospital and a number of chemical industries in the area. Until now at least this action has been successful. We have been able to stop the rise in the air pollution index, albeit weather conditions usually contribute to this favourable result.

The hon. member, Mr. Speaker, wanted to know if we would extend our readings. I think he insinuated. As has been mentioned before, Mr. Speaker—

**Mr. Nixon:** I think I stated. I did not insinuate.

**Hon. Mr. Kerr:** I did not think I was accurate enough really in what I was saying.

As I mentioned some time before, the present monitoring stations were set up after about 12 months of experimentation with about 15 stations around the city. We are now using about four of these, which were the worst of the 15, and the main one, of course, is at College Street.

**Mr. Nixon:** Is that the worst of the worst?

**Hon. Mr. Kerr:** Yes, right. And we think that really when there is a reading from that source—say 34—that this is just about the worst it is in Metro.

**Mr. Nixon:** So this building is located in the worst air pollution area?

**Hon. Mr. Kerr:** Yes, right. So we are in danger.

The third part of the question, Mr. Speaker. Yes, we are going to extend this programme to other cities. We hope to have it in Hamilton within a month and, of course, other cities such as Windsor and Ottawa and possibly Sudbury.

**Mr. Nixon:** What about Cornwall? Did the minister not promise them a year ago he would set up a monitor?

**Hon. Mr. Kerr:** Yes, but we are looking at a period of five or six months before all of these main centres will be included in this programme. It is quite a physical programme.

**Mr. Nixon:** A supplementary question. I ask particularly—perhaps the minister can give me more information—is there a specific order of pollution sources that are called, beginning with the most important? And would he consider that the incinerator at the Toronto General Hospital is the most important, simply because it is only two blocks away from the monitoring device?

**Hon. Mr. Kerr:** There is a specific order. We immediately contact about five or six known sources that are in a position to cut back immediately and assist in lowering the level of the index. The Toronto hospital to which the hon. member referred is one of them. It is quite possible, because it is certainly close to the area which we feel is the most contaminated, that it is probably aggravating the situation more than any other source.

**Mr. T. P. Reid (Rainy River):** By way of supplementary, Mr. Speaker, may I ask the minister what number—or is there a phone number—that interested citizens can phone

to get the air pollution reading on an hourly basis, rather than having to wait for either press reports or radio news reports?

**Hon. Mr. Kerr:** Mr. Speaker, there is a public announcement or release three times a day.

Of course, it does not change as far as the information is concerned, between three times. In other words, if you phone at 10 o'clock in the morning, you get the reading at 10 o'clock that morning. If you phone at 12 o'clock you would get the noon reading. If you phone at 4 p.m., you would get the 4 p.m. reading. If you phone at 6.30, you would get the 5 o'clock reading.

This is quite a complex system and we are not able to break it down, shall we say, into a five or 10-minute basis. It is the result of correlating a lot of information into a computer. So, in the interests of accuracy and reliability, we feel that three-times-a-day reading is the most accurate and the most correct, rather than attempting to—

**Mr. T. P. Reid:** That is not my question. My question is whether there is any way a citizen can phone. He may perhaps not get the paper or hear it on the news. Is there a specific number that a citizen can phone to get the reading at any time?

**Mr. E. W. Sopha (Sudbury):** Phone the minister's office.

**Hon. Mr. Kerr:** Yes, he can phone the minister's office or he can phone the air monitoring branch office on St. Clair or he can phone any radio station; they have the information every day.

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

**Mr. I. Deans (Wentworth):** Might I ask the minister what is delaying the implementation of the system in the city of Hamilton at this time?

**Hon. Mr. Kerr:** It is a matter of physically setting up the system, of tying in with the computer system in Toronto. I indicated when we announced the system for Toronto some couple of weeks ago, that it would be a matter of one to two months before the Hamilton system was in operation.

**Mr. T. P. Reid:** A final supplementary question, Mr. Speaker.

**Mr. Speaker:** No, the hon. member has asked sufficient supplementaries. Has the member for Brantford a supplementary

**Mr. M. Makarchuk (Brantford):** Yes, Mr. Speaker, I have a supplementary question. Has the minister considered stopping or eliminating traffic in city areas when the pollution index reaches the danger point?

**Mr. Speaker:** The hon. member's question is really not supplementary to the original matter under discussion.

**Mr. T. P. Reid:** It is not relevant either.

**Mr. Speaker:** The Leader of the Opposition has the floor for further questions.

**Mr. Nixon:** I will pass until other ministers come in.

**Mr. Speaker:** The member for York South.

**Mr. D. C. MacDonald (York South):** I have three questions of the Minister of Energy and Resources Management.

Firstly, has OWRC approved a multi-million-dollar anti-pollution programme by Domtar in Cornwall and, secondly, what steps have been taken to establish abatement programmes for other industries, such as CIL and Courtaulds, in that city?

**Hon. Mr. Kerr:** Mr. Speaker, the programme with Domtar in Cornwall has not been approved as yet, from the point of view that there is some debate as to dates, as to the type of equipment that should be installed and the cutoff date when the programme should be completed. As a matter of fact, OWRC officials were discussing this programme with Domtar officials today. We hope that the programme will be finalized in a week or two.

Regarding the other companies to which the hon. member referred, these companies are also negotiating programmes with OWRC. Unfortunately, I do not have the details at this time.

**Mr. MacDonald:** My next question is of the same minister. What is the reason for the three months' delay in the provincial approval of the plans drawn up by the town of Smiths Falls for the expansion of its sewage treatment facilities in order to cope with local pollution problems?

**Hon. Mr. Kerr:** Mr. Speaker, from my information, this is not a delay on the part of the Ontario Water Resources Commission. We are having some problems there with the provincial hospital. The Ontario government has indicated it will share part of the cost of this municipal sewage facility, and I am hoping

that when these things are resolved the construction of the plant will get under way.

**Mr. MacDonald:** In Smiths Falls there is a fair amount of public reaction because they feel that the government's argument is that they are responsible. Do I interpret the minister's comment correctly that the delay is working out arrangements with a department of this government, which has a large institution there, before they can finalize the plan for expanded facilities?

**Hon. Mr. Kerr:** The commission is not completely satisfied with the proposal or the programme, as submitted by the community in Smiths Falls, and tied in is the fact that there will not be sufficient treatment from the hospital. In order to make an effective treatment programme, this has to be resolved before the construction can get under way.

**Mr. D. M. Deacon (York Centre):** A further supplementary. Is the approval subject in any way to the approval of the Ontario municipal board, as to the agreement between OWRC and the town? Is that causing the delay?

**Hon. Mr. Kerr:** Certainly the OMB will have to approve the agreement, but I do not think it has reached that stage yet.

**Mr. MacDonald:** My final question to the same minister: In view of the warning of J. C. Van Loon, analytic chemist of the department of geology at the University of Toronto, that phosphate has reached critical levels in Kempenfelt Bay, what steps will OWRC be taking to assure that the revenue plans for the extension of the proposed Formosa Brewery will involve some control of phosphate levels in their effluent?

**Hon. Mr. Kerr:** Mr. Speaker, there has been a number of questions, as the hon. member knows, regarding the Formosa Brewery in Barrie. As of just recently in our negotiations with the city council, the OWRC has upgraded its requirements and its standards to ensure that there will not be undue effluent in dumping of phosphate into Lake Simcoe or any of the bays around there. The commission is satisfied that before the completion of the sewage treatment plant, there will be sufficient capacity to treat this waste from the plant properly.

**Mr. MacDonald:** I have a question of the Minister of Transport. Yesterday, in response to a question I put to the Minister with respect to the Port of Toronto Portfolio (Mr. Guindon), he said that the department was engaged in a study which

been promised for the city of Cornwall into the high costs of the transportation monopoly, which are a deterrent to new industry in that area. Can the minister indicate when that study is likely to be completed?

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, I am not aware of a study *per se* being made of this matter. A question was put to me about highway carrier rates and I asked the Ontario Highway Transport Board for files that had brought out evidence on it. This is what I am looking at.

**Mr. MacDonald**: If the minister is making the study, then he can authoritatively report to me when he will be in a position to give some conclusions. Would he do so now? Is it going to be soon?

**Hon. Mr. Haskett**: There should be no undue delay. I do not think there is anything inordinate about it, but a point was raised that some of the carrier rates out of Cornwall seemed unfair to Cornwall people.

**Mr. MacDonald**: My other ministers are not here. Thank you, Mr. Speaker.

**Mr. Speaker**: The hon. member for Essex-Kent.

**Mr. R. F. Ruston** (Essex-Kent): Mr. Speaker, I have a question of the provincial Treasurer. Does the Treasurer have any knowledge through the racing commission of drugs now available that may be used on racehorses, the effects of which do not show up in tests for at least two to three weeks after they are used?

**Hon. C. S. MacNaughton** (Treasurer): Mr. Speaker, I would have to confess that I have no knowledge of the matter; it is something I would have to discuss with the racing commission. I would be happy to do that and advise the hon. member.

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

**Mr. Deans**: Mr. Speaker, I have a question of the Minister of—

**Mr. Speaker**: Supplementary? Is there a supplementary? No. Then the hon. member for Wentworth has the floor.

**Mr. Deans**: A question of the Minister of Energy and Resources Management. Could the minister provide some evidence to substantiate his claim that the Hamilton education system is second-rate?

**Hon. Mr. Kerr**: Mr. Speaker, that was an unfortunate remark on my part. The remark that the hon. member read in the paper was out of context. It was more or less—

**Mr. MacDonald**: One of your letters.

**Hon. Mr. Kerr**: One of my private confidential letters.

**Mr. MacDonald**: Out of context?

**Hon. Mr. Kerr**: Well, it was when the paper printed it!

**Mr. Deans**: Would the minister like me to read it to him?

**Hon. Mr. Kerr**: Not again! The member was mad because the *Spectator* beat him to it.

But, in any event, I think he will find that this was a very general statement comparing two types of municipalities, and if there is any indication or reflection on the Hamilton school system, I apologize. There was no intention on my part to insult the education system in Hamilton.

**Mr. Speaker**: The member for Huron unless there is a supplementary.

**Mr. G. Ben** (Humber): I have a question of the Minister of Energy and Resources Management. Is the minister aware of nitrate in the human system, especially in a child suffering from gastric disorders, which produces the same symptoms as manifest by the condition we know as blue baby? If so, what action is the minister taking to cut down on the use of nitrate for agricultural purposes which subsequently get into our food and cause these disorders?

**Hon. A. F. Lawrence** (Minister of Municipal Affairs): The member went into the wrong profession.

**Hon. Mr. Kerr**: He is also in the wrong department.

**Mr. Ben**: That is pollution.

**Hon. Mr. Kerr**: As the hon. member knows, we have a pesticides advisory board—under the Department of Health, incidentally—which is continuously looking at and applying, testing, analysing—whatever you want to call it—all pesticides in the province. This was as a result of this board's decision last year that we regulated or controlled DDT and we are looking at other such pesticides.

Now of the use of nitrate by the agricultural community—

**Mr. Ben**: That is not a pesticide.

**Hon. Mr. Kerr:** No, nitrate is not a pesticide. But this is the type of chemical that the board does look at and review, but I am not aware of the results of its use as indicated by the hon. member.

**Mr. Ben:** Would the Minister of Agriculture and Food, since this does involve the use of fertilizers, especially nitrates, care to comment on it? What does that sign language mean, Mr. Minister, waving the arms?

**Mr. Speaker:** The hon. member for Rainy River has his arm up. Are there any supplementary questions?

**Mr. Ben:** I would like to ask a supplementary question. Would the hon. Minister of Energy and Resources Management please qualify himself by asking his colleague, the Minister of Agriculture and Food, what his department is doing about the excessive use of nitrates as a form of fertilizer?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** I will answer that question right now, Mr. Speaker, if I may. That is a question to me.

In the first place the farm population of the province of Ontario is not using nitrogen in excess quantities, and figures amply illustrate that. The nitrogen that is used in agriculture is readily adapted by the soil. There is very little leaching when applied at the proper time of the year, and there is little indication in the soil tests that have been run by scientists knowledgeable in the field of soil structure and the use of fertilizers which would indicate any run-off of nitrogen in excess quantities that would cause any particular trouble whatever. So I do not think there is any factor in that regard.

The situation to which my hon. friend from Humber refers is something of which I am not knowledgeable. I would think it would apply perhaps to studies within The Department of Health, or medical studies affecting children, as he mentioned. It is not related in any way to the agricultural community.

**Mr. Ben:** A supplementary question, Mr. Minister. Will the minister please write to the CBC and ask them to send him a transcript of a broadcast they had today touching on the overuse of nitrates?

**Mr. Speaker:** Any further supplementaries? If there are no further supplementaries the member for Rainy River has the floor.

**Mrs. M. Renwick (Scarborough Centre)** have a supplementary question, Mr. Speaker.

**Mr. Speaker:** The member for Scarborough Centre, then.

**Mrs. M. Renwick:** I would like to ask the minister, Mr. Speaker, if the pesticides boards work in co-operation also in informing the Minister of Financial and Commercial Affairs (Mr. A. B. R. Lawrence) so that consumer protection of the goods that are marketed might be knowledgeable to him?

**Hon. Mr. Kerr:** Mr. Speaker, the pesticide board is made up of representatives from most of the departments. I would think in the event that there is any intention of regulating or controlling a particular pesticide, the hon. minister to whom the member refers would certainly be informed.

**Mr. Speaker:** I would point out to the members that if they have a supplementary question they should let Mr. Speaker know. The member for Rainy River has the floor. There are no other supplementaries.

**Mr. T. P. Reid:** Mr. Speaker, a question of the Minister of Energy and Resources Management—he seems to be the popular target today. Can the minister provide information for the House in regard to flooding of the Albany, and perhaps Moose River, in northwestern Ontario, either by the federal government or by Ontario Hydro for the purposes of hydro-electric power?

**Hon. Mr. Kerr:** No, Mr. Speaker, I do not have to get that information for the hon. member.

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

**Mr. F. Young (Yorkview):** Mr. Speaker, a double question of the very popular Minister of Energy and Resources Management. It is popular, it seems, on this side of the House.

First of all, has the responsibility for the collapse of the Scanlon Creek conservation area dam two weeks ago been pinpointed to a dam built only last September? Secondly, any provincial action contemplated in view of the James F. MacLaren report which recommends that immediate erosion control and stabilization techniques to remove landslide possibilities should be undertaken with respect to the rivers and creeks within Metropolitan Toronto?

**Hon. Mr. Kerr:** Mr. Speaker, the dam on Scanlon Creek was the result of faulty design, which is the result of a design from my department and as a result of an unusual spring freshet in that creek, there was a crack and eventually substantial damage. It will be repaired.

Regarding the J. F. MacLaren report, I have not seen the report to which the hon. member refers. If he will give me more information on it I will have an answer to that question.

**Mr. Speaker:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** A question of the Minister of Energy and Resources Management. What action is the government taking to urge industry to develop a bio-degradable container for use in Ontario?

**Hon. Mr. Kerr:** Mr. Speaker, hon. members opposite must have had a crash course in chemistry.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Good:** A bio-degradable container.

**Hon. Mr. Kerr:** Does the member mean the one that was in the *Globe and Mail* this morning?

**Mr. Good:** No, this is from a letter from a constituent—a lowly constituent in Waterloo North. He asks if the government is doing anything to urge industry, by way of a research grant, to develop a bio-degradable container, which I presume to mean a container that through biological means would dissolve itself in time.

Interjections by hon. members.

**Hon. Mr. Kerr:** Well, Mr. Speaker, the bio-degradable container that was referred to in this morning's newspaper report—

**Mr. Good:** I did not see it.

**Hon. Mr. Kerr:** This is probably the same type of thing that the member's constituent is referring to. As the report indicated, it is still very much in the research stage. It has not been perfected by any means. I have, upon reading that article, asked my department for a report and information on that particular product.

**Mr. Good:** By way of a supplementary—

**Mr. T. P. Reid:** Next act!

**Hon. Mr. Kerr:** What happened to all lawyers over there?

**Mr. Good:** If after the department has reported it would seem that this is feasible, would it be within the privy of government to make research grants available for development to relieve our pollution problem in respect of waste material?

**Hon. Mr. Kerr:** That could be considered by Mr. Speaker.

**Mr. T. P. Reid:** By way of a final supplementary, Mr. Speaker, if such alternatives are available, as noted in the *Globe and Mail* and on television last night, will the minister move to ban non-returnable bottles and non-bio-degradable bottles in the province of Ontario?

**Hon. Mr. Kerr:** The member does not mean to ban bio-degradable bottles?

**Mr. T. P. Reid:** No, no. Non-bio-degradable bottles!

**Hon. Mr. Kerr:** Oh, sorry. This would be all the more reason to consider such a move.

**Mr. Speaker:** Has the member for Huron-Bruce a supplementary?

**Mr. M. Gaunt (Huron-Bruce):** I would like to ask the minister if, in fact—

**Hon. Mr. Kerr:** Which one?

**Mr. Gaunt:** The Minister of Energy and Resources Management; he is the most popular one today.

If the new development proves to be a feasible alternative, would the minister consider meeting with the beverage manufacturers to prevail upon them to use the new container as quickly as possible?

**Hon. Mr. Kerr:** Yes, that seems like a reasonable suggestion, except for the beverage industry. This bio-degradable container solves in four weeks. What does that do for the wine industry?

**Mr. Gaunt:** Only through sunlight; as long as you do not drink it in the sunlight, it is all right.

**Mr. Speaker:** The member for Huron-Bruce has a supplementary.

Interjections by hon. members.

**Mr. Ben:** A supplementary question: regarding the introduction of these bio-degradable containers and bottles, will the minister

suade his colleague, the Provincial Secretary (Mr. Welch), to have the liquor control board pay a premium on the return of its bottles?

**Hon. Mr. Kerr:** On booze?

**An hon. member:** That is a good question.

Interjections by hon. members.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Speaker, I have questions of several ministers.

**Mr. Speaker:** The hon. member will ask one question now, and then in due course he will have the opportunity to ask the others.

**Mr. Burr:** I will ask the Minister of Energy and Resources Management, because it is his day.

**Hon. Mr. Kerr:** It is?

**Mr. Burr:** The question concerns the iron oxide pollution of Big Creek near Amherstburg by the Peace River Mining and Smelting Company. The question is, how can a new industry, built according to non-polluting standards, be a polluter for about five weeks after such a short time in operation?

**Hon. Mr. Kerr:** Mr. Speaker, my information on this particular company is that the loss of a large volume of acid was due to a tank rupture. In other words, it was not something that was being continuously done by the company. It was the result of either an accident or, possibly, negligence. As a result of our investigation, particularly in view of the fact that the company did not report the spill as it was required to, we are considering laying charges under The OWRC Act.

**Mr. Burr:** A supplementary question: why was it that the plant was built right beside a creek if the company had no intention of using that creek as a kind of sewer?

**Hon. Mr. Kerr:** That is a question I cannot answer, Mr. Speaker, unless it is a matter of municipal zoning or a municipal bylaw in some way affecting this. It may be an industrial area. But there was no intention of the company in any way using the creek as a receiving water for taking the treated waste. I will admit it seems strange that they would be allowed to establish on that particular location.

**Mr. D. A. Paterson** (Essex South): A supplementary question.

**Mr. Speaker:** Has the hon. member for Sandwich-Riverside completed his supplementary questions?

**Mr. Burr:** Yes, thank you.

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

**Mr. Paterson:** To the same minister: is it not a fact that when that company wanted to establish, it reported to the minister's office that there would, in fact, be no effluent from that particular plant?

**Hon. Mr. Kerr:** Yes, that is true. As the previous member said, there was no reason to locate next to a receiving water because it was stated there would be no effluent from the plant.

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

**Mr. T. Reid** (Scarborough East): I have a question of the Minister of Energy and Resources Management. Is the minister aware that the odious odours from the sludge lagoons of the Metropolitan Toronto sewage treatment plant in Highland Creek, Scarborough, have not been eliminated as the minister promised in this House on June 23, 1969, page 59 of *Hansard*.

Secondly, can the minister assure the people living in the area that the plant is now effectively preventing water pollution as well?

**Hon. Mr. Kerr:** Mr. Speaker, I was under the impression, certainly during last summer and early last fall, that this problem had been overcome.

**Mr. T. Reid:** It has come back.

**Hon. Mr. Kerr:** I had been assured by the mayor of Scarborough, as well as by OWRC, that this was a fact. Now the hon. member has interjected that it has come back. I will look into that and also from the point of view of water pollution.

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

**Mr. Sopha:** Thank you. I have a question of the Minister of Mines.

Would the minister inform the House whether Bill 69, not yet printed, is the legislative enactment that sets up the department of mines and northern affairs? Or is there some other piece of legislation that will translate into legislative reality all those things promised by the first citizen last Thursday?

**Hon. A. F. Lawrence:** That is the legislation that does set up the branch within The Department of Mines.

**Mr. Sopha:** That is all?

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

**Mr. J. Renwick (Riverdale):** Mr. Speaker, I have a question of the Attorney General. Will the Attorney General consult with Paul Brown, the Attorney General of Ohio, to find out the procedure which he should use in order to sue the Dow Chemical Company and the Wyandotte Chemical Company for pollution of Lake St. Clair and the St. Clair River?

**Hon. A. A. Wishart (Minister of Justice):** I will not answer that question in the terms in which it was put, Mr. Speaker. I do not need to consult with Mr. Paul Brown to find out the procedures I should use. I have no objection to consulting with him to see what his approach has been, and perhaps I will be in touch with him.

**Mr. MacDonald:** Has the minister a procedure?

**Mr. Speaker:** The member for Grey South.

**Mr. E. A. Winkler (Grey South):** Mr. Speaker, I have a question of the Minister of Lands and Forests. My question arises from a matter that was raised in the House of Commons yesterday. I would like to ask the minister if he could inform the Legislature if he is aware of any move by the federal government to abandon the land presently known as the Meaford tank range situated in the county of Grey?

**Hon. Mr. Brunelle:** Mr. Speaker, I am familiar with the Meaford tank range. About two weeks ago my people had heard rumours that The Department of National Defence may discontinue the use of this range, so in turn I wrote to the minister, the hon. Mr. Cadieux. I mentioned this rumour in my letter, and said that if the land was to be disposed of, we in The Department of Lands and Forests were very interested in acquiring this land for recreational purposes. It is quite a large area and also there is a large frontage on water.

Subsequent to my letter to the minister, he replied and said that this time, they did not see disposing of this, but if they did the procedure was that the land would be first made available to the Crown Assets Disposal Corporation. Then there was an order of priority; federal departments are contacted,

then provincial departments and then municipality, in that order. If none of the government agencies had any use for the land, then it would be put up for public tenders. As I said, Mr. Speaker, this is information I have but I have heard rumours of course.

**Mr. Winkler:** I have one supplementary question, Mr. Speaker. In my concern for the people who would be—

**Mr. Sopha:** Come on. Come on.

**Mr. Winkler:** —unemployed as a result of this move by the federal government, the minister bear these people in mind in the establishment of such a park?

**Mr. Nixon:** Pretty weak. Pretty weak.

**Hon. Mr. Brunelle:** Mr. Speaker, I was pleased to because there is no doubt that this is a very important recreational area also that land borders on the Niagara Escarpment. It is in an area where we need more parkland. We certainly would give it priority for park purposes.

**Mr. Sopha:** Did the minister ask him?

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

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question of the Minister of Justice. Is the minister aware of the sharp criticism levelled by Provincial Justice Gordon Stewart concerning the system of choosing acting crown attorneys—that are chosen either the night before court in the morning, and that such selection is unfair both to the prosecutor and to the accused? When does the minister plan to have a complete complement of crown attorneys or assistant crown attorneys in the Windsor area?

**Hon. Mr. Wishart:** Mr. Speaker, I am aware that from time to time there are emergency situations when it is not possible to assign a crown attorney to a case a great time in advance. In many cases it is not always necessary that the crown attorney go to court except to extract the evidence and have it adduced in front of the court. It does not need a great deal of time for preparation.

On very important cases, where there are a number of witnesses, it is necessary to do a study of the case made. The case is always, if advisable, be adjourned for a purpose. As to the complement of crown



attorneys, I have had no complaint from Windsor that there is a lack of crown attorneys, or acting or assisting crown attorneys. I can check that out and see if that is the situation. I will do so.

**Mr. B. Newman:** A supplementary of the minister. Is the minister aware that the problem has existed now for well over two years, and what is the shortage?

**Hon. Mr. Wishart:** Mr. Speaker, I do not accept that. It can always be said of a single case that it did not get on as quickly as somebody might have expected it might be heard. When we investigate these matters, we find quite often generally that it is the defence that has asked for adjournment or remands. It is not that we have not the personnel to conduct those hearings. However, if there is a situation there—and I have not had complaints from my people—I shall, as I said, check it out.

**Mr. Speaker:** The member for Hamilton Mountain.

**Mr. J. R. Smith (Hamilton Mountain):** A question of the Minister of Energy and Resources Management.

**Mr. Speaker:** There is another supplementary here.

The member for Essex-Kent; there have been sufficient from the member for Sandwich-Riverside.

**Mr. Ruston:** Would this not mean that some of the attorneys acting for the Crown are not really as well versed in some of these cases as attorneys acting for the defence?

**Hon. Mr. Wishart:** This can very well happen, that very eminent and experienced counsel can be engaged by persons charged. And it is true, of course, that some of our crown attorneys and our acting crown attorneys may be not so long at the bar and not so experienced. That can happen either way, from time to time.

**Mr. Speaker:** The member for Hamilton Mountain.

**Mr. J. R. Smith:** A question of the Minister of Energy and Resources Management. Would the minister inform the House of the purpose and results of his meeting which he held yesterday with the officials of the Ford Motor Company in Michigan, along with the Hon. John Munro, the federal Minister of Health?

**Hon. Mr. Kerr:** Mr. Speaker, the purpose of the meeting yesterday was to view what that company is doing in the area of exhaust emission control, and the experimentation research that the company is carrying out with respect to different forms of propulsions, different types of vehicles, and what plans they had to meet not only U.S. regulations but California regulations, in the area of exhaust emission control.

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

**Mrs. M. Renwick:** A question of the Treasurer, Mr. Speaker. Has the Treasury Board had to approve funds in addition to those that were passed in the estimates? The Department of Social and Family Services in the last fiscal year?

**Hon. Mr. MacNaughton:** No, Mr. Speaker, the answer is no.

**Mr. Speaker:** The member for Kingston and the Islands.

**Mr. S. Apps (Kingston and the Islands):** Mr. Speaker, I have a question to ask of the Minister of Lands and Forests. In view of the rather serious amount of unemployment that is now prevalent around the province and which has also resulted in a great number of university students not being able to find summer employment, would the minister consider asking the Treasury Board for sufficient funds to enable the various counties throughout the province to cut down a lot of old elm trees that are dead throughout the province?

**Mr. W. G. Pitman (Peterborough):** A good idea.

**Mr. Apps:** In this way it would certainly.

**Mr. Speaker:** Order! The hon. member asked his question. Now he is adding a supplement to it.

**Mr. Apps:** Thank you, Mr. Speaker.

**Mr. S. Lewis (Scarborough West):** What about the other species? Why is the member confining it to the elm?

**Hon. Mr. Brunelle:** Mr. Speaker—

**An hon. member:** He belongs to the society.

**Mr. Lewis:** Maybe the member can go to the provincial parks and level them.

**Hon. Mr. Brunelle:** Mr. Speaker, I wish to thank the member. That concern is shared by many members, and it is certainly a very desirable project. I would say that I have brought this to the attention of my colleagues on previous occasions, and I will certainly do it again. There is no question that it is needed; it is a question again, of funds and the priority of projects.

I would say, however, that when it is approved, the majority of the people employed in this type of work would not necessarily be students, because this is very skilled work. For instance, the city of Toronto and Ontario Hydro have people especially trained in this type of operation. So, inasmuch as we are very conscious and concerned about employment of students, I doubt very much that he has that many employed.

**Mr. Speaker:** A supplementary?

**Mr. B. Newman:** Mr. Speaker, a supplementary question of the Minister of Lands and Forests. Due to the fact that the junior forest ranger programme use facilities provided by his department during the months of July and August, would the minister then consider the use of those same facilities during the months of June and September to hire university students to continue the same type of programme that the junior forest rangers have and in this way provide some type of funds for the university students?

**Hon. Mr. Brunelle:** If I understood the question correctly, Mr. Speaker, it is asking if we would consider the use of our facilities presently being used by junior rangers in July and August, during the months of June and September for university students? This would imply that the department would have to find the funds. I think again, Mr. Speaker, it is a very desirable project but, keeping in mind the difficult position of the provincial Treasurer, there is only so much money and so many projects and it is a question of priorities.

**Mr. Speaker:** Any further supplementaries?

**Mr. Ben:** Yes, I have a supplementary question of the minister. Is there a programme by the minister's department to replace these elms that have been destroyed by the Dutch elm disease through the planting of seedlings or is there no hope for the elm in this country? In other words, once the tree is destroyed we cannot replace it. What is the score on that?

**Hon. Mr. Brunelle:** The information I have, Mr. Speaker, is that we are to replace the elms with a suitable species of trees that will provide the aesthetics and other values that the elm has. We are doing this. Again, it is a question of availability of funds in carrying out these projects.

**Mr. Ben:** I am sorry, Mr. Speaker, but that was not my question. I am interested in knowing not that you are replacing a tree with a tree—

**Mr. Speaker:** The hon. minister has answered the question in the manner he considers it should be answered, that is prerogative.

**Mr. Ben:** I think he misunderstood the question. I want to know, can an elm—

**Mr. Speaker:** It is quite supplementary.

**Mr. Ben:**—can an elm now be replaced? Can we plant seedlings to replace the trees that were lost with other elms, not just other trees? Is this going on forever about the

**Mr. Speaker:** Order! The hon. member is repeating himself. If the minister wishes to give a further answer he may make it.

**Mr. Ben:** Would the minister answer please?

**Hon. Mr. Brunelle:** The University of Toronto's faculty of forestry, and Professor Jorgenson, who is a specialist, and the Ontario Shade Tree Foundation—their thoughts, if understood them correctly, are that the replacing elms trees killed by Dutch elm disease with other species of trees.

**Mr. Speaker:** Has the member for York River a supplementary?

The member for York Centre, a supplementary?

**Mr. Deacon:** A further supplementary. It is not the case that elm trees have been developed which are resistant to the Dutch elm disease and that these trees are now available. I understand that such—

**Mr. Speaker:** Order! The hon. member has asked his question, now he is about to make a statement. That is not proper.

**Mr. Deacon:** Is it not true that there are other species of elm tree available which is resistant to the Dutch elm disease?

**Hon. Mr. Brunelle:** It could be, Mr. Speaker, but again, we work very closely

the Ontario Shade Tree Foundation, with the faculty of forestry and our own department. We replace trees with those trees that we think have the most value—esthetic, economic and so forth—and it could well be. But I am not aware that there is a special species of elm.

**Mr. Speaker:** The question period has now expired. It was a very pleasant one today.

**Mr. Lewis:** You certainly rescued the government on that one.

**Mr. Speaker:** Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE BUSINESS CORPORATIONS ACT, 1970

Hon. A. B. R. Lawrence moves first reading of bill intituled, The Business Corporations Act, 1970.

Motion agreed to; first reading of the bill.

**Hon. A. B. R. Lawrence** (Minister of Financial and Commercial Affairs): Mr. Speaker, The Business Corporations Act, 1970, is the culmination of five years of legislative labour in this House. The actual bill, No. 61, is a rewording of part of Bill 125, which was introduced by the Prime Minister (Mr. Robarts) in 1968. I believe that the philosophy of the select committee, which was headed by my colleague, the Minister of Mines, has been carried forward in this bill and that the bill itself follows the principles which comprised the previous Bill 125.

I am circulating, Mr. Speaker, to the members of the Legislature, a short memorandum which sets out the details, the history of the bill as it has proceeded from committee to the present, and an accompanying sheet which spotlights or highlights some of the more significant changes insofar as it relates to a comparison of Bill 61, the present one, and the previous Bill 125.

Mr. Speaker, I have an accompanying bill, if I may.

## THE CORPORATIONS ACT

Hon. A. B. R. Lawrence moves first reading of bill intituled, An Act to amend The Corporations Act.

Motion agreed to; first reading of the

**Hon. A. B. R. Lawrence:** Mr. Speaker, is merely complementary to The Business Corporations Act.

## LOANS TO FISHERMEN AND OTHERS AFFECTED BY POLLUTION OF WATERS

Hon. Mr. Brunelle moves first reading of bill intituled, An Act respecting the making of loans to fishermen and others affected by the prohibition of fishing resulting from pollution of waters.

Motion agreed to; first reading of the

**Hon. Mr. Brunelle:** Mr. Speaker, the purpose of this bill is to authorize the making of loans to commercial fishermen and others affected by the prohibition of the taking of fish by reason of pollution. I have kept hon. members informed of our progress in this matter from time to time and this bill will provide the authority to conclude the loan

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 13th order, Hon. Mr. Brunelle, in committee of supply; Mr. A. E. Reute, in the chair.

## ESTIMATES, THE DEPARTMENT OF CORRECTIONAL SERVICES (continued)

**Mr. Chairman:** The hon. member for Vancouver South.

**Mr. H. Worton** (Wellington South): Chairman, at the adjournment hour last evening, I was paying tribute to the minister (Grossman) and the work that he has done in this department. In fact, as I was driving home I seemed to recall that of the 20 years of this department has been set up, he has had a minister approximately a third of the time.

I also was paying tribute, sir, to the good work that the staff was doing and the fact that the efforts and the emphasis were on rehabilitation of the offender and that not only now beginning to be recognized in terms of reward. As the staff becomes more and more professional and the atmosphere becomes more and more one of involvement, then in the opposition will expect these increased responsibilities to be adequately reflected both in terms of qualifications and rewards.

There is no doubt that the institutions in this province are exciting places in which

be working these days. They will become increasingly attractive to highly skilled practitioners of various kinds who see in the favourable staff ratios the opportunity to do the kind of work that they would find difficult to achieve, perhaps, in high school or hospital situations, or in settlement work.

The biggest price to be paid for working in these favourable physical conditions is seen to be the degree of commitment that is required in order to do the job properly. Everyone I have talked to speaks of the emotional drain that the new relationship with the residents—as they are now referred to—makes on the strength of the staff.

For this reason, I cannot express strongly enough my contempt for any tactic on the part of irresponsible persons which is primarily designed to discredit the work of the correctional staff and to hold them up to ridicule. Mr. Chairman, we have seen such irresponsibility at close hand in recent months. I say here and now that this has to stop, because both justice and the rehabilitation of the offender are being seriously damaged by irresponsible and headline grabbing tactics of the kind that have recently been indulged in. We, in the official opposition, hold no brief with that kind of tactic at all. If we are going to visit institutions, we intend to do so with a constructive purpose in mind.

This, Mr. Chairman, brings me to my first complaint. We are talking here about close to \$50 million. Because of shortage of departmental funds around Christmas time, one particular cutback was instituted which did damage out of all proportion to the money it saved. I refer to the cancellation of overtime payments made to correctional staff who came in on their days off in order to have full round table conferences. For example, this would apply to the house committee at White Oaks and to the cottage committees at Vanier.

As the minister knows, most of the staff live out, many miles from the institution. The day is past when one can expect people who have family and other commitments in these inflationary times to travel long distances to come in on their days off: In fact, it can be argued that it was always a neurotic thing to expect people to work for free at the same kind of work they had been doing all week.

It is quite different, Mr. Chairman, from a service club situation where there is a change of scene and activity. Service club work can be very therapeutic for everybody involved, but everybody needs a break from his or her main occupation, and when the demands of

that occupation mean that people have to come in on their days off in order to get a complement for evaluation purposes, then, of course, they ought to be paid for their inconvenience. Not to pay them is extremely unprofessional and retrograde.

I am told that nothing has upset the minister more than this cutback, which has had a undermining effect on morale. Physical element cutbacks they can stand much more readily, but this particular economy would value judgment on their worth, at least on their eyes, and also on the worth of the work they were doing, particularly the counselling in round table situations on days off. I would like the minister to restore this particular cutback immediately, if he has not already done so.

While on the subject of staff morale, I would like to know what happened to the halfway house proposal that was made by the staff of the Vanier centre? We all recognize the valuable work being done by the Beth Fry Society, the Salvation Army and other institutions, but the Vanier staff proposal would have stressed the continuity of relationships and the maintenance of the buildings that have been built so laboriously over the weeks and the months that these female offenders have remained in Vanier. I would like to know in some detail from the minister in the course of his visit exactly what the state now is of the Vanier staff proposal for a downtown halfway house.

There is no doubt that in the Vanier situation the staff is often frustrated by the nature of the sentence which is imposed upon the residents. As the minister will be aware, some members may not be aware, a definite sentence of a certain duration means that the prisoner comes under the supervision of the National Parole Board and has to make application for review of his or her sentence whereas an indefinite sentence means automatic review by the Ontario Parole Board. The difference is that under the National Parole Board the residents have to apply for a review and with the Ontario Parole Board a review is automatic. The division between the two is definite for national and indefinite for provincial.

The trouble with an indefinite sentence is that it is not indefinite enough, it is indefinite in a downward direction. There is always a time limit beyond which a resident slips out of the aftercare of people who want to help him, or her.

Turning to the Vanier situation again, I am aware of the despair of the staff that women who have been back into the clutches of unscrupulous

sons who may be waiting for them on the street corner at the conclusion of the sentence. Very often staff members have to make a conscious decision not to embark on a constructive therapy programme with a given resident.

They know that this therapy will reach the crucial stage at the same time that the sentence will come under automatic review, resulting in a parole, followed in short order by the completion of the term to which the judge has sentenced the offender. It is possible to do an offender a great deal of harm by embarking upon a course of therapy which cannot be completed.

It is quite clear to those who are working in this field, Mr. Chairman, that judges have not understood the changed nature of the therapeutic community approach to corrections. Their criteria for sentencing an offender include many social factors, of course, that have no bearing upon the treatment of the offender but are rather concerned with the protection of society. However, it is widely felt by workers in the corrections field that the re-education of the judiciary could have far-reaching results on the treatment of the offender.

I hope that the Attorney General and the Minister of Justice (Mr. Wishart) will take note of these remarks, because I should certainly like to see joint seminars take place at which all these new ideas that are having such good effect in The Department of Correctional Services could be thoroughly aired before the judiciary. I realize that we always have to strike this balance between the needs of society and the rehabilitation of the offender and it may well be that we need changes in our legislation at both the federal and provincial levels in order to accommodate the kind of sentencing that would be ideal.

However, before any such changes in legislation can be proposed, let alone be implemented, a great deal of discussion must take place, which is why it is increasingly important that such seminars should be held. We are obviously not going to get rid of all the discrepancies between the sentencing practice of one judge and another. I do not think that, at this stage, even guidelines as to sentencing would be desirable, since these would obviously infringe upon the rights and privileges of the judiciary.

There is little doubt, however, that great improvement could be made if the possibility of a truly indefinite sentence were there—subject, of course, to continuous review by qualified officials, psychiatrists, the parole

board and others—and supported by a half-house system which would not be entirely dependent upon the good work of the voluntary agencies, but which would rather form an extension division of The Department of Correctional Services.

In fact, the idea of a division of extension within the department should be explored far more fully than has been the case up to the present. It is the next logical step in the treatment of an offender and his or her re-entry to society as a fully operative and contributing member living a balanced life.

The Vanier Centre is fortunate in having Dr. Meen from Mount Sinai Hospital; Dr. Snow, from the Alex Brown clinic at Miramichi; and Dr. Cochrane, from the Ontario Hospital at Queen Street, as visiting psychiatrists. White Oaks has Dr. Epstein, of McMaster University's field unit, assisted by Mr. Norman McKinnon and Mr. Jay Brown. I would like to see these six gentlemen taking part in seminars of the kind I have in mind and perhaps helping formulate a proposal for a division of extension within The Department of Correctional Services.

There is a great deal of new audiovisual equipment in the institutions, including educational television videotape equipment, but it is not being utilized in a creative fashion to the extent that it might be, largely due to the lack of appropriately trained staff. At present the equipment is being used for professional development purposes, but not for creative self-evaluation by the residents.

A properly planned programme using audiovisual equipment would be relatively inexpensive and would pay great dividends among the residents who have very little verbal ability. It would help them express their views and outlook on the world in a way which would aid in their treatment and rehabilitation.

At the moment the art course at Vanier, under the direction of Mrs. Rogers, is one of the most rewarding projects for helping staff achieve insights into the motivation of the residents. A person who is incapable of expressing herself or communicating with staff in conversation, can often bring out her innermost feelings through drawing, modelling with clay. There are some remarkable examples of this at the Vanier action centre.

My point is that equipment suitable for therapeutic self-evaluation exists throughout the correctional system, but that little or no application to this particular purpose has been made, with the exception of one co-

film made by the boys at Sprucedale two years ago.

Mr. Chairman, it is my intention at the appropriate time, when the Legislature's standing committee on education comes to consider the educational television bill, to move an amendment to the effect that one member of the authority shall be a field officer of The Department of Correctional Services, in view of the actual and potential use of the medium by prisoners, inmates, residents and students, under the wing of the department. I am convinced that a serious flaw exists in the bill as now proposed if this aspect of participation and representation is overlooked.

The schools and the libraries at Vanier, at Sprucedale and at White Oaks are extremely progressive and have embodied many of the concepts of the Hall-Dennis report. The titles of the books in the libraries show the extent to which common sense has been applied in their selection. While lurid sex books are missing, for obvious reasons, there is an encouraging variety of both fiction and nonfiction, with certainly as wide a selection as that found in the average modern high school. The Sprucedale boys work with the local community newspaper to produce an attractive news sheet, *The Sprucedale Mirror*, on a regular basis. This again compares very favourably to what one would expect to find in say, Grade 8 or 9 of a public school or high school.

The nondenominational chapel which serves both Sprucedale and White Oaks is interesting for its emphasis on dramatization and acting out of situations, and for its presentation of God's message as something very much in the "here and now." A modern hymn book and the use of such innovations as the guitar in the service and the introduction of contemporary forms of worship, including a modern Eucharist service, have the effect of jolting the boys out of their acceptance of religion as something archaic with which they do not have to identify. Now they are forced into an identification, which is a very good thing. They leave the chapel troubled instead of leaving it indifferent. They go away thinking of what God's word is all about, in this day and age and in relation to their own personal and immediate problems.

As the minister will know, the staff at White Oaks has been meeting fairly regularly with the McMaster field unit, which has a contract to explore the treatment goals in this institution. The exploration has now reached the stage of an initial statement which makes

very interesting reading. The final statement is now in preparation and I hope that words will have the effect of a contribution toward that final statement.

The major shift, Mr. Chairman, which occurred in the emphasis in treatment at White Oaks is that the staff feels it desirable that instead of dealing with a boy's behaviour only in the context of the White Oaks environment, they should now start to relate it to the boy's total learning experience and to his way of handling similar situations in the past. This, the staff feels, will require an adjustment in some of the ways in which information about the boy's background is obtained and handled.

The overall principle now motivating the White Oaks staff is that problem behaviour and crises are not unfortunate incidents which must be hurriedly repressed, but instead seen as key opportunities to handle the crises and develop the learning experience of the White Oaks boys. They provide unmissable occasions to deal with the emotional dynamics with which a boy has not learned to deal effectively.

This does not mean of course, that the White Oaks staff condones or encourages negative behaviour, but it does mean that if and when it occurs, they see it as something more than a specific act in a specific place and time. They try and relate it to the boy's background. They recognize that boys in the White Oaks age group express themselves in action, rather than in words, and from this it followed that the behaviour children play, both positive and negative, has a specific meaning that what a child does is least as meaningful as what he says.

The White Oaks' staff is intensely aware that communication in this nonverbal form is much more difficult to understand than words, but that these signals must be understood if staff are to treat the children effectively. They see specific behaviour as part of the boy's pattern with which he has learned to cope with his environment, with his family, with his peer group, with his school, with other adults and with society in general. In view of this, they read the specific behaviour as a message rather than something to be suppressed or forgotten.

It is an important part of the treatment at White Oaks that children should be confronted with the kind of behaviour pattern which they call "maladaptive." It is necessary for staff members to relate this kind of behaviour to occasions in the boy's life when he has responded in the same

to a situation and has suffered the consequences of that kind of response. The child is encouraged to develop alternative adaptations to the situation of a more positive character.

It is necessary to study the dynamic situation in action to realize what a tremendous load and burden this places on the staff, who must be positive behaviour models for the children in their care. Children come to White Oaks seeing the world and adults in general as hostile to them. Experience has shown them this and they have learned to cope with it through behaviour patterns which are also hostile initially. The first surprise to the new resident of White Oaks is that hostile behaviour does not automatically result in a hostile response from the staff. We are asking a great deal from these fine men and women to be able to "take it" and to resist the temptation to pay back the initial hostility of the children with interest. What we find in the White Oaks staff are people who understand why children feel that way and who have the strength to accept their negative feelings and control their behaviour as a step in teaching more adaptive ways of expressing themselves.

It is very encouraging, Mr. Chairman, to the visitor, to see this argument put forth, so that problem behaviour becomes grist for the therapeutic mill, the raw material with which the staff must work to bring about lasting change in the children. This is what a therapeutic community is all about. But without the right kind of staff, a child's stay at White Oaks could be little more than a period in his unhappy life, in which he will be made to conform, only to leave White Oaks with the emotional problem that brought him there still untouched. He would then go out ready to continue his old ways and there would be no therapeutic effect—just a short period in which he was taken out of society.

One can see that the custodial role alone is much easier than the therapy approach. In this kind of situation, the cutback on overtime was one of the most devastating things that could have happened to the programme. The staff was living in a unique kind of tension. It is actually generating a problem-solving tension, so far as the children are concerned. The question is, what is the tension doing to the staff themselves over a long period?

There is a common complaint of a serious problem in terms of anxiety produced in the staff who see themselves as failures in the

eyes of their fellow workers, or see themselves as losing control of a situation unless they are absolutely sure of the techniques and methods of the therapeutic community. Continual staff reinforcement is necessary in order that results shall not be lost. A round table conference of the cottage staff is absolutely essential. The whole programme could flounder without it.

When a child enters White Oaks, the parents are handed a leaflet and here is what it says about visiting:

We are anxious to meet with parents and would ask you to make an appointment to come and see us as soon as convenient. We will then discuss visiting arrangements with you. The best time to visit is on the weekends but boys may be visited at other times too when this is necessary. Because the weekend recreation programme includes a number of activities for boys, we suggest that you inform us a few days prior to any visits so as to avoid disappointment.

The school does not have facilities for serving meals to visiting parents but arrangements can be made for you to take your child out for the day, you might like to eat in town or to have a picnic in the nearby picnic area. On the day of your visit, please obtain a visitor's pass from a member of the staff before contacting your child.

Mr. Chairman, that is all very well, but there is a note about location and transportation which kills it all:

Our school is located five miles southwest of Hagersville on Army Camp Road which runs west of Highway 6, one mile south of the town. An area map is provided for your convenience. By car we can be reached by Highway 6 as per the map provided. If you are travelling by bus it is necessary to get off at Hagersville and take a taxi from the bus depot to the school. If you are travelling by train, the nearest stations are Brantford and Hagersville, both approximately 25 miles from Hagersville.

There is an indication of the remoteness of this site from public transportation.

Mr. Chairman, what happens is this. The parents of a boy who may happen to have a car, are in a much more advantageous position for visiting that boy than those who are not so fortunate. Also, since the room accommodation at Sudbury is not yet rea-

White Oaks draws boys from all over Ontario. There is, therefore, a really unfair situation between the parents from the "golden horseshoe" on the one hand and those from northern Ontario on the other, many of whom are Indian parents.

They just do not get to see their children for the whole of the time they are in White Oaks. They cannot afford to travel, and even if they could get as far as Brantford or Hamilton, then the cost of getting over those final 25 miles would be prohibitive for them.

In order to end the discrimination, I am proposing that all parents of boys in White Oaks Village should receive, to begin with, four warrants a year which would allow them to travel by train or bus or other convenient means of transportation from their homes right to the village itself, including the 25-mile leg by taxi. It would be a combination travel warrant. Since the numbers involved would be very small, the total cost would not be unreasonable, but the privilege would have a major supportive effect in the treatment of the boys concerned.

There is already a cottage in which parents can stay overnight by arrangement. This is extremely well fitted out and, of course, it would be expected that the visits would, as now, be combined with counselling of the families on proposals for the rehabilitation of the boy on his return to his own community.

If this experiment were to prove a success, I would recommend its extension to Sprucedale School in the following year, although here, of course, the boys are less dependent upon home support, being older.

I think a word of commendation or praise for the people of Hagersville and the surrounding community is in order. They have provided bicycles for the residents of White Oaks village and these are used on an honour basis by the boys. Help for the older boys in Sprucedale School has come in the form of community participation in the dances which are held on a regular basis in the school grounds.

One of the major achievements of superintendent John Bain at Sprucedale has been the extent to which the community has opened its doors to the Sprucedale boys and the degree to which the community spirit is being fostered in relation to this institution. I regard the affiliation with the local high school as of extreme importance. Participation in the local leagues for various athletic events and work with the Canadian Legion in its track and

field programme, initiated by coach Dyson, has also paid off. A number of students at Sprucedale are members of various community clubs and church groups in the locality.

The summer camp programme in the Huron Highlands is based on the "outward bound" programme and has proved most successful in challenging a young man to develop into manhood by pitting him against natural obstacles and learning how to take care of himself. In this way, Sprucedale boys have been taught swimming, canoeing, sailing, mountain climbing and other skills.

I would like to commend the department on the relationship of the social service counsellors at the George Brown Community College, Toronto, with Sprucedale and with White Oaks. This is a good example of a development which ought to be fostered. We are spending a good deal of money advertising for employers to give summer employment to students.

It is clear that The Department of Correctional Services could absorb a number of suitable students, carefully selected, in its summer camp programmes. Eventually, this co-operation could be extended on a year-round basis working with selected students from various community colleges who would later, hopefully, join the correctional services staff.

Turning again to the Vanier Centre for Women, the cottage programmes are, of course, utilizing therapeutic community principles. The fundamentals of this form of treatment are open communication between residents and staff and shared responsibility with residents, and the use of "roles" by which residents actually share responsibility.

Of course, it is necessary for such a programme to stress dealing with the here and now of a situation in daily cottage group discussion, in an attempt to ensure that residents are held accountable for their actions and to press them to examine the problems in their interpersonal relationships. These meetings take place at 8.30 every morning, and in emotional terms, they can be very strenuous.

I am very concerned, therefore, that since approximately half of the admissions are persons serving 60 days or less, the assessment and referral to community agencies about the only aspect of treatment of such cases that Vanier can undertake. Any real therapy seems out of the question with such short sentences.

There seems to be a distinct cleavage between the residents who work in the need



trade and those who work in the laundries. All, or nearly all, of the needle trade workers are first offenders whereas those who work in the laundry and dry cleaning operations are back for a second or third term.

As the minister will know, we have had a debate in this Legislature very recently regarding the use of lie detectors by Cadet Cleaners. There seems to be a very disturbing area in the laundry and dry cleaning trade. On the one hand it gives one of the few opportunities for this kind of woman to get back into society; and on the other hand does so in terms which are injurious to the self-image.

I would like to hear from the minister a little on the relationship of the Vanier institution with the maximum security unit at Whitby. Are we, perhaps, buying peace and quiet and community orderliness at Vanier, which is something of a showplace, at the expense of one or two of the more violent of the residents? In other words, is recourse to Whitby perhaps a little easier than it might be?

I am told it only needs three or four troublemakers to destroy the atmosphere of a cottage of 24 women and that action is often of an emergency nature. I would like to be assured that transfers to Whitby are not just arbitrary, spur-of-the-moment decisions on the part of whoever happens to be on duty at the time. What formal referrals and reports are completed in the event of such a transfer? Is a time limit set before a person leaves Vanier for Whitby, as to how long they will be there? I just do not want a few difficult residents to be paying more than their fair share, in psychological terms, for keeping the atmosphere at Vanier a "model" one.

As the minister knows, the Ingleside area is located outside the fenced area of Vanier. I would like to know if any studies have been done on the psychological effects on the other residents of some of them passing through the fence and others not being allowed that particular privilege? There is, of course, the other side of the question: are some residents actually sheltering behind the fence—residents who do not have the capacity to tolerate an open setting such as Ingleside, and to take on the responsibility involved in this Ingleside programme?

There were some proposals that Ingleside might be used to reduce pre-release anxieties on the part of almost all of the Vanier residents. I would like to know how far that suggestion was proceeded with. There was also the proposal that staff should meet for

conferences at the Ingleside centre away from their areas of duty, so that they would be called away from training sessions in emergencies. Has this proved impracticable?

Then there was the further proposal that Ingleside might be used as a treatment centre for the relatives of the residents, in the same way as the visitors' cottage is used at White Oaks. I would like to ask the minister the status of that proposal. I gather that the use of Ingleside as a halfway house, which was also suggested, has proved impracticable, because it ought to be closer to town to serve the halfway house function.

In one of the studies of the Vanier Centre concept which was written while the research group was assembling at Merced, for this purpose, there was comment on the problems posed by medication in terms of its extensive use and abuse. I would like to know the extent to which this has now been improved as a result of the Vanier experience, particularly in regard to medication, emotional stress and real or pretended tension on the part of the women? The aim of Vanier has been to try to seek out and deal with emotional conflicts rather than lessen them through medication, through tranquillisers and so on. To what extent are the residents still seeking the sanctuary of the maximum wing as an escape from situations they cannot better face and cope with through therapy means?

I note that the treatment of diabetes at Vanier is on a supervised basis. Even those who have been used to using that hypodermic needle on themselves all their lives for injection of insulin are not allowed to do so. Surely, if staff are present and watching a patient who is a diabetic ought to be allowed to administer insulin to herself. There is a reason why the hypodermic should be kept out of the medical area.

I should also like some assurance that if suspects are found to be wearing Medical Alert bracelets at any time onward from apprehension, that these bracelets will be removed. There have been reports from the United States that Medical Alert bracelets have been mistaken for charm bracelets and have otherwise not been respected. I am told that none of these have turned up at Vanier yet, but if they do I hope they will be recognized for what they are and removed with other possessions from the residents.

Everyone concerned with Vanier has expressed sentiments that the movement in the open from cottages to the activity centres and

the central block has reduced the lethargy that was apparent at Mercer, where everyone was under one roof. People actually go to work now in a more normal fashion than they did at Mercer where they only moved from one part of the building to another.

The availability of the hairdressing course as a credit course recognized by the hairdressing trade is something which must be commended. The presence of this centre of activity also aids in the grooming of the residents, as does the extensive physical education programme, with its emphasis on weight reduction. The local volunteers who help with phys-ed programmes also deserve our thanks.

There is one aspect of the Vanier programme which is now giving rise to some concern, and that is the increase in the number of visitors. I want to suggest to the minister that the time has now come when the visitors' programme should be administered through the minister's office to prevent Vanier from becoming just a showcase. Some of the residents say that they feel as though they are in a zoo when high school students come around, as has been the case on a number of occasions. They also want the opportunity—and the staff concur in this—to guide the tours themselves. This is thought to be a measure which will enhance the self-image of some of the residents, if they are carefully selected.

In the first six months that Vanier was open, from April to October, there were 160 visitors, usually in groups of less than eight, often in ones and twos. However, from October, 1969, to April, 1970, the second six-month period, there were 348 visitors, or more than twice as many; and the indications are that this figure will continue to increase at an increasing rate unless something is done about it. Thoughtful people will agree that 508 visitors per year is not too many, provided that all the people going to Vanier have a legitimate purpose. However, Vanier must not turn into one more location for high school tours, and even community college visitors must be limited to those who are seriously contemplating entering the profession of correctional services.

Mr. Chairman, I will have other comments to make during the course of the individual votes. Since my appointment as critic was on January 1 this year, it has presented me with very little time to visit the institution personally, but I hope that in the coming months privileges will be extended to the member and his assistant so they can both

converse on the institutions and discuss operation of it with the staff, person to person.

Thank you very much.

Mr. K. C. Bolton (Middlesex South): Mr. Chairman, I begin by expressing to the Minister of Correctional Services my appreciation of the importance of the work for which he has accepted responsibility. To anyone who has concern for the people, the field of corrections provides a challenge and an opportunity.

Canada has the very unhappy distinction of standing very near the top of the list in terms of the people it sends to jail. Not surprisingly it stands equally high in the number of repeat offenders.

In the year ending March 31, 1968, there were 33,062 convictions in this province. By March 31, 1969, there were 34,314. The present prison population of this province is 48,790 males and 3,031 females; or a total of 51,821 Ontarians who are at the moment in jail—or who have come from other places and are in jail in Ontario.

I mention this to emphasize the importance of our deliberations about the correctional process. Decisions we make in this House about legislation and the procedures followed by the minister and his staff will affect 50,000 people directly and added to that 50,000 are the family members, the friends, the wives who are related to these offenders, their parents, their wives and children. They are vitally concerned with what happens in the correctional system. It is of concern, therefore, not only to the members of this House but to the community specifically, but to the entire community. It is important, then, for the government to have every opportunity to learn what goes on in the institutions, and what the policies and procedures of all those engaged in its enterprise.

Mr. Chairman, the hon. minister gives evidence that he recognizes the involvement of the community in the corrections process. I commend him for this.

It was my pleasure to attend recently a conference on the rehabilitation of the juvenile offender, which was sponsored by the Ontario board of trade, and I heard the keynote address given by the hon. Minister of Correctional Services. I have this speech at hand. Mr. Chairman, and I shall make reference to it from time to time, because it strikes me as providing an insight into the philosophy of the minister and the aspirations of his department.

My one regret, Mr. Chairman, as I review the printed copy of his speech, is that it

not include some very revealing asides which the hon. minister made in the course of presenting the address. I do not allude, if I may speak directly to the minister, to his kind reference to the possibility that, if there was a change of government, I might be the Minister of Correctional Services.

You referred to it as being a miracle that could happen and I do not allude to this, although, as you know, we do believe in miracles. I allude more particularly to little asides about the—

**Mr. P. D. Lawlor (Lakeshore):** We look forward to them. Do you not, Mr. Minister?

**Mr. Bolton:**—the significance and the reality of the statements made in his address. I trust that I will not misquote the minister, Mr. Chairman, and I hope that he will correct me if I do so inadvertently, but I regard these asides as important as the fine print in any contract. With my limited legal training and experience in contracts, I know very well that oral statements are not legally binding. But among men of honour—and I regard the minister as being in that company—the spoken word has genuine significance. In fact, Mr. Chairman, when a man reads a prepared speech, there is always some conjecture as to whether or not the views expressed are completely his own. But there is never any reason to doubt the authenticity of an aside.

I shall return to this theme at the end of my lead-off speech. Until then, the quotations which I shall make from time to time from this speech, or any other quotations that I make, will be completely canonical; that is to say, verbatim quotations from the approved text.

Mr. Chairman, I think it is very important for all of us in this House, and in the community at large, to recognize the social significance of the correctional system. Just as there was a time when society sought to relieve itself of the problem of insanity by putting people out of circulation and forgetting them, so today there are still many people who feel that crime is best dealt with by putting the offender under lock and key in a place where he cannot contaminate society, and society is not bothered by seeing him.

It is our conviction that the whole prison system needs drastic revision, a thorough-going review. Prisons have been referred to as a concrete womb in which men learn to lead a strange and unreal life. It is not generally recognized that the prison system itself is reasonably young, and yet it is already outdated. At the time of its introduction, it

was a distinct advance in the treatment of the offender; quite a humane procedure by comparison with other methods used to punish the offender. Before the advent of the present system, the offender was either executed, maimed, branded, flogged or exported under the conditions of slavery.

Some of the titles given to prison systems indicate, at least, the lip-service given to more humane treatment: penitentiaries, reformatives, etc. On the American continent, for example, in 1823, at Auburn, New York, the Puritans established a prison on a profit-making basis, so that they would not be troubled with the millions of dollars to be raised. The main system was to make the prison pay for itself by the labour of the offender, and the main function was to produce "obedient citizens." In 1829, the Quakers at Cherry Hill, Pennsylvania, established a penitentiary system. Again I quote, "designed to save the sinner through reflection and penitence." Hence, of course, solitary confinement—the monastic idea of silence and reflection you could make a peace with God and, in some mysterious way, effect a reconciliation with society. Reflection and penitence that penitentiaries create through sorrow, repentance. In 1870, in Elmira, New York, a reformatory was established. This was designed to reshape or reform the offender by providing him with a better education and vocational training.

I am sure it is not necessary to identify various types of reform institutions with various names and intentions, but I think it is significant to notice that as the result of a study prompted by the President of the United States recently, in 1968 to be precise, we have this report from the Assembly of Experts of Research:

The state of California maintains one of the most expensive correctional systems in the nation to implement a penal policy of entirely unproven effectiveness. There is no evidence that prisons rehabilitate offenders. There is evidence that large numbers of offenders can be effectively supervised in the community at insignificant risk and considerable savings in prison expense.

You will be aware as I make these statements that I must find myself approving of the attempt that is being made to release prisoners so that they may get into the community and get away from the prison atmosphere as far as possible under adequate supervision and training.

As we have the three Rs in ordinary schooling, in criminology we use the four R's

indicate different concepts of correction. They are: retribution, reminder, removal and reformation.

The retribution idea stresses the punishment of wrongdoers who must make retribution to society for the offences they have committed. In this philosophy, there is greater concern for property and for systems than there is for persons.

The reminder concept operates on the basis that the infliction of a penalty will not only punish the offender, but will serve as a reminder both to him and to society at large to deter others from following the bad example of the offenders. It uses a person as a means to an end rather than the person himself.

The removal concept is concerned with taking the offender out of circulation, sometimes for his own protection and sometimes for the protection of society—sometimes a little of both.

The reformation concept—and I do not apply this to the word “reformatory,” but to the reformation concept—as its name implies, operates on the belief that behavioural attitudes can be altered; a person can be reformed, given new shape, new motivations, new direction and a new chance at life. It must be the concern of any good correctional institution, any good correctional system, to have faith in the ability of men to find a new way of life under proper guidance, direction and care.

Who are these people that we call offenders? Who are those who come under our purview in the correctional system? I quote from the minister’s address previously referred to—the one given to the junior board of trade:

A large percentage of men and women sent to correctional institutions have suffered a high degree of emotional, social and economic deprivation. Often they are academically retarded to some extent, and have limited or almost no skills which would help them to adjust to our modern industrial society. Frequently they view the future on a short-range basis.

Not the only ones who do that, incidentally.

They have a low self image, a poor record, and a low frustration tolerance, and they have behaviour problems.

**Hon. A. Grossman** (Minister of Correctional Services): That sounds like a good speech.

**Mr. Bolton:** Pardon?

**Hon. Mr. Grossman:** That sounds like good speech.

**Mr. Bolton:** It is said that self praise well, you know the rest of the quotation was a good speech, but be careful, there more to come yet in comment on the speech.

**Hon. Mr. Grossman:** It sounds better hearing it than it did making it.

**Mr. Bolton:** I will not be caustic enough to commend your writer.

**Mr. W. Ferrier** (Cochrane South): It may have been a good speech, but it is not as good as the one the hon. member is giving now.

**Hon. Mr. Grossman:** It sounds better coming from him.

**Mr. S. Lewis** (Scarborough West): That is certainly true.

**Mr. Ferrier:** And yours was given by a member from over there.

**Mr. Bolton:** May I speak now of the reactions personnel who are in the system rather than the offenders.

Who is given the responsibility for administering the system? It is very important to identify these people in terms of their attitudes and their skills. There are two different approaches which are significant. The one is the “keeper” approach, the other is the “treater” approach.

The keeper obviously emphasizes the custodial aspect of penology. This philosophy tends to be identified in terms of military dress and emphasis on regimentation, and welcomes some evidence that we are moving away from a para-military concept.

The treater concept views the inmate as a person undergoing a treatment designed to equip him for a safe return to society.

The ambivalence of society at large is naturally reflected by prison personnel in the operation of prisons. In one of his asides—here I would ask you to listen carefully—I should inadvertently misquote him—the minister referred to the fact that those who administer correctional systems can never really win. If they treat prisoners with severity determined by part of society, they are accused of inhumanity. If they attempt to be humane, they are accused of mercy, of coddling and paying more attention to the bleeding hearts in the community than to the realists. Is this more or less what you have to say?

It is important, therefore—I am not quoting now; this is my own—to enlist in the correctional system those who can bring a mature, humane and balanced philosophy to bear within the institution, and to develop in the community at large an understanding of the true dynamics of reform procedure.

I think it is very important to have people who are not worried about a popularity contest, but who are concerned with the real matter at hand, which is helping the prisoner to find a new way of life regardless of the snide comments that may be made by those on the one hand or on the other.

If I may be personal for a moment, Mr. Chairman, in my own approach to penology I use the medical analogy rather freely. In medical tradition, the patient comes first; he is the person of need. And so the direction of all who are involved is toward effecting the cure of that person. This is not mollycoddling. This is not a bleeding-heart philosophy. This is accepting the reality of the goals set before the institution.

The reality of the goals set before the correctional system is to correct the offender. There is, of course, the other of protecting society from him for the time being and protecting society when he comes out, so that he is then the person who will fit into society without being aggressive or predatory. Although, it is possible to be both aggressive and predatory without being a criminal. In fact, the ads that are put in the employment columns of the paper very often demand an aggressive person.

Let us look for a moment at the environment in which the offender finds himself—apart from the personnel—at the institution itself. Where is the offender housed and what are the conditions of his life? Reference has been made in the minister's plan in corrections to the age of many of the buildings. In my own home town of London for instance, the jail was built in 1843. Only 11 of the 46 jails in Ontario were built in the 20th century. This is not just bad architecturally; it is bad because the way these places were built reflected the punitive philosophy of the days in which they were built.

The environment in which a prisoner spends his time has a profound effect on his prospects of rehabilitation. The demolition of some of our jails is long overdue. For example, there are consistent complaints about the Don Jail made by thoroughly responsible people. I quote only from the

most recent one brought to my attention. From the *Toronto Daily Star*, April 23, 1961.

Four Toronto aldermen toured the Jail yesterday and were dismayed at what they saw.

Organized at the request of Alder Art Eggleton, the tour showed Eggleton and Aldermen Tony O'Donohue, Sewell and William Colborn the operation of the jail.

Eggleton said in an interview he was considering going out and meeting Allan Grossman, Minister of Correctional Services, in an attempt to get conditions improved.

He complained that the men could stand up in their cells, which should continue to be used. There was only one psychiatrist for 700 inmates, that the lack of proper ventilation made parts of the jail unbearable.

Sewell agreed. It costs \$8 a day to keep a prisoner at the Don and only 60 cents of that is spent on food.

I have not yet researched this, Mr. Chairman, and I cannot vouch for the authenticity of the complaint, but I have here a letter from an inmate of Don Jail, who says:

I have been to court twice and both times I have missed lunch. I have asked the guard many times to please get something for me. It is a long day when you have to sit around from 5.30 o'clock to 5.30 with no food. I thought there was some kind of law saying that the prisoner has to be fed something, but it does not seem to matter to these people around here.

If this is accurate, and I have not yet had a chance to look into it, it would suggest a good reason for 61 cents being the daily allowance for food at the Don Jail.

We, on this side of the House, Mr. Chairman, will continue to press for humane treatment in surroundings which do not degrade the offender.

My major regret, Mr. Chairman, is that the report of the minister does not indicate the problems of his department. The report is a bit too rosy. I would have appreciated a frank statement of the barriers which have to be broken down before the excellent statement of purpose can become an effective reality. This is a splendid statement of purpose, and I want to say that there are matters in your report which are highly commendable, but I am deeply concerned that it is so rosy

It is like going to the market and seeing a barrel of apples. On top are some beautiful shiny ones, and you think what a marvellous crop of apples. But you know very well if you look underneath the rosy apples there are going to be some smaller ones. I would have appreciated a frank statement of the barriers which have to be broken down before, as I say, the excellent statement of purpose can become an effective reality.

The shortage of funds to replace or remove or renovate the grotesque jails; the shortage of adequately trained, adequately paid, adequately supervised personnel; the tremendous amount of public education required to win the community to an understanding of the value, both economic and social, of a thoroughly enlightened modern correctional system.

Mr. Chairman, earlier I mentioned some of the asides made by the hon. minister in his address to the junior board of trade. I think he will agree when I say that the tenor of his asides was that the report he presented made things seem better than they are. Am I correct?

Hon. Mr. Grossman: Is the hon. member referring to the speech I gave to the Jaycees?

Mr. Bolton: Yes.

Hon. Mr. Grossman: I think I recall that I wanted to make sure the audience did not get the impression I was attempting to tell them that everything was beautiful and rosy in our correctional system. I wanted to make sure I did not give that impression, because I do not want to give that impression, that is the point I was making.

Mr. Bolton: Thank you very much. Mr. Chairman, I want to thank the minister for that statement. It is precisely what I am attempting to say and is precisely the burden of my complaint about this printed report. I appreciated thoroughly the honesty of your statement to the junior board and I would like to have had the tenor of this statement inscribed in the reports that are before us for our consideration because this is important for us.

We are not here to praise or blame the correctional system, I think, in terms of its reporting. We are here together, as the government and as the loyal opposition, to face the problems that exist in this province before we can adequately rehabilitate the offender.

I should feel there is no need to impress us unduly with what is being done. This we

can see and appreciate. It is much more important to understand what is not yet being done which must be done, and to provide the minister with the sinews that are needed to effect the reforms of which he speaks, the reforms to which he is committed.

His statement of purpose is excellent. I would like to see this purpose effected. My contention, Mr. Chairman, is that it would be better for us to have a frank statement of the problems that we may address ourselves to together.

There are many things which have already been referred to that indicate promise. The Vanier Institute is an excellent enterprise, a new approach toward rehabilitation. It will, of course, create tension. Anyone who has had any clinical training knows the problems of establishing a therapeutic community, but the problems are well worth the venture. I trust that he will be given adequate support.

There is one other thing I must refer to before I sit down, Mr. Chairman, and I have already sent a note across to the hon. minister with reference to this. It is a question related to the parole system, and I hope that the minister has a chance to investigate it. He will find either that it is incorrectly reported or, if it is correctly reported, he will take very strong action.

I have a report from a man who says that he was sentenced to nine months definite and six months indefinite in the Ontario Reformatory at Guelph, his first and only offence. He wrote for parole and it was granted effective December 3, 1969. Later, on February 13, 1970, he claims that at 5 o'clock in the morning he was visited by two detectives who found him in possession of two pints of beer and took him to jail, having broken parole. He was then sent to an industrial farm; he appeared again before the parole board which granted him the privilege of parole to be effective as of April 21, 1970. On April 20, he was informed that his parole was cancelled, with no comment. He stated that he was not given any explanation.

To me, this is preposterous that a parole board, realizing the violation was of a minor nature, willingly granted a second chance, then unexpectedly changed their minds.

It certainly gives vent to wonder just what rehabilitation means, how it can possibly be effected, and how effective with such action by the high echelons of judicial authority.

Mr. Chairman, I mention this because I want to realize the immense value of a well-operated parole system. I hope, if this has occurred

it is an isolated event. And, if it has occurred, that it will be dealt with summarily because we must not have people on parole fearing the rap on the door in the early hours of the morning, like people who live under some horrible dictatorship.

Mr. Chairman, I will have other things to say as the specific votes come to our attention, but if I can rediscover some pages I have lost I want to make a final observation. It is this, Mr. Chairman, that I subscribe—and I believe we in this party subscribe—to the policy enunciated by the Canadian Committee on Corrections. I want to move specifically to points six, seven and eight of their report that law enforcement, judicial and correctional processes, should form an inter-related sequence.

You see an offender is one person at the time of his arrest, his conviction, the time he spends in jail, and his release. Therefore, all those who deal with him should have some kind of inter-relation of understanding of this person and the nature of his problems.

Discretion in the application of the criminal law should be allowed at each step in the process because there is no one criminal type; you have a whole sphere of individuals with specific and personal needs. Discretion should be allowed each step of the way—arrest, prosecution, conviction, sentence and correction.

The eighth point they make is the criminal process, including the correctional process, must be such as to command the respect and support of the public according to prevailing concepts of fairness and justice. The process should also, as far as possible, be such as to command the respect of the offender.

As we proceed, vote by vote, Mr. Chairman, I shall be asking specific questions to probe the reality of the situation, but before I close these present remarks, I want to summarize the basic principles which will colour my statements in the House during the estimates. I have begun this by referring to these three points from the Canadian corrections committee.

I want to say finally it is my view, and I think it is shared by the other members of our caucus, that a developing appreciation of the complexity of human behaviour precludes the acceptance of any inflexible attitude toward the problem of aberrant behaviour.

The value judgements of an earlier day are still reflected in much of our prison architecture and penal procedures are no longer valid.

Canada, as I stated earlier, shares one of the highest per capita imprisonment records and an unenviable record of recidivism repeating. We must investigate the extent of probation services and parole procedures and find ways of making imprisonment where it is inevitable, a time that can be properly employed in genuine rehabilitation.

We put it clearly, Mr. Chairman, that the question of criminal behaviour and rehabilitation of those who have been apprehended will require co-operative efforts, not only from federal and provincial law enforcement agencies, but also with the ministries of Education and Health. Just as there is one cause of crime, there cannot be one cure. The total person is involved in social and anti-social behaviour. It therefore follows that the total personality be adequately assessed and nurtured in the process of rehabilitation.

Mr. Chairman, my final sentence: in order to perform its task adequately, correctional services must become more outspoken and more persuasive in its statements about those conditions which still operate against the successful rehabilitation of offenders.

Mr. Chairman: Mr. Minister.

Hon. Mr. Grossman: Mr. Chairman, I would like to thank both hon. members for their very thoughtful presentations. In dealing with the hon. member for Welland South, I want to thank him for his kind comments about me personally and about the staff of the department generally. His comments were very thoughtful and I mean most sincerely. He has made some criticisms which I consider to be constructive criticisms. I will study his speech in detail to make sure that those recommendations—suggestions which he has made will be given the best consideration.

I want to say that I am glad I live and see this day; I hope it will continue for a balance of the estimates. I do not mean to say I should not be subject to criticism and the department should not be subjected to criticism, because there is very much to be done. But I think it is a wonderful thing for staff morale to know out in the field that they are not always being hammered. That is what has too often resulted from some of the things which have been said during the estimates.

As the hon. members know, I follow the practice of having a special *Hansard* prepared up of all of the comments made during the estimates. I send them out to all mem-

of staff so that they will know what the public, through their elected representatives, think about the system; what their criticisms are and what the criticisms of the members of the Legislature are: I think it will do them a lot of good to know that some of the very good work they are doing is being recognized.

I look forward to this coming *Hansard*, which I will send out as a means of helping boost the morale of the members of the staff of the department because, Lord knows, they do what is, by and large, a thankless job—a most difficult job. I am very pleased to be in a position to be able to send them *Hansard* in which so many things are said which recognize the great work they have been doing.

The hon. member made some comments about the cutbacks in respect of cancellation of overtime pay for conferences and things of that nature. This arose, Mr. Chairman, because we found just recently that there were some inconsistencies. We found that in some institutions some superintendents were paying for time spent during off-hours for attending conferences, while others were not. Pending a review of this, we felt it only fair to treat everyone alike. As I did not have unlimited funds to arrange immediately for everyone to be paid for this, we thought it best to cut this back completely until a review is made of the whole situation. Until that is done I am afraid the present situation will have to apply. I am sure the staff will bear with us during this period of time.

The hon. member for Wellington South also made some reference to a halfway house which was proposed, as he said, by the Vanier staff. I think he is referring to a drop-in centre. A drop-in centre has a great deal of merit. It is one of those things you think about and talk about in the question of priorities. The best one I saw was in England about five or six years ago. There was some concern about it. It has its problems like everything else in our work, but it is by no means something which should be ruled out. It is worthy of consideration and the hon. member can rest assured that it will not be forgotten. This is a matter of a woman needing support after release and, of course, we do give after-care assistance just as we do for the men. The drop-in centre is one of many solutions suggested for this. As I say, it is not going to be forgotten.

The hon. member also referred to some of the sentencing practices—"educating", as he called it, some of the judges. The matter

of sentencing practices has concerned us. I do not like to use the word "educating," because judges do not like to be told they need any kind of education, particularly from someone who is not even of the legal profession, let alone not a member of the judiciary. But if the hon. member recalls I did mention on previous occasions that this was done four or five years ago, when we became aware of the fact that many of the judges did not really know much about the institutions to which they were sentencing some of the people who appeared before them, we arranged for the attendance at seminars for members of our staff.

I participated in one of the seminars for the judges, and my deputy attends regular seminars of the judges. They have shown their appreciation of this. He discusses mutual problems and explains our system. As a matter of fact we have even arranged tours of our institutions by judges in order to acquaint them with what our system is all about. We have done all we can—I should not say all we can, but we have developed a programme with the judges that we hope can be expanded and continued. The judges have shown a great deal of interest. As a matter of fact, they have told us—and this appears to be a great deal of evidence of it—that it has changed their practices in some respects after having learned about our system.

The hon. member referred to the audio-visual equipment out at White Oaks. I have advised by my staff that all teachers receive instruction in the use of audio-visual equipment in their teacher training. At the institutional level, head teachers have conducted numerous in-service sessions on the use of the equipment. The director of education conducted an audio-visual seminar in Toronto for representatives of each school in January 9, 1970. Part of this programme is a visit to the audio-visual department of the Toronto Board of Education where the programmes are observed and discussed in depth. This is from Doug Mackey, the director of education for the department. If the hon. member still feels that there is something lacking there, I will certainly look into it and find out if, in fact, there appears to be something which could be improved, because we are certainly very anxious to get the most we can out of this equipment. The hon. member also referred to the method of trying to explain to parents how to get to school. I do not know whether he referred to that as well.



**Mr. Worton:** Yes, I did.

**Hon. Mr. Crossman:** That is a very good point. We are very proud of these pamphlets and I was very pleased when they were brought out by the staff. They are a very good pamphlet for the parents. Now I do not know why we did not think of that. I do not know whether it was thought of, and perhaps there is some reason for it not being included. But certainly, at the moment, I would say it seems to be a very valid criticism and something which could be very well adopted. I certainly assure the member that we will go into this matter if this can be done.

**Mr. Worton:** The idea, Mr. Minister, was to put more emphasis on the family. If it is possible that we can do this, then we will save ourselves dollars in time to come.

**Hon. Mr. Crossman:** Of course, that is precisely the point of the pamphlet to begin with; and this may be something that we could very well put into effect. As for paying for the transportation for some of the parents, that is a different matter altogether. In the first place, we would have to go into the implications of that, to find out whether it is practical aside from the cost, and to find out what it will cost. I am sure the hon. member will appreciate that just because we have a good idea, we cannot spend all sorts of money on it. It is a matter of priorities.

Incidentally, I should have mentioned in respect to transportation that we do pay the transportation for children going on Christmas leave, at Easter and in the summer. We do ask parents if they wish to collect their child and return him. Some parents prefer this, rather than having us do it for them.

In respect to the matter on which he would like some assurance—that the transfers from Vanier to Whitby are not done on a rather arbitrary basis and without too much study—all I can tell him is I would hope not. I would hope that no transfers were made without investigation of all the considerations on any particular case which is being transferred to Whitby.

All of these are constantly under review—those who are going to be transferred, and after they are transferred—by treatment personnel from Vanier. In other words, even after they are transferred from Vanier to Whitby, they are under constant supervision and constant review by the treatment personnel at Vanier to decide whether they are ready to be returned. I do not know that we could expect much more than that. In any

case, it is evident that they are certainly being transferred willy-nilly just to get them out of the Vanier system.

I believe a separate security unit recommended, such as of that nature, Elizabeth Fry Society some time ago, not too sure. It seems to me they suggest that there is a small group, always of difficult people at Mercer and now at Vanier and if they were removed from the institution more could be done with those who remain. This was our answer to it. It appears working out fairly well, up to the present time.

It may take time to cover all of the points the hon. member made. He made some reference to diabetics not being allowed to take their own insulin. I was not familiar with this. I will investigate. I cannot imagine why not being permitted to do this unless there is a very definite reason for it. I certainly find out.

On the matter he raised about Vanier, too much of a showplace—of course, the hon. member will, I hope, recall that I have mentioned this point almost every year—this is a problem. We were constantly being criticized for keeping closed institutions. The public do not know what was going on—we need an ombudsman to go in—and all sorts of things had to be arranged to make sure that inmates' rights, whatever they are, were protected. No matter how much assurance I gave to the House by reading the figures of the thousands of visits they have in the institutions across the province, there is always a feeling that more needed to be done.

The point we always made in the literature, and what the hon. member mentioned was precisely the problem. You cannot, on the one hand, try to improve the self-image of inmates, be they inmates in adult institutions or student in the training schools, by having a constant flow of visitors coming through the institution, looking at them as if they were something strange.

How do you do this? How do you encourage students of sociology, students of law, people who are involved in this kind of work or who are studying to become involved in this sort of work? How do you give access without, at the same time, concern yourself with the matter which the hon. member himself raised? This has been one of our concerns.

However, it may very well be that we have been allowing too many visits. I do not know. You see, the matter of even allowing school students to visit is a great problem.

Because from the standpoint of the department—and the hon. member for Middlesex South made the point too—we have got to educate the public. This is always the constant cry: educate the public so that they will be prepared to accept the kind of progress you want to make in this work.

How do you educate the public? By and large they are getting their education from old TV programmes about conditions in some jail 30 or 40 years ago; or even from some institutions which exist in some of the American states, or perhaps even in some European countries, which are barbaric; and, of course, some of the sensational things they read in the press. I have spoken to many school children; I have gone to schools; I have talked with them; I have made it my business to go to practically every place I have been invited to talk about this work.

By and large, I have done this knowing the political risk involved. That is why I constantly make the point, you know, do not get the impression that everything is hunky-dory, because I do not want them to get that impression. Everything is not hunky-dory. I want them to know this, because I want them to get interested so that they can help me change it.

On the other hand, the best way to let them know what we are doing in this province is to let them come and see what is going on in a jail—an old jail, which needs replacement—and to our newer institutions, to let them know what is possible. Trying to find the balance between both these concerns is very difficult. It is like everything else in this work, and that is what I mean when I say that you are damned if you do, and damned if you do not.

If the hon. member for Middlesex South thinks that a minister, who is a political animal, does not have to concern himself with what the public's impression is of what is going on—in other words concern himself with those who feel he is going too far one way, or those who feel he is going too far the other way—if that is what he thinks, he is due for a great surprise when, if that miracle ever happens, he becomes the Minister of Correctional Services.

**Mr. Bolton:** I do not know why you thought I—

**Hon. Mr. Grossman:** You do not want to be elected?

**Mr. Bolton:** I quite agree that there is this problem.

**Hon. Mr. Grossman:** I thought you gave the impression that the hon. member felt that I should not have made the statement that I do not want the public to feel I am a molly-coddling inmates. I was simply trying to appease those people who had a punitive approach.

**Mr. Bolton:** Oh, no.

**Hon. Mr. Grossman:** As a matter of fact maybe in some respects, up to a point, that is true. Because there are thousands of people who have a punitive approach to this work. I want the public support, because the people who have a punitive approach are also taxpayers. My tactic, my technique, is to try to prove to those who have that approach, that from a standpoint of economics, it is a good thing to make progress in this field.

**Mr. Lewis:** Do not wish this portfolio on him, because we are abolishing it when the time comes.

**Hon. Mr. Grossman:** I see. We are not going to have any more people who need to go to prison?

**Mr. Lewis:** Not corrections.

**Hon. Mr. Grossman:** I see. When the great socialist state comes, nobody is going to commit any more crimes, I take it.

**Mr. Lewis:** No, there will not be a department for it. We will not isolate it.

**Hon. Mr. Grossman:** I see. I suggest to the hon. member for Scarborough West read the report which his colleague referred to a few moments ago, the President's report.

**Mr. Lewis:** I know what the committee on corrections said—

**Hon. Mr. Grossman:** The President's report in the United States, in which, in fact, says the commission says the reverse.

**Mr. Lewis:** Which president?

**Hon. Mr. Grossman:** It was not the President. It does not make any difference who the president it was, he did not write the report. It was written by experts in the field, and they suggested that you have an integrated correctional system of which the province of Ontario is one of the greatest examples in the world.

**Mr. W. G. Pitman (Peterborough):** In the world?

**Hon. Mr. Grossman:** In the world.

**Mr. E. W. Sopha (Sudbury):** This is too good-natured. I wish someone would go and get the member for High Park (Mr. Shulman).

**Hon. Mr. Grossman:** The hon. member for Sudbury need not concern himself. Before my estimates are over I am sure there will be a few daggers thrown this way.

**Mr. Lewis:** There will be abrasive moments.

**Hon. Mr. Grossman:** The hon. member referred to some of the matters which the hon. member for Middlesex South raised. He said something which is constantly being repeated, that in Canada—he was referring to Canada; and incidentally that is another problem from which the Ontario system suffers. People confuse the Ontario system with the Canadian system and things that go on in the federal penitentiary system do not necessarily apply to the province of Ontario.

However, he did make the statement that we, and I think he referred to Canada, are equally high in the number of repeaters. There is no evidence of this at all, absolutely no evidence. The fact remains, regrettably, that statistics on the rates of recidivism are imperfect and no jurisdiction yet has found the means of being able to really provide a proper set of figures.

We in Canada are striving toward that; my department is working toward the complete computerization of a card index system so that, in co-operation with the other provinces and the federal government, we will be able to say—perhaps in the not too distant future—what, in fact, the rate of recidivism is.

I think he made the mistake that others have made—that we had some 50,000 people in our institutions. I hope the hon. member is not under the impression that on any given day we have this number. These are the numbers who pass through the system, including, incidentally, the jails. Those people may have spent one day or 10 days in jail. Even those figures, no matter what they are, are too high. But included in this figure of 50,000-odd are hundreds of people who may have been in 10, 11, 15, 20, 30 times in one year, and these help build up the statistics. Actually we have about 4,600 adults at any given time in the institutions across this province, and that includes the local jails.

The hon. member said that, at the Jaycees, I had said or he has said that the whole prison

system needs overhauling. Now, was he quoting me or quoting himself?

**Mr. Bolton:** I was quoting myself. I do not remember you saying it.

**Hon. Mr. Grossman:** Well, I was not sure in my notes here whether you were quoting me or whether I was quoting the hon. member. I agree, and that is why in Ontario are doing what we are doing, we are making rapid changes, as rapid as is possible, and I have already explained to you what I meant when I said we never really win. I was not referring to not making progress; we make a lot of progress, and I hope we are winning some of the battles.

I was talking, as a political animal, about the kind of response you get from the community. For example, when a man commits a heinous crime, they say put him away, lock him up and throw away the key. Everybody wants to be as punitive as they can possibly be. But 10 days after you get him into the institution, somebody raises some question that you are not treating him well enough. This is the sort of ambivalence we are involved in.

I would like to talk about the old jail. In course, we have talked about them on numerous occasions. If the hon. member for Sudbury were not here, I would quote some of my old speeches. He always faults me for quoting my own speeches. But I would like to give the hon. member—

**Mr. Sopha:** They sound better the second time.

**Hon. Mr. Grossman:**—if he reads *Hanover* or some of the publications of the Howard Society, he will find that I made reference to this many years ago when I attempted to bring in the regional detention system.

**Mr. Sopha:** I noticed that you have developed a new technique. The last time I was at the district jail, I noticed they now display your speeches on the bulletin board. Is this a common practice with your recent utterances?

**Mr. R. F. Nixon (Leader of the Opposition):** There is a wreath of flowers around them.

**Hon. Mr. Grossman:** Which district jail?

**Mr. Sopha:** The only district jail which is familiar to me.

**Hon. Mr. Grossman:** Sudbury.

**Mr. Sopha:** Sudbury district jail.

**Hon. Mr. Grossman:** It seems to me I was at Sudbury only a short while ago. I did not notice that.

**Mr. Nixon:** They expected you to come in.

**Hon. Mr. Grossman:** Well, I was in, but I did not notice that. Maybe they did it for the hon. member for Sudbury; they were trying to get some message across, I do not know.

**Mr. Nixon:** He always hears your speeches here.

**Hon. Mr. Grossman:** Incidentally, the Don Jail is always referred to as being built, I think, in 1862. That is the date the old section of the jail was built. Now just about half the population of the Don Jail is in the new section, which was built in 1958. I think that should be made quite clear. This does not mean that the old portion of the jail should not be replaced but, of course, it is again a matter of priorities. Everyone thinks the jail in his particular community is the worst, and I can almost always show them one that is even worse than theirs. It is a matter of priority, and we have a programme—

**Hon. J. H. White (Minister of Revenue):** Worse than London?

**Hon. Mr. Grossman:** Well if London had been the worst it might have been the first one to be rebuilt rather than the Quinte Regional Detention Centre. As the hon. member probably knows, there is now one being completed in Quinte, and everybody said, "Are you ever going to get around to it?"

**Mr. Worton:** Where is the member?

**Mr. Nixon:** Great member.

**Hon. Mr. Grossman:** It pertains to more than one riding. It looks after four county jails. We are eliminating four old county jails and putting in a new regional detention centre, which I hope will be finished by September or October, sometime around then. We will have our first new regional detention centre; that is one advantage of being in a ministry long enough that you can see some of your—I was going to say—dreams come true. It begins to sound a little bit—

**Mr. Nixon:** You sometimes think you are not going anywhere.

**Hon. Mr. Grossman:** Yes, you do. Because it takes a long time for some of these things to come to fruition.

Now, about the aldermen who visited Don Jail, and I notice the hon. member was at great pains to point out who they were. I will not give him what I think was the reason for it, but I will just say to the hon. member that I welcomed those aldermen and I welcomed their interest. But it was rather late. Where were they when I needed them? I have been meeting with them for five, or seven years; why did they not do something about the Don Jail when they had it under their responsibility and under their jurisdiction? There were aldermen there who were there at the time when it was a metropolitan jail.

I was trying to get some interest in a regional detention centre, and I thought: Surely as anything, Toronto, my great city, my wonderful city, my native city, with its great progressive council, would have been one of the first to come along with a regional detention centre programme when we were offered 50 per cent of the cost. That was the original regional detention centre programme, before the province took over the complete cost of the administration of justice. The four counties in the Quinte area were the first ones to take advantage of it, and that is why the regional detention centre is now almost complete.

There were other counties that came along a little later and we started to make plans for the replacement of theirs, but now, of course, that the province has them all, everybody wants a new jail as of yesterday. I do not blame them for wanting it, and we knew they would be up against this. I want to let the hon. members of this House know that I did not walk into this blind. Obviously, I knew that the minute the province took them over—

**Mr. J. E. Bullbrook (Sarnia):** Sarnia does not want one.

**Hon. Mr. Grossman:** You have got one.

**Mr. Bullbrook:** You know that. We did not go to the province.

**Hon. Mr. Grossman:** That is right. I congratulate the hon. member and the citizens from Sarnia for having been so foresighted, but I would have liked to have those aldermen give me some support when I needed it. And incidentally, they went into the jail, but I have not heard from them yet. They said they were going to get in touch with the

minister; I have not heard from them yet. But, in any case, they are way behind the times, as have been some of the grand juries. Unfortunately, grand juries are a group of citizens, an *ad hoc* group who walk in and see what they see and make the report and sometimes they do not make the inquiries they should.

As a matter of fact, when the Don Jail was still a metropolitan jail and under jurisdiction of the municipality, we were told about the terrible ventilation system there. Some hon. members here will recall that when I made some statements about the kind of planning that the architects were responsible for, we got into a public debate with the architects who were responsible not only of the Don Jail but also for one or two others where we had the same problem. They tried to tell us that it was not the architecture; it was sabotage on the part of the inmates. We made all sorts of investigations to help improve the situation, and as a matter of fact on our recommendation Metropolitan Toronto did make some changes, I think, a couple of years ago. We had them put in some fans and punch holes in the wall in order to get some circulation. It did not help. As a matter of fact, we decided when we took it over that we had to do something about this, because in the very hot days it becomes unbearable in that building. So we have had Public Works investigate the matter; there have been reports back and forth, and we finally came to the conclusion that we are going to have to put a fair amount of money into the Don Jail for cooling it. Approval has been given by cabinet, and I am just hoping we are going to have it in time for this summer, although that looks doubtful.

But, again, I refer back to the ambivalence of the public—and the hon. member now will perhaps appreciate what my staff have to contend with. When that was told to a member of the news media, and it came out that night—I forget how long ago—that we were air-conditioning Don Jail. Well! You should have heard what my friends and a lot of other people told me over the telephone since. Air-condition the jail! I do not care what you call it; if it is unbearable for human beings, we have to do something about it, and we are doing it.

I am not sure whether the hon. member was complaining about the food at Don Jail. I hope he was not. I heard some reference to it, and he will appreciate the fact that sometimes here I am discussing the previous question with my staff and sometimes I am making notes. Did the hon. member really complain

about the food at the Don jail, reading a letter from an inmate?

**Mr. Bolton:** Mr. Chairman, what I read was a complaint by an inmate that on two occasions when he had to appear in court he was denied his lunch and went without food from 5.30 in the morning till 5.30 in the evening. And the reference I made was that it was stated by the alderman that 61 cents a day was spent on food. Such economy may explain why a man missed his lunch periodically.

**Hon. Mr. Grossman:** Is the hon. member suggesting that the 61 cents is an indication that they are not getting proper food? I would assure him that that is not valid.

I think the hon. member for Grey-Bridge (Mr. Sargent) raised the question of food because an inmate had written to him last year. I think it was. I read the menu to the House which I am prepared to do now if the hon. member would like me to do so.

However, the members of the House have already heard this. Perhaps I will send it over to the hon. member so he may see what the menu is.

In respect of the two inmates he is talking about—the question of two particular inmates and what happened to them at a particular time, I could not tell the hon. member. Perhaps it was the responsibility of the police who took them out to see that they were at the lockup.

If the member will send me their names, I would be very pleased to find out whether it is in my jurisdiction or that of the police. I will send the diet over to the hon. member anyway.

As a matter of fact there is another case of ambivalence. When that diet was published, the press considered that it was not worthy enough to put it on the front page and you should have heard the letters to the editor after that. No wonder they were going back to jail, because we were feeding them so well. That is what they said.

**Mr. Bullbrook:** The minister really can't lose.

**Hon. Mr. Grossman:** Pardon?

**Mr. Bullbrook:** He has it both ways.

**Hon. Mr. Grossman:** I sure do. Is it a wonder I have this complex, this persecutory complex?

**Mr. T. P. Reid (Rainy River):** The minister and the member for High Park.

**Hon. Mr. Grossman:** I will not comment on that, I was about to.

The hon. member says that the report does not speak of our problems. I really think that our problems are obvious and when he becomes minister I would like to see that first annual report of his—if he is going to write an annual report consisting of 50 or 60 or 100 pages of the problems, as I assure him he could print 100 pages of problems. All we can do really is to tell—and as I say the problems are obvious to everyone—we tell what we are trying to do to solve the problems. I do not know what else can be expected of us in this respect.

About the letter re the parole—I do not have the letter. The hon. member said he sent me a note; it may be at the office. I certainly will have it looked into.

He also mentioned something about the police knocking on the door of somebody on parole in the middle of the — that is beyond my jurisdiction, or the jurisdiction of my department. I am not responsible if police do this. So I cannot do anything about that, even if it did happen.

I would only caution the member—I am sure I do not have to caution him—as I tried to caution some other members over the past few years, that he should not take the letters literally as soon as he gets them because we have thousands of unwilling guests and they have complaints. In fact, some of them do nothing else but think of complaints.

Sometimes you may come up against a legitimate complaint, I am sure there will be some. But I am sure I do not have to warn him to be very careful about bringing these complaints forward in public until he has researched them.

**Mr. Bolton:** I thank the minister for that caution. Might I add I have been in some area of the correctional field for 20 years now and I know precisely what he means.

**Hon. Mr. Grossman:** That is why I made that statement. I do not know that there is anything else the hon. member has raised, Mr. Chairman, that I have not answered, but I would be very pleased to direct myself to it.

**Mr. W. E. Johnston (Carleton):** Mr. Chairman, since the minister has been discussing for quite some time the matter of jails, I wonder if I might ask him where Carleton, the county jail, stands at the moment? Since we now have an Ottawa-Carleton region and since for so many years there has been a need

for a new jail, I wonder if the minister would like—

**Mr. Chairman:** This will be discussed under vote 302.

**Mr. W. E. Johnston:** The trouble is I cannot be here, Mr. Chairman. I would like to get the question in and get the answer.

**Mr. Chairman:** Would the minister answer this question?

**Hon. Mr. Grossman:** Very simply, Mr. Chairman; the jail, as far as we are concerned, is ready to go to tender. It is a matter of a problem with the National Capital Commission, which is supposed to be furnishing with certain landscape requirements and they are still awaiting this information from them. There have been one or two delays, none of them caused by us.

**Mr. Nixon:** The minister told that to the member at lunch today, was he not satisfied?

**Hon. Mr. Grossman:** No, I did not speak to the member at lunch today. All the delay is caused by the National Capital Commission; I am not criticizing them for it—

**Mr. Nixon:** No, the minister is just joking with his pals; he will not take any responsibility.

**Hon. Mr. Grossman:** —but that is the question.

On vote 301:

**Mr. G. Ben (Humber):** Mr. Chairman, I have a question on policy, although since it appears to be in another department. Has the minister decided on a replacement for Her Honour Helen Kinnear on the minister's advisory council on the treatment of offenders?

**Hon. Mr. Grossman:** No, Her Honour passed away only two or three days ago and obviously we have not given it any thought as yet.

I might say, while I have the opportunity, we are very sorry at the loss of Justice Kinnear. She was of tremendous help to the committee and we feel her loss very, very deeply. But the answer to the hon. member's question is, not as yet.

**Mr. Ben:** Mr. Chairman, while I am in the minister's opening remarks he spoke of the leave granted to inmates for compassionate purposes. I feel I must rise on this occasion I have had and thank the minister's department.

I had a woman call me on a weekend; she had suffered a death in her family and her husband was incarcerated. I was able to phone one of the officials of the minister's department and I am very pleased to say that the inmate was permitted to attend the funeral. Not only that, but I think financial arrangements were made so he would be able to do. And I want to take this opportunity to thank the minister's department in this regard.

**Mr. Bullbrook:** He might even write you a letter.

**Mr. Ben:** No, I will not be writing a letter.

**Hon. Mr. Grossman:** I would like to read it some time.

**Mr. Ben:** It just shows that they are doing things the way the minister claims he does.

Mr. Chairman, this again is a policy decision, although it deals with reformatories. I was led to believe that the Millbrook reformatory would be closed down. The old statistics show that you still had inmates—as a matter of fact, more inmates this year than you had last year. Is Millbrook reformatory not going to be closed down?

**Hon. Mr. Grossman:** The Millbrook reformatory is not going to be torn down at all. It is going to be used for other purposes.

It is going to be used for the behaviour problems to start with, and it is going to be divided in such a fashion that a portion of it will be used as a local regional detention centre. But the addicts and the sex deviates are going to be removed from Millbrook when the new clinical complex at Mimico goes up. This is what I announced, but this is going to take some time.

**Mr. Ben:** Well, Mr. Chairman, on that point, I had understood that some of the land around the Mimico reformatory was declared or was going to be declared surplus. Now, since you are transferring a lot of treatment cases, from Millbrook, especially deviates, alcoholics and drug users, will this land still be regarded as surplus?

**Hon. Mr. Grossman:** Oh, yes. It has all been taken into consideration. We have all the land we are going to need for the clinics. As a matter of fact, the hon. member will realize that we had a farm system there, and that gave us—I do not know how many acres—and it is too costly just to sit there. In any case, the answer is that we have all the

land we need remaining for the clinical complex.

**Mr. Ben:** And another question. I am from your report that the Mercer reformatory—

**Hon. Mr. Grossman:** I am sorry. I am not sure that I said at Mimico. The clinical complex is going to be at Brampton.

**Mr. Ben:** Oh, I am sorry about that. That is a different kettle of fish. I was wondering how you could expand the facilities in Mimico by giving up a lot of the land and still carry on adequately. It is going to be Brampton, not Mimico. Is there any possibility of the brick-yard at Mimico shut down in the future?

**Hon. Mr. Grossman:** The brick-yard at Mimico has been shut down for some time now.

**Mr. Ben:** Well, you are still showing production of bricks in your annual report.

**Hon. Mr. Grossman:** That is over a year ago. It has been closed down since.

**Mr. Ben:** I beg your pardon?

**Hon. Mr. Grossman:** It has been closed down since.

**Mr. Ben:** Oh, it has been closed down since. But your figures of production show that there are still a certain number of bricks—

**Hon. Mr. Grossman:** They are no longer manufactured or produced at the yard.

**Mr. Ben:** You show production emanating out of the Mercer reformatory. Is that before they closed down, too?

**Hon. Mr. Grossman:** I do not think there is a brick left.

**Mr. Ben:** I am not talking about—

**Hon. Mr. Grossman:** No, I say the Mercer reformatory is finished. I do not think there is a brick left on the site.

**Mr. Ben:** Is that so? In your last report you still show production of clothing coming out of Mercer.

**Hon. Mr. Grossman:** That was for the fiscal year 1968-1969.

**Mr. Ben:** All right. I have another question. This happens to be one on philosophy. The minister goes to great pains to say that what is being done to rehabilitate

juveniles; it was pointed out by the hon. member for Wellington South that this treatment is to keep them out of our institutions. Nevertheless, at the present time, juveniles are dealt with in the family and juvenile courts of this province. I do not know what the circumstances are in most of the courts, but certainly in the Toronto court the juveniles are brought into the same environment where you see the sparring husbands and wives. They sit in the same corridor waiting for their cases to be called.

This is not a very good atmosphere, to my way of thinking, for children to see how adults do not get along. Is there any possibility of the juvenile courts perhaps being brought under your jurisdiction, or at least being completely separated from the adult aspect of the juvenile courts, so that they do not have to sit in that kind of environment waiting for their cases to be called?

**Hon. Mr. Grossman:** Mr. Chairman, I do not know how that could be done, because after all this is a legal process and it is a court. Incidentally, I am not too sure that it is not good for kids to see that adults do not get along. I think one of the problems today is that a lot of parents try to hide things from their kids.

I think it is a good thing for parents to have a hell of a good scrap every now and then and let the kids see it. Let them see how they scrap and make up. There is nothing wrong with that. And I think it is good for kids to see that sometimes it gets to the stage where parents have to go to court. This is a good thing too. I mean, you cannot protect them from the seamy side of life and, incidentally—

Interjections by hon. members.

**Hon. Mr. Grossman:**—I think that most of these kids have pretty well seen the seamy side of life. I am not justifying what is going on at the detention centre for juveniles, I have gone into the courts and sat with the judges to see what goes on during a hearing for a youngster. I have not been there when there have been family problems before the court. But, if there is anything in the juvenile detention centre which needs correction, it is really within the jurisdiction of my colleague, the Minister of Justice. However, if there is something the hon. member feels is not good, I have no hesitation in discussing this with the Minister of Justice, because I am indirectly concerned. I think we are all indirectly concerned, and what happens in

the courts does affect our work. I have that before too.

**Mr. Ben:** Precisely!

**Hon. Mr. Grossman:** Of course it does. I cannot take over the courts because of that. I think the best I can do is, if I find something which, in my view, is not good for corrections, prior to them coming to the department, I would be very glad to discuss it with the Attorney General.

**Mr. Ben:** You would? Pardon me. Considering the interjections that were made here—an interjection was made by the Minister that perhaps children should not see adults quarrel. Perhaps this is so. But what disturbs me is the attitude the children are taking by going to the Metropolitan Toronto juvenile court; at least, that it does not seem to concern the adults to be brought before the courts. “Why should I worry about that?” This is the other aspect of it. Now, I am willing to listen to both sides of the argument. Some people may say that one of the benefits of seeing parents argue, too, is to raise the fact that the children also see that adults are not disturbed by being hauled before a court.

**Hon. Mr. Grossman:** Join the club. It proves that we cannot resolve all these problems.

**Mr. Ben:** No, we cannot. Perhaps it should not be discounted so frivolously when children are there. May I discuss recidivism here, Mr. Chairman? I would like to ask the Minister; statistics show that the rate of recidivism was 45.3 per cent, according to the reports. Could he tell me offhand what was the rate the previous year and the year before that?

**Hon. Mr. Grossman:** No. I do not think that I would be less than honest, and less than consistent, as I said previously, if I told the hon. member that these are rates which could depend upon as being effective. They are just as accurate as you can get under the present system. What they were in the previous years—they were just about the same.

**Mr. Ben:** What of the previous years?

**Hon. Mr. Grossman:** I am told that they were just about the same.

**Mr. Ben:** Mr. Chairman, could you tell me why 117 placements, I may as well call them that for want of a better name, from the John's training school, were guilty of violat-



in placement terms, out of 199. Why such an extremely high rate out of that particular school?

**Hon. Mr. Grossman:** Where would he get that? Where is it?

**Mr. Ben:** Page 65, if it will help the minister.

**Hon. Mr. Grossman:** Yes. It will come under a further vote.

**Mr. Ben:** To me it is a question of philosophy as far as that is concerned. Very well, Mr. Chairman.

**Hon. Mr. Grossman:** I do not think that is a correct figure. I am trying to take the figures I think, without even looking at it, he is probably trying to take the number of children who happen to be in there at a given time, and those returned from placement who perhaps were there in a previous year or previous period.

**Mr. Ben:** Mr. Chairman, there were 143 returns from placement; 117 of these were for violation of placement terms. Now the number of placements in that school—we do not want to call them inmates; I imagine placement is as good a word as any—

**Hon. Mr. Grossman:** Wards!

**Mr. Ben:** Wards, yes. If one looks at the number of wards that were in the other schools—for example, Pine Ridges had 209 wards, but there were only 39 returns from placement for violation of placement terms. St. Euphrasia had less; it was a girls' school, but still completely out of proportion. St. Joseph's school for boys had 173 wards and only 35 returns from placement for violation of placement terms. I am baffled as to why there is such a high ratio from that one particular school. Is the philosophy different? What is the failure?

**Hon. Mr. Grossman:** The placement philosophy may be different. St. John's is a private training school, and while we subsidize and supervise it, we try as much as possible not to interfere with every aspect of its operations. It probably means that St. John's is testing a lot of youngsters out in placement, whereas other schools feel in the same instances, that the youngsters are not ready for placement, testing or otherwise.

As a matter of fact I think St. John's probably has a high residence ratio. You see there are only three of them—that is one of the problems of private training schools—two for

boys and one for girls and there is a tender for some overcrowding. It may very well be that they are placing some children out at a test and they hope it will work because they do not have room for them in the school.

What follows from this is that something has got to be done about the situation as it has been under consideration. The capacity is 180 and they had 186 in residence as 10 days ago. There would be a tendency to put them on placement perhaps before they should, which is not a good situation.

**Mr. Ben:** Perhaps the minister will interpose a little more to find out what is going on.

**Hon. Mr. Grossman:** Yes, we are having conferences with them which may resolve the whole problem.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, what accommodation does the minister feel the new regional jails he is building will hold?

**Hon. Mr. Grossman:** If the hon. member will read the statement of purpose which we have stuck to very religiously, all our institutions eventually will come down to a size no more than 200. The regional detention centre will have accommodation for what is deemed to be advisable for that particular area, but in no case more than 200.

**Mr. Ruston:** Does this create any problem in having facilities available for, shall we say, short-term confinements due to regional jails being approximately 50 to 75 miles away from some areas where police are? Are there going to be facilities available—are there at the present time? Or will this mean that some local municipalities will have to furnish what they call overnight facilities?

**Hon. Mr. Grossman:** I hope the hon. member is not confusing a lock-up—

**Mr. Ruston:** Well, a lock-up or—

**Hon. Mr. Grossman:** No, there is a difference, and this is one of the confusions we have to contend with quite often. A lock-up is under the jurisdiction of the local municipality. When you pick somebody up, you take him to the local lock-up, and he appears in court the next day. Now if the court decides that he is not to go out on bail, but that he is going to await trial, then he will go to the regional detention centre. Depending upon what he is being charged with, he might go to the minimum security section of the regional detention centre

the maximum security section. That was one of the reasons for building these types—about 50 per cent of every regional detention centre will not be maximum security, because there is obviously no reason to have a man who faces a very short term for a relatively minor offence in maximum security.

In any case, I doubt that we will have any regional detention centres that far away from the built-up community.

**Mr. Ben:** Mr. Chairman, the minister has for a number of years been making grants of \$30,000 to these centres of criminology. Is there anything special about that figure of \$30,000?

**Hon. Mr. Grossman:** No. We started off this centre of criminology at the University of Toronto with a grant of \$30,000—which was the request at the time, as I recall it—and it has been maintained.

This is the first year for the centre of criminology, University of Ottawa, and they are very happy with a grant of \$30,000. You could say \$25,000; you could say \$30,000; you could say \$35,000. This was what the request was, and they are very happy with it.

**Mr. Ben:** I am not worried, but when things gets in a rut like that I start asking why is it always the same figure. The cost of living is going up; teachers' salaries are going up and I imagine directors' salaries are going up. Yet the grant remains the same. What happened to Professor Tadeuz Grygier? Is he heading up the one at Ottawa?

**Hon. Mr. Grossman:** Yes.

**Mr. Ben:** He is, is he? Thank you.

**Mr. Chairman:** The hon. member for Middlesex South.

**Mr. Bolton:** Mr. Chairman, I notice with great pleasure the intention to maintain a maximum capacity of 200 for adults and 125 in schools. There is one problem that I have been worrying about in the exercise of this. How are you going to be able to distribute personnel? A community of 200 could hardly sustain some of the experts that you are going to need. Will these places be grouped together or will there be some provision made for the travelling of experts such as psychiatrists and psychologists and so on?

**Hon. Mr. Grossman:** I doubt very much in any case in a regional detention centre unless it is a very large one which we are waiting to reduce. The new regional deten-

tion centres will not have resident psychologists or resident psychiatrists. We will have them in regions. The plan is to have them visiting in regions, because, actually, that is what we are now doing. From the standpoint of psychiatrists—they visit because there is a need to have a resident psychiatrist at the institution. It may be ideal, but I do not think we will reach that ideal in our regions because there are not that many psychiatrists to go around. So they will be visiting on a regional basis. What we are doing is building the facilities into the regional detention centres for this kind of treatment. There are facilities for social workers and for other treatment personnel.

**Mr. Chairman:** The hon. member for Yorkview.

**Mr. F. Young (Yorkview):** Mr. Chairman, further to this matter of the maximum size of 200, I read on page 21 of the report that the Guelph reformatory is the largest of the provincial correctional institutions. Departmental policy is striving for institutions of the capacity of not more than 200 beds. The Guelph reformatory has been undergoing systematic reduction in size over the years. On page 70 I find that the figure remaining in custody on April 1, 1968, is 791.

The minister knows for a good many years there has been some interest on the part of some of us in the Guelph institution. I think things are improving there, although I am not certain. When I first took some interest in this institution the figure there was something between 900 and 1,000. The minister assured us that the number was coming down gradually and 200 was the final goal. Over those years, if these figures are accurate, there does not seem to have been very much reduction because you had almost 200 still there on April 1, 1968. That is two years ago. It may be that during the past year with the change of administration there, there may be some real change in the numbers. I would like the comments of the minister on that, because it seems to me that the speed with which this reduction is taking place at Guelph—one place where it ought to take place very rapidly—is very, very slow.

**Hon. Mr. Grossman:** The count on April 1—this April—at Guelph was 663. There is a satellite camp, which had a population of 40. The hon. member will notice even in the figure he is quoting, 791, also included there were at the forestry camp. I think the hon. member will show the hon. member just how fast

are reducing this. I announced earlier in this session that we were building a training centre on the grounds at Guelph, somewhat removed from the large operation, where there will be trades training. This will contain, we hope, up to about 200 inmates. That will be another tremendous reduction.

I think that in view of the fact that about five or six years ago there were 1,000 there and we have got it now down to 663—we have already got approval of a new building which will reduce it by another couple of hundred—that is pretty good progress.

**Mr. Young:** Mr. Chairman, we can be assured that the 663 is a meaningful reduction rather than just a temporary dipping and then we will find it coming up again at some future time?

**Hon. Mr. Grossman:** I forgot to mention—I am just being reminded—that there is a new forestry camp almost completed at Dufferin, which will also hold about 40, and will also reduce it. Then there will be the new training centre that I announced, I think last year, at Maplehurst, which will further reduce it. Sure, there may be times when it will exceed 663, but it would not be by any great number, I would hope, unless something unusual happens.

**Mr. Young:** We have had a lot of hope over the years.

**Hon. Mr. Grossman:** The hope has been realized. It has come down from 1,000 to 663—another 200 with the new system, another 40 with the new forestry camp—it is coming down.

**Mr. Chairman:** The hon. member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, I would like to ask the minister a few questions concerning personnel services. In your search for personnel, do you refer this to the civil services—The Department of Civil Service—or does your department seek out personnel by itself?

**Hon. Mr. Grossman:** In Metropolitan Toronto, the civil service commission. Outside Toronto our department picks its own personnel and looks after the hiring.

**Mr. B. Newman:** Is the hiring done on a local basis, or is it done by the department itself?

**Hon. Mr. Grossman:** By the department.

**Mr. B. Newman:** The department does. Is there much provision in this department the hiring of university students for the summer?

**Hon. Mr. Grossman:** I am advised that take on about 100 students every summer.

**Mr. B. Newman:** May I ask of the minister how a university student finds out? There some publication put out by your department so that individuals, or a student attending university, would know that there are X number of jobs in the certain categories available?

**Hon. Mr. Grossman:** We do not advertise the summer jobs. I hesitate to do that because we get so many applications now without advertising; we would be deluged with them if we advertised. I hope the day comes when we can take on a lot more and then we would have to advertise for them.

**Mr. B. Newman:** Is it not the case, Minister, that a lot of students do not even know in the first place that your department exists? It is all right for you to say this, Minister, but I am asked by students from the University of Windsor all the time to find employment for them and a lot of them have never heard of the department.

That is their own fault. It is not the fault of the minister and it is no criticism of the method of operation. They may not have made themselves aware of a department such as yours, but they would like to know of job opportunities and there is no single source in government where they could apply to find out the type of opportunities available to them.

All of your jobs should be funnelled through one source in government, so that the university student applying would apply to one department, or one branch of the government, and in that way know that there are X number of jobs in this type or category available for summer so that he or she could apply for them. It is extremely difficult for them to find out that these opportunities are available.

**Hon. Mr. Grossman:** In the first place, Mr. Chairman, we recruit staff from all the universities, so somebody at the University of Windsor knows that there is a department. We are constantly recruiting staff from all universities. We actually advertise at the universities that we need social workers and other staff.

Insofar as a central source is concerned, jobs in all branches of the government

known to the civil service commission. If anyone write to the civil service commission and shows a preference for particular type of work, they channel those requests to the respective departments. We get many from the civil service commission.

If the hon. member feels that he needs to advise anybody, they should either write to our department directly, which many do if they are interested in our work, or write to the civil service commission. Just tell the CSC what their qualifications are and quite often the civil service commission will then channel them to the particular branch of the government for which they think that person is qualified.

**Mr. B. Newman:** I can understand the Minister's reply, but I am simply trying to tell him the facts of life as they are as far as university students are concerned. They just do not know where to apply and they do not know how to apply. Not all of them, because there are still enough that do know, but the one that is timid, backward and retiring does not know. He would like to know just exactly where and how he goes about applying for employment in different departments of government.

**Hon. Mr. Grossman:** All I can say is, take it up with the civil service commission.

**Mr. B. Newman:** We will take it up next year.

**Hon. Mr. Grossman:** It is their responsibility.

**Mr. B. Newman:** Yes.

**Mr. Chairman:** The hon. member for Lakeshore.

**Mr. Lawlor:** As the hon. minister already knows, perhaps to his chagrin, the hon. member for High Park and myself have made it an appointed task of ours—quite superogatory to our other work in this House—to perambulate together to the various institutions under his guidance. I think, in summing up what we have done, we have been practically to every institution in this province—that is, to the reformatories—apart from Burwash. And, of course, Burwash is on the list.

We will not give the minister in this instance advance notice as to our attendance, but do not think on the whole that the derogatory remarks that I hear from time to time in this House are not well considered. I think, on the whole, the flak that has been generated by the two members in question has been

highly beneficial—certainly to the inmate population and secondly to the people as a whole in making them cognizant and aware of conditions of our correctional institutions, thirdly, and not least, to the minister himself.

The minister is one—for whatever motives there may be and I would deem that motives are fair on the whole—who is re-determined. He is really a minister prepared to go forward with the overall amelioration of the condition of prisoners and to try to rehabilitate such people back into our society. I am convinced of that, as I am sure, that you may speak for him, the member for Iona Park is also.

At the same time, this is a hypersensitive minister—a man who really hates to be criticized. The sensitivity on his part stands in good stead, because it does drive him to making moves and to moving in a very forward and forward way in his department. I wish all ministers in this regard were equally as sensitive to personal barbs. So, on the whole, I have no intention on this occasion of making any personal statements, or trying to barb him into activity.

I do not think that is necessary. His mood with respect to Guelph—and Guelph is a sore spot in the province. On previous occasions standing in this House I have inveighed against Guelph. You know, as you go around to the different institutions—with the possible exception of Newbrook—when you go to Guelph, we have been there many times and the atmosphere that surrounds the punishment air, you can cut it with a knife as you come in the door.

The mood of resentment in the prisoners is easily detectable. There is a morass about the place that I find quite distasteful in the fact that it is not doing anything to lift the quality or to have any effect upon the personalities of these prisoners. Is it only confirming their basic animosity toward the society with which they, by and large, feel has done them wrong? They do a little dirt in their turn and that is the effect.

But the deep psychology of the prisoners and the social class that the bulk of them come from, and the conditions of life which they have experienced—if you would look at any one of their single careers—their background, the general department of the fate of the hundred things that go into these conditions—are not and have not been, thus alleviated at Guelph.

It may be, and I have no doubt, that the large prison population at Guelph has had a detrimental effect in this particular way.

my own mind, you know, I have always been forced to contrast and compare Guelph and the Vanier Institute. But true, the conditions under which men would suffer incarceration may not be on all fours with that of women. Still, I think you are justifiably proud of the moves you have made toward the humane, personalized treatment of women prisoners. I am sure there are beneficial effects deriving from the women's institutions.

Perhaps you could discuss this—through you, Mr. Chairman, to the minister—as to what the recidivist rate in that particular area is. I would hazard a half-educated guess that it is highly favourable, because when one visits Vanier, you very often get the impression that those people—those women who are derelict, those women who are lonely, those women who feel at odds with their society—very often do not want to leave the institution.

There is companionship, pleasant surroundings, a generally humane and sympathetic air about the place, an endeavour to give a personalized touch. The girls have dolls that are able to wear the type of clothing, their own clothing; they are able to make clothing. They have vanity sets, there is a feminine touch.

**Hon. Mr. Grossman:** Take it easy. Do you want the public to ask me to close it up?

**Mr. Lawlor:** The last thing in the world.

But, whether you reduce your institution to 200 male prisoners or not, is your intention—is your drive and mood—toward making humane also their condition? Is it in the direction to recognizing the deep aspirations and needs of these individual human beings?

You get certain elements of the public who say, "Well, you can coddle them. Are you going to make it so palatable that they will want to go to prison?" But I hardly think that we will reach that status and, as the conditions exist in the reformatories, you are so far from it in the opposite direction that it really does not matter. Anybody standing up in this House and begging for a more alleviative treatment for male prisoners is working to the good of the commonwealth as far as I can see.

I do not want to discuss it at any great length, Mr. Chairman, but I think it is worthy of mention that the member for High Park and a confrère of mine, was, as I understood it, to be tried before his peers in this House, before a committee that has not as yet been formally launched so far as I know. It is rather quiescent. In no way, I wish to tell

this House, do we fear this encounter. I will not go so far as to say I actually welcome it. If it brings out the facts of the situation: it helps to make even more humane and to preserve the rights of the members of this House in terms of what may be sent to them through the mail; if it has that beneficial effect, well and good.

But being a lawyer myself I never, you know, invite interrogation. If interrogation there, so be it. One measures up to it. So that light I will not go into any of the details or facts. I shall simply bluntly say that so far as terms of politeness, cordiality or just straight courtesy are concerned I think that on that occasion we did try to observe that.

Repercussions occurred after the evening and by second thought and second sight, you know, one can be very wise after a thing happens. We certainly did not intend to, nor do I think we in fact took advantage of a man's one. It is not, I would think, our task to forewarn, and then to instruct civil service personnel that certain moves or certain statements would be ill-advised.

These statements were made honestly and in all good faith, and if they subsequently appear detrimental to the minister or to the working of the department, so be it. This is the kind of frankness democratic institutions should envisage rather than seek to repress. To that extent, therefore, that this minister is repressive of that element, repressive of voice raised within his own department in speaking to us, to that extent he is working against his own acknowledged policy, again in terms of the peculiar sensitivity that I sometimes detect in this minister.

Ranging out beyond that on terms of rehabilitation, I wonder if the member—

**Mr. Chairman:** I wonder if the hon. member is really talking about rehabilitation which comes under the next vote.

**Mr. Lawlor:** I am sitting here listening and was out of the House when it started, Mr. Chairman.

**Hon. Mr. Grossman:** Mr. Chairman, I think we have pretty well adopted the policy, and I take it that is what we are doing, of covering all the votes at one time, because they really have moved back and forth. That is all right with me as long as we understand it, and if that is all right with you, Mr. Chairman. We really have not gone vote by vote and—

**Mr. Chairman:** I am not so sure that we can keep any degree of order—

Hon. Mr. Grossman: All right, I leave it to you.

Mr. Chairman: —if we go over the entire estimate.

Hon. Mr. Grossman: Can we deal with the votes then?

Mr. Chairman: We have the departmental administration as vote 301; the next is rehabilitation of adults, and the last is rehabilitation of juveniles. It seems to me they can certainly be separated.

Hon. Mr. Grossman: I think we have dealt with 301.

Mr. Chairman: Is there anything further under 301?

Mr. Lawlor: No, Mr. Chairman, on a point of order. I sat here. I came in late. I did not know how far-ranging it was. I heard several members speak. I thought they spoke on everything under the sun. I could not see any reason for the rambling on my part not being completely in order as things sat. However, I am not going to press the point; I am just going to say if you are going to take a stand like that, please be consistent.

Mr. Chairman: I must point out to the hon. member that I was not in the chair when the vote started.

Mr. Lawlor: Well we are both in the same position.

Mr. Chairman: If, in fact, we were to take the entire department, all votes together, this would be a complete departure from anything that has ever happened before.

Mr. Lawlor: We would get it over twice as fast.

Mr. Chairman: Vote 301 carried? The hon. member for Sudbury on 301?

Mr. Sopha: Not me!

Mr. Chairman: Sudbury East?

Mr. E. W. Martel (Sudbury East): I want to take up a point with the minister on administration about which we have had some correspondence over the last several months, namely, that dealing with the ability of men to transfer.

I am talking about the staff. I am not talking about the guests. I am talking about the staff. I did some checking to find out, Mr. Minister, if other departments of govern-

ment do have a job-bidding system. I told that Ontario Hydro has a weekly system of bidding, by which a man can bid for a job in another location. Provided he has the qualifications, the experience and the seniority, he can bid for that job and obtain it.

This is where I disagree with your department, because, as I understand it, the times a man really can move, I think, under two circumstances: if you want a man to move or if he can go and talk a superintendent into accepting him.

I think this is wrong. I think a man starts in your department and has years of experience and has been faithful, has a right to move from one prison, let us say, one institution to another. Trying to get a man out of a locality, I think, is part of any job.

I know that it has worked out in a variety of places. I know that the Hydro does it. The railroad for which I worked for some and a half years transfers men every week. They have what they call a weekly bulletin and men can bid on jobs within their own qualification. If they are the senior man to apply for that job they then can move to another job. I think it is grossly unfair that men who want to apply for a job lose the job out to a man who is being hired by the department.

I think back to the Seelert case where there was an advertisement for a new man for the city jail in Sudbury, yet there were two experienced officers in Burwash who lived in Sudbury and when Mr. Seelert wanted to transfer to Sudbury he was not given the choice. The new man was given the choice. I think that was grossly unfair. I think that without much difficulty, with 4,000 employees—certainly they are not all custodial officers—I think there would be no difficulty whatsoever for you to set up a system of bidding for men in the various areas for which the men are qualified. I would appreciate the minister's reply.

Hon. Mr. Grossman: I do not know what Hydro practices are. Now that he has mentioned it, maybe I will make some investigation. It is always good to find out what some of the boards and commissions are doing.

Insofar as our department is concerned, the hon. member was not quite correct when he said that they cannot move. Where there is a promotion, they can go at our expense to be interviewed by the superintendent. If they get the promotion, we will pay their way.

But obviously the hon. member must be talking about the impracticality in that, just because the

happens to be a job open, say in Toronto, and if we pay the way—

**Mr. Martel:** I did not say anything about paying the way.

**Hon. Mr. Grossman:** You mean a man just transferring? You are talking about that? All right.

Suppose we had a shortage of staff in Sudbury. Surely it is our responsibility not to move a man from Sudbury to Toronto, where there may be others available for an opening in Toronto, making the personnel situation at Sudbury, or Burwash, even worse than it was?

**Mr. Martel:** The point I am making, Mr. Minister, is that these men have worked for you for years; they should be entitled to move around to the jobs they qualify for—for which they have the experience and the background. Certainly it must be their right to bid for a job in another locality.

I realize that you are maybe going to have some problems rehiring a few more men, but do you think it is fair to hire a new man for the jailhouse in Sudbury and leave two men who have long years of service with you in Burwash, and who have to commute daily to their work when in fact they want to work in Sudbury? I think this should be their choice.

If they are qualified, they should be entitled to that job and not some new man. Let the new man go to the inferior location for a while. Every other job, to my knowledge, or work that I have had, works that way.

I did not want to go to Nakina as a rail-roader because it is kind of a dot in the middle of nowhere, but when my seniority forced me there, I went if I wanted to work. I could then bid towards a job closer to the localities in which I wanted to work or live.

I think this is part of the whole thing that is going to give your men a much healthier attitude, because they are going to know that they have certain fundamental rights to follow their seniority and so on. Whereas, at the present time, someone with perhaps no experience can get a job that one of your men qualified for 10 years might want.

**Mr. M. Makarchuk (Brantford):** Is that why they call you "grossly unfair" Grossman?

**Hon. Mr. Grossman:** Mr. Chairman, I am not too sure that it would be good to establish a policy that a man has a right to move

some place else merely because of seniority. We may have a tremendous expense involved if it is a big province, and we just cannot take the people to see the country.

There have been instances, I am advised by my deputy, where these transfers have been made, because they would not have worked to the detriment of the place the staff was leaving. Of course, in a case like that, there is no reason why a transfer should not be made.

While we recognize that sometimes seniority factors may appear to be an injustice to a member of staff of long standing, nevertheless, we do have to concern ourselves with the responsibilities of running a department, and the running of the institutions. It does mean we are going to be short of staff or three more in an institution where at a particular time we are already short of staff. Surely the hon. member would appreciate the fact that we have to concern ourselves with this.

If it is easier to hire men for the Sudbury jail, for example, and there is already a shortage existing at Burwash, and two or three want to go from Burwash to Sudbury, it would be foolish of us to put ourselves in the position where we create three more shortages in Burwash by sending them to Sudbury.

Where this can be done I am sure the people will do it, particularly with men of long standing. If there is a particular case which the hon. member can point out—I do not recall the case, but I do remember the hon. member and I had some correspondence on it—where a further shortage would have been created, and where this could have been done and should have been done, I would be glad to look into it.

I think generally we cannot make a right of an employee, just because that happens to be an opening, for example, in Kenora and someone in L'Orignal, in east Ontario, wants to go up there, it should automatically be his right.

We have to concern ourselves with the added factors that come into play. What is the situation up in Kenora? What is the situation in L'Orignal? What will be the result of this transfer? There are many factors to take into consideration.

I can see this as a difficult problem and I can even understand the feelings of a senior member who thinks: "I have been here 10 years and I want to go there, but I am refused; but a new man comes in and gets that post." Now it is not a promotion

I am talking about, as the hon. member mentioned. We are talking about a transfer in the same category, but to another location.

I am appealing to the hon. member to see our point of view, that we have to make sure that each institution is properly staffed.

**Mr. Martel:** Let us get perfectly clear on this. First of all, I am not saying, as the minister has implied, that we should pay his way. By no stretch of the imagination am I suggesting that if a man wants to transfer that we should pay his way. That is his choice if he wants to move.

I am not interested in a particular case, Mr. Minister, this is why I am bringing it up under policy. I am interested in the overall policy.

Hydro can do it, Mr. Minister. The railroad can do it, and it is much bigger than your department—100,000 employees can move within certain jurisdictions, they can move from Nakina right from Ottawa or Toronto. They have a large work force involved.

If these people can manage to overcome this problem and they have been doing it for years and years, I am sure that if there was an investigation into it, you would find that it could work out in your department as well. It might take a little work, but you know it is a very simple thing.

You do not have that many men quitting and moving, weekly, do you? I mean your turnover, is it that great? I do not think it is. I read your document and you said you had a full complement of men, so your turnover really is not that great. And, if it is not that great, then you are not going to be confronted with a host of moves every week—as, I might say, the railroad is. Every week they have four pages of bulletins, just on the brakemen's board alone, of moves. They get by. If they have not got enough, they go and hire some more men.

I do not think today, with the unemployment situation the way it is, that you would have too much problem going out and recruiting some men. I think it is a poor policy, Mr. Minister, and I think it causes some of the unrest that I found in talking to many of the custodial officers in Burwash. I think it would improve the morale within your department if the men did have this basic right.

I would like to ask a couple of other questions.

**Mr. Makarchuk:** Mr. Chairman, on the same point, the minister seems to stress the fact

that he is concerned about his department. He seems to forget the point that the people in his department are also his department and if he is not concerned about their morale—

**Mr. Grossman:** I did not say that.

**Mr. Makarchuk:** You said you were concerned about the department and obviously the people who work for the department are part of it; you should be concerned about their morale, because they make up the department.

**Hon. Mr. Grossman:** That is not quite the way I put it.

**Mr. Makarchuk:** It seems to me that that is an extremely short-sighted position. If you have an individual who is trying to improve his position, or feels that his position can be improved, and the minister completely ignores his wishes or desires, this in a way will reflect on his morale and on the operation of the department. This, of course, is your concern.

The other point is that you say it may be difficult to hire. I would then question how you operate your department if you have a difficulty in hiring people to replace this individual. It would appear to me that there must be something wrong with your department if you cannot go out in to the labour force and hire suitable people. I again suggest that perhaps some examination should be done in this area.

**Hon. Mr. Grossman:** Mr. Chairman, I want to make it quite clear. I never put it quite that bluntly when I said I was concerned about the department. I said I was concerned—and I think if the hon. member will read *Hansard*, he will find I said that I was concerned about the department running that institution properly. That is what I said. I think of what the morale would be of members of the staff in that institution if increased the shortage of staff even more than it already was at that particular time.

These are just some of the problems—I am not suggesting that this cannot be done in some instances. I am just posing some of the problems we have in this area. Pointing out the methods of railroads and the Hydro only convinces me that this is another reason why I should take a look at some of the boards and commissions. I would like to know what they are doing and I intend to find

**Mr. Makarchuk:** If you are going to run an institution properly, surely concern for



morale of the employees within the institution is one of the things that you have to look into? Otherwise you will not be able to run your institutions properly. The walls, the stone, the mortar and the bars are not the institution; the people are the institution in this case.

**Mr. Chairman:** Vote 301.

**Mr. Ben:** Yes, Mr. Chairman, on 301.

Yesterday we were discussing, under the estimates of another department, Indians. Mr. Minister, have you any information whether or not there is an undue proportion of Indian children in the institutions, and if so—

**Hon. Mr. Grossman:** Indian children?

**Mr. Chairman:** This comes under vote 303.

**Mr. Ben:** Yes, juveniles.

**Mr. Chairman:** Vote 303, rehabilitation of juveniles.

**Mr. Ben:** Does the minister know?

**Mr. Chairman:** It comes under 303.

**Mr. Ben:** I am not asking, sir, how you are looking after them. On a philosophical point of view, I want to know if the number of Indian children in your custody is out of proportion to the ratio of the population. Do you know?

**Hon. Mr. Grossman:** I would not know that, Mr. Chairman. I am not too sure that I should make it my business to find out. When I first came into this department, as a matter of fact, the annual report referred to the ratio and/or ethnic background and religious background of the youngsters, and I had this removed.

Here again, we are on the horns of a dilemma. If you concern yourselves with Indians, as such, then you are pointing up something and treating them differently than somebody else. All I can say is that within the department whatever concerns are needed for Indian children generally, economic and social background, these are taken into consideration by our staff. I am not in a position to tell the member what percentage of Indian children we have.

**Mr. Ben:** Well, do you not think that we, the public, should know that we are getting an undue proportion of children from area B, or area C, or area D, keeping their racial background out of it? Should that not concern us? Should we not, therefore, find ways and means of going into that area and combatting

whatever it is that is causing them to become inmates in your institutions?

**Hon. Mr. Grossman:** Well, this is what I try to do within the department.

**Mr. Ben:** Well, should we not try to prevent them becoming inmates in your institutions? And the only way we can do that is by finding these cankers, or whatever it is, in our society. If the minister has not got a way to do that, what could he—

**Hon. Mr. Grossman:** I can get the information as to the locale from which the youngsters come. As a matter of fact, I think at a certain time we did have this in the report as well.

**Mr. Ben:** Well, perhaps we could get that information. **Mr. Chairman,** I note that the minister has a full-time employee counsellor on staff, but no part-time or contract employee counsellor. I imagine that the employees are entitled to a counsellor, but I was rather amazed to find you only have one employee counsellor. Would the minister tell us where he is situated, how he functions, if people come to him or if he goes to people? How can he handle all those employees that you have 3,660 full-time employees?

**Hon. Mr. Grossman:** I am advised that it is the policy of the government that the civil service commission have a representative on each department for this kind of counselling. Counselling is done by the civil service commission branch of the government.

**Mr. Ben:** You have one employee counsellor on staff?

**Hon. Mr. Grossman:** Yes, one. I am advised by my deputy that there is one in each department of government, representing the civil service commission. They do counselling.

**Mr. Ben:** May I also ask the minister whether he does not have, according to the last report—and that is a pretty up-to-date report—whether he does not have a full-time psychiatrist on staff?

**Hon. Mr. Grossman:** We have just appointed a full-time psychiatrist for our new psychiatric clinic at Guelph.

**Mr. Ben:** So you will have one full-time psychiatrist?

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

**Mr. Ben:** Do you intend to get any more full-time psychiatrists?

**Hon. Mr. Grossman:** I am not too sure. Again, I notice a repetition. The hon. member mentioned something about the same questions that we are engaged in now. I am not too sure that we need more full-time psychiatrists. You know, no one has a full-time psychiatrist, by and large. You consult psychiatrists when you need them for a particular institution, or for a particular period or for a particular inmate. We have consultant psychiatrists for the department, and we pay them, I should think, at an average daily rate that works out to \$25,000 or \$30,000 a year.

The fact is that even if we were looking for more—and I am sure we would take them if they were available, because we may as well, we are paying \$25,000 or \$30,000—it is very difficult to get psychiatrists to work in our department. Psychiatrists feel they want to be free to carry on a varying type of practice and, usually, they do not want to get involved with a government department.

Do not forget where some of our institutions are, which does not make it easier. I am not too sure it is that necessary. We get psychiatric consultation, psychiatric help on the occasions when we need it. There are psychiatrists visiting various institutions on a regular basis, perhaps two days a week, two half-days a week. I think the report probably refers to how many part-time psychiatrists we have. It advises we have 17 part-time psychiatrists at present.

**Mr. Ben:** No department other than perhaps The Department of Health has more captive subjects for study with reference to drugs. I am surprised that you do not have a full-time psychiatrist studying that particular problem as it pertains to people who end up in correctional institutions.

At Mercer, I recall, the last time I was interested directly as a critic of that department, more inmates attributed their downfall to drugs than to any other cause, either selling it, using it, or prostituting themselves to acquire the money to obtain it. I should think it would be of interest to the medical profession, at least to that degree, i.e., to carry out experiments or concentrated investigation to determine how these people got into this situation.

It would be to me a great revelation if a report was published after detailed study of the inmates at the Vanier Institute and at Mercer. Surely, it would pay the government to hire one full-time psychiatrist to do nothing except carry out a detailed study of that.

**Hon. Mr. Grossman:** We have a research branch in the department. We also work with the addiction research foundation periodically through The Department of Health. I mentioned this yesterday in my opening comments. We have a programme going on with them in Monteith. Of course, with our clinics we obviously do this kind of research. This is done in co-operation with whatever treatment personnel is required. The point I am making is that it is not always necessary to have full-time psychiatrists.

As a matter of fact, if the hon. member will think about it—how many institutions do we have, forgetting the jails? We have, I suppose, 35 to 40 other institutions. We have 14 training schools; we have 20 or 25 adult institutions. If we were to try to get a full-time psychiatrist for every one of the institutions, it would probably take all the psychiatrists available in the city of Toronto.

They are just not available, for a start, and as I say, I am still saying, we do really need to have a full-time psychiatrist. We can get along with consulting psychiatrists whenever they are needed. On the project to which the hon. member is referring, we are constantly engaged in it. We have the co-operation of the Addiction Research Foundation people who are working with us in our clinics.

**Mr. Ben:** Mr. Chairman, through you to the minister. I was compelled to ask about the absence of a full-time psychiatrist because it occurred to me, noticing the blank, you should have a full-time psychiatrist for no other purpose than to directly co-ordinate the activities of the part-time or on-call psychiatrists.

**Hon. Mr. Grossman:** We were looking for one.

**Mr. Ben:** Surely you must have some other plan for the utilization of psychiatric help when you consider the high price of it? That is what disturbed me. I do not expect you, Mr. Minister, to have one for every institution under your guidance.

**Hon. Mr. Grossman:** We do have. Surely the hon. member will notice in the report that we do have a Director of Professional Services. While he is not a psychiatrist, he is a psychologist, and it is his responsibility to see that we have enough professional services available for the department. As I mentioned to the hon. member we have been looking for a full-time psychiatrist.

**Mr. Ben:** I am happy you have one. Mr. Chairman, the minister did have quite a bit of difficulty in the Mercer with the smuggling of drugs.

**Hon. Mr. Grossman:** How would a psychiatrist solve that problem?

**Mr. Ben:** No, this has nothing to do with a psychiatrist. My question is this, and the minister always gives an honest answer—

**Hon. Mr. Grossman:** That is the next vote, is it?

**Mr. Ben:** No. I want to know if the minister is having any trouble with the smuggling of drugs into the new Vanier institution?

**Mr. Chairman:** That would be the next vote.

**Mr. Ben:** Next vote?

**Mr. Chairman:** Vote 302. On vote 301. The hon. member for York West was trying to gain the floor.

**Mr. D. C. MacDonald (York South):** No, York South.

**Mr. Chairman:** York South, I am sorry.

**Mr. MacDonald:** You had me misplaced for a moment. I did not recognize myself.

I have a suggestion I would like to raise with the minister. One of the problems in dealing with correctional institutions is the contact, that is often of fleeting nature, between people who are in the institutions or perhaps have left the institutions, and various figures in the public, including members of the Legislature. Often, I can speak from personal experience, I am sure we all can, that you will get only part of the story. If, perchance, you do not check and double check, beyond the time limit you have, you will not get enough of the story and so misrepresent it and create difficulties.

I was rather intrigued that the minister, in his introductory comments for the first time in my experience or my recollection in the House in these estimates, informed the House in a detailed way of the temporary absence programme. There were some fleeting comments on it when we got into that little give-and-take following the visit to the Vanier institute by two of my colleagues.

I want to suggest to the minister this is precisely the kind of programme that, at the time he was initiating it—not necessarily at the precise time but in advance of it or

shortly after it was initiated—the House should have been taken into his confidence with one of the minister's fairly frequent ministerial statements. We would then have been aware of the new kind of programme.

It is not new in one sense. The proposition of letting persons in our correctional institutions go out for compassionate reasons or for a temporary period is something that has been practised to a small degree—certainly has been talked about and theorized for years. If the minister had reached the stage of actually implementing and having a formal programme, I suggest the House should have been informed so he could have enlisted the support of all members of the Legislature who are inevitably going to be involved. He could have avoided some of the difficulties.

Having said that in reference to the minister, I want to say here what I have said privately to some of my friends in some of the rehabilitation organizations, the Elizabeth Fry and John Howard. There used to be, day, 10 or 15 years ago, when reform institutions estimates and issues were in the eye of the political storm on a continuous basis. There were fairly frequent contacts between these organizations and members of the Legislature, either by visits to the caucus or by letters to the members of the Legislature. In the past, I have noticed that these have tended to drop off. Contact is made periodically and usually only when we get into some little difficulty is there some sort of approach.

Just as I think it is useful for the minister on some new experimental kind of programme to take members of the House into his confidence, so, too, I think it is extremely useful and necessary that these organizations should keep in close touch, particularly with the opposition parties. Inevitably they are going to be in close touch with the department anyway. They should keep in close touch with the opposition parties so we can know of the nature of the programme, their involvement in it, the kind of problems they will run into. We will be in a position to be able to assist in those programmes.

I do not know whether there are any other imaginative and progressive moves in the direction of rehabilitation or the treatment of our inmates in these various institutions along the lines of the temporary absence programme. If there are, I want to suggest to the minister that we are here to assist in the whole programme. If we are knowledgeable about it, we can assist. If we do not know

anything about it, the minister may be creating difficulties for himself and, more particularly, for the people whom we are trying to assist.

**Hon. Mr. Grossman:** Mr. Chairman, I have always attempted first to recognize the rights of the members of this Legislature. I have attempted—and I hope successfully—in all the years I have been in this ministry, to make sure when the House is in session, that no statement be made outside of this House without my first having made it in this Legislature. If anyone can find any instance when I have done this, I would like to know about it and I will apologize for it. I do not think there has been such an occasion because, as I say, I have been very jealous about the rights of the members of this Legislature. If sometimes I give another impression, I want to disabuse the hon. members of it.

I did explain the temporary absence programme when we passed the bill in July 1968, when we passed The Department of Correctional Services Act—if the hon. member will take his mind back to then—he will remember that I said there were two sections of the Act which could not be proclaimed at the same time as the balance of the Act because we were awaiting federal legislation. At that time, if he will go back into the record, he will find that I explained that sections 19 and 20 were the two sections which awaited federal legislation. I explained in detail what the programme was all about.

As soon as the federal government passed the necessary legislation, we proclaimed these two sections which was on August 26 last year. We immediately put the programme into effect and at that time there was a public statement made on it, but the House was not in session. If the hon. member thinks there should be something else established to advise members, I do not know what. It may be that there is some other system, but I really think that I followed the proper action. It was explained in the House when the bill was passed. It was explained in committee in detail, and when it was proclaimed, it was announced publicly. Other than that I do not know what else I can do.

**Mr. MacDonald:** I do not want to belabour the point, Mr. Chairman. I have made it, the minister has responded, and is sympathetic to it. I just want to suggest that some of the difficulties we have got into recently, not only in relation to the minister, but in relation to some of the organizations working in the field, were because we were not aware of

their involvement, and the extent of their involvement. I think if we are knowledgeable, we are going to be in a position to assist.

**Hon. Mr. Grossman:** Mr. Chairman, I want to make something else clear for the record. Every press release going out of the office having to do with the work in the department is supposed to go to the agency involved with our work. If there is some case where this has not happened, I would like to know about it. I do not think it has. We want to keep them all public and they all get a press release. Now, I do not know; should a press release go to the members of the House? I do not know.

**Mr. MacDonald:** We get enough news to think.

**Mr. Chairman:** The member for Humboldt.

**Mr. Ben:** Yes, Mr. Chairman—

**Hon. Mr. Grossman:** Pardon me. I ask the pardon of the hon. member. Was the member for York South suggesting that perhaps those releases should go to the caucus?

**Mr. MacDonald:** Certainly it would do no harm to send them to the people who are critics for the department.

**Hon. Mr. Grossman:** I am advised by the director of information that they do go to the caucuses.

**Mr. MacDonald:** I am a little hesitant to invite a still greater flow of releases to the caucus, quite frankly, I cannot read what I am getting now, much as I should be and perhaps am interested in the topic. But I have not gone to specified people in the department, who, you know, in any given year to be the people leading off in that department, could see it.

**Hon. Mr. Grossman:** I am advised by the director of information that, in fact, the caucus does get that press release as well. Does the hon. member prefer that we send it to the official critic, or does it make any difference?

**Mr. MacDonald:** If you are running 1,000 copies send one to both the caucus and to the official critic.

**Hon. Mr. Grossman:** I will take that; it will do that.

**Mr. Ben:** Mr. Chairman, the minister is telling us that the question of the differ-

in the remission fines has now been resolved. The report also indicates that 90 per cent of the inmates in the institutions under his control are there for 12 months or less. With the women, I imagine it runs even higher than that.

Whatever happened to the Fauteux report? Is there any chance of the federal government stepping in and assuming responsibility of the institutions under your control where, let us say, the prisoners are sentenced to 12 months less a day, for example, because there are so few in your institutions serving more?

**Hon. Mr. Grossman:** The Fauteux report actually recommended that the provinces look after those who were sentenced to less than a year—and, in fact, that there be no sentence between six months and a year or, in fact, of six months or less—and that the federal government look after all the others.

**Mr. Ben:** So what is happening here?

**Hon. Mr. Grossman:** Nothing has happened to it so far. I have an idea that the Solicitor General may be thinking about it at this time. They have a new minister there, and he has been reviewing everything in the field. As a matter of fact, I think the Ouimet commission recommended the same thing.

**Mr. Ben:** The Fauteux report is not that recent.

**Hon. Mr. Grossman:** Oh no. The Ouimet committee just reported a few months ago. As a matter of fact, the theme throughout the report seems to be that provinces like Ontario would be better off if they kept present controls or took more control rather than the federal government.

**Mr. Ben:** Well, I think that with the administration of justice being a federal responsibility, perhaps they could relieve us of some of the responsibility of looking after the institutions that house the people who are sent there because of the administration of justice. One way of equalizing grants, let us say, would be for them to relieve us of some of our responsibility. This province has relieved the municipalities of the cost of administration of justice, and I think it is high time the federal government stepped in and were as kind to you, or to us as a province, as the province has been to the municipalities in assuming the cost of housing inmates who are serving two years or more. I only hope that the minister will continue to jog the memory of the Minister of Justice in Ottawa so that he will continue to think about this

problem and perhaps in some way obtain results.

Vote 301 agreed to.

On vote 302:

**Mr. Ben:** Vote 302, Mr. Chairman, has to do with the rehabilitation of adult offenders. I have been going through the public account and the present estimates, and I am at a loss to understand why I do not see grants being made to the halfway houses, like Leona House and others.

**Hon. Mr. Grossman:** They do get grants—very substantial grants. They get them from The Department of Family and Social Services.

**Mr. Ben:** I am very happy to hear that, but you can understand my surprise, because they do perform a very useful function in the regard.

**Mr. Chairman,** through to the Minister, you may recall some years ago I pointed out that a survey was taken—I believe it had to do with the St. Vincent de Paul prison in the province of Quebec. This showed that only eight per cent of those who had received vocational or other training in the institution followed that particular trade or calling after they left the institution. Do you have any recent statistics to show what success you perhaps have in guiding one of your inmates into a line of endeavour after he leaves a legitimate line of endeavour, that is?

**Hon. Mr. Grossman:** Of course, this is the purpose of our after-care service which follows through and attempts to place them in work. They are successful in doing so on many occasions and not so successful on others. We do not have limited authority after a man is released. This is, of course, the purpose of parole, that we can supervise him during the parole period and have something to say about his activities. We do everything we can in the regard. I would point out again, as I do every year and perhaps even during the year, that we only have them for short terms and you have to pick those vocations and those trades with which you can do something useful during the short period of time we have.

**Mr. Ben:** Well Mr. Minister, my question was, have you been able to follow up and determine what benefits have been arising from these courses that you have been giving? How many, for example, who have experienced—

**Hon. Mr. Grossman:** We do not have the figures.

**Mr. Ben:** You do not?

**Hon. Mr. Grossman:** We do not have those figures. It requires the kind of research that will give us some sort of right to go and knock on the door of an ex-inmate perhaps in a year or two years after his sentence has been discharged.

**Mr. Ben:** Well, Mr. Minister, do you not think that it might perhaps facilitate your endeavours to make these people more useful citizens than they were before they came in, if you knew exactly what the benefits of your programmes were?

**Hon. Mr. Grossman:** Yes.

**Mr. Ben:** For example, in Guelph you run all kinds of programmes; you have a knitting mill there, a barber shop, a paint shop. If you were to find out that more people who went to your body shop are now gainfully employed at that occupation than went through some other shop, would this not lead you to the conclusion that perhaps you should have more body shops?

**Hon. Mr. Grossman:** All the hon. member is saying, Mr. Chairman, is that we should have enough and sufficient well-qualified researchers to know what portions of our programme are paying off.

**Mr. Ben:** That is the way I put it.

**Hon. Mr. Grossman:** That is the kind of research we would like to have. It is very difficult to establish. We do research as far as we are able. But when the hon. member suggested, would not it be handy for us to be able to go after a man a year after he was released, that is easier said than done, because he does not have to have anything to do with us. Sometimes they will co-operate, but other times they just want to disappear into anonymity. The hon. member can understand that. That is why we cannot document as many of our successes as we would like.

Let me just give the hon. member a short figure on one aspect of training that we were able to follow through. These are the statistics to date from 1966 for the oil burner course in Burwash: total number enrolled, 137; total not qualifying, 22. There were 37 dropouts from the course. The present number in the course as of today is nine. The total receiving class two probationary licences were 69. Of these, we have been able to establish that a minimum of 20 have been employed as service men since that time.

You know this is not the kind of research that you would like to do. You would like to put your teeth into the whole process of all of the programmes. This is what we hope to do when we are able to build a proper research branch with sufficient funds and sufficient legal rights to go after someone for a period of time after he is released.

**Mr. Chairman:** Vote 302 carried?

**Mr. Ben:** Mr. Minister, I am just sorry you feel that it takes that much money that you have to acquire some special rights. They did it in Quebec; I am sure you could do it. You must have thought it was unnecessary because you looked into the matter of the man who studied the repair of oil burners. I am sure you might profit just as much from going into something else.

**Hon. Mr. Grossman:** We are advancing

**Mr. Ben:** It is a one-shot deal or—

**Hon. Mr. Grossman:** We are advancing computer systems.

**Mr. Ben:** One in a 10-year deal. I think you might—

**Hon. Mr. Grossman:** We hope to be able to do this in a matter of two or three years.

**Mr. Worton:** Mr. Chairman, I wonder if the minister would give us a case example of a man who has served his six-month period and is then let out. There is not a position available for him. About how many days would he be given on release? Would his hospitalization be paid up? Would his Ontario benefits be in effect? Have there been any negotiations with the federal government to see if credit could be given to an unemployment insurance book?

**Hon. Mr. Grossman:** I will have to get the hon. member figures of what a man gets when he is released and the after-care agency is satisfied that he is well motivated and that he is prepared to work with the after-care people. There is practically no money to which the after-care branch will go to help him. If he needs money for rent for a few weeks they look after it. If he needs tools, they look after it. If he needs money for room and board and that sort of thing, they will do all the way to help the man, providing he is prepared to go along with the kind of assistance they think he needs.

You do not get a tremendous number of men that well motivated to accept this. A

large proportion want nothing to do with officialdom when they are through. They turn their back on the department and on officialdom, as they call it, and want nothing further to do with it, but those who are prepared to work will get every possible assistance from the after-care branch.

**Mr. R. H. Knight (Port Arthur):** Mr. Chairman, I just wanted to ask the minister how his department's battle on notoriety is coming along. I still figure that the biggest problem of the offender once he has completed his rehabilitation period, at least within the walls, is that notoriety that is waiting for him when he steps out. The thing that follows him, if not in an exterior way, at least in an internal way for him.

I think I brought up an idea last year that everybody laughed at, but I still think we are going to have to get to it one day. That is to make a big deal out of it when somebody has completed their term and is prepared to face society again.

I think that this department should be in—not exactly the propaganda business—but they should be in the business of helping society to adjust to criminals. Its business is primarily helping the criminal, or the former criminal, to adjust to society, but this society still has not grown up to the point where it really gives the guy a break. The leadership, I think, has got to come from this department.

**Hon. Mr. Grossman:** Mr. Chairman, this is precisely the purpose of members of the department and myself speaking at public functions, service clubs and so on, in order to recruit the sympathy of the public for our work, and we speak along the lines the hon. member suggests, that they should not hold it against a man who is trying to make good because he has a record.

**Mr. Knight:** I would like to say more on this, but perhaps I should move we adjourn the debate. I would like to question the minister further on this.

**Mr. Chairman:** Just one more question?

**Mr. Knight:** No, I have a few more questions on it.

**Hon. Mr. Grossman** moves the committee of supply rise and report it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. A. Grossman (Minister of Correctional Institutions):** Mr. Speaker, tomorrow we will proceed with second readings, particularly the bills on the order paper for the Minister of Municipal Affairs (Mr. McKeough). I suppose that is sufficient notice to the members. We will carry on with estimates, there is time, in the afternoon session—estimates, and I presume they will only take another 10 minutes—and then we will proceed with Public Works.

There will be an evening session, and we will continue with estimates during the evening session.

**Hon. Mr. Grossman** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.











# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Thursday, April 30, 1970  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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Boating speed limits on waterways, questions to Mr. Wishart, Mr. Ruston .....	
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Recess, 6.00 o'clock .....	

# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 30, 1964

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon in our galleries we have students from St. Cecilia Separate School in Toronto, from Martingrove Collegiate Institute in Islington and from Georgetown High School in Georgetown. Later today there will be students here from Assumption College High School in Windsor, St. Jean Baptiste School in Belle River, South Lincoln High School in Smithville and Puce Public School in Belle River. This evening we will have Sea Rangers from Oshawa, Girl Guides from Mississauga and Scouts from Ancaster.

This afternoon, I am pleased to advise the members that in Mr. Speaker's gallery there is a very eminent Canadian visiting us, Mr. Speaker Murray of the British Columbia Legislature. I am sure we welcome him here. With him is his secretary, Miss Poulton, and Mr. Hall, his electrical engineer, who is with Mr. Speaker Murray to look at our *Hansard*.

Statements by the ministry.

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, earlier this month I promised the House a further announcement regarding a series of meetings planned this spring throughout southern Ontario to meet with members of municipal councils, planning boards, conservation and naturalist groups, industry people and citizens generally interested in proposals regarding the operation of pits and quarries in the province.

Today I should like to inform the House of the dates for those meetings and to table a supplement to the original report of the mineral resources committee. This supplement has been prepared by members of this technical committee to clarify some of the misunderstandings and some of the misinterpretations that have arisen since the publication of the original report.

The hon. members will recall that about a year and a half ago I appointed a technical investigating committee to report on the need and feasibility of province-wide control and regulation of pits and quarries, particularly

with regard to hours of work, safety regulations and other matters of an operational nature, and as well with regard to the principles of designating land for pit and quarry use and their subsequent rehabilitation. A committee was made up of representatives of the Department of Mines, The Department of Municipal Affairs, the regional development branch of Treasury and Economics, and the industry itself.

The committee's report was tabled in the Legislature last December and then circulated widely to municipalities and others for observation and comment.

I must say sir, that I was somewhat startled by some of the reaction to the report. First, because many of the comments were based on assumptions that the committee's report was provincial government policy. I had tried to reassure municipal officials and others with whom I have discussed the report—let me take this opportunity to again reassure the hon. members—that the government had not committed itself to the details in any way whatsoever.

These are recommendations and proposals to the government, nothing more than that. They are proposals to me, as Minister of Mines, and to the government regarding various kinds of policies the government should be considering. The whole purpose of the committee and the report was to promulgate a set of principles which could be circulated among interested municipalities and others for their action and comment.

I share with some municipal leaders and others a certain apprehension about the implications of some of the committee's proposals. I also share with others a certain difficulty in understanding the precise meaning of some sections of the report and because of such widespread misunderstanding, I asked the committee to prepare this supplement.

The supplement contains no new proposals; rather it is an attempt by the committee to clarify the more provocative of its earlier recommendations so that everyone might have a better understanding of them.

Let me again make it quite clear that this supplement is a report to me as Minister

Mines; it is not a statement of government policy. I might say, however, that there are some sections of the report with which I personally, wholeheartedly agree; as well there are others with which I most assuredly disagree.

For instance, I disagree with the tenor of the report respecting the undue emphasis of the needed exploitation of our mineral resources, simply because the resources are located where nature has deposited them. I appreciate, and I hope the hon. members appreciate, that in our planning proposals we cannot move a gravel pit operation around in the same way that we can locate a shopping centre. But very obviously, the location of pits and quarries, even though restricted by the very nature of the operations, also has to be further restricted in location having the total public interest in mind. I want to assure the House that I do not intend to recommend legislation which would permit such development using as a sole basis the fact that the deposit was located where nature had left it. Urban development, park and recreation needs, topography, transportation, agriculture, conservation and many other factors than mere geology have to enter into such decisions.

A further disagreement I have with the report is the discretionary power suggested for civil servants, and specifically the chief engineer of mines. In many instances, the discretion, conforming to all of our concepts of ministerial responsibility, if there has to be discretion, should be vested in the minister.

However, I hope that after this series of meetings with municipal leaders and others in the coming weeks, most of the people concerned will have reached at least a partial consensus on what action the government should take regarding this very crucial issue of the regulation of pit and quarry operations in the province.

And now, sir, I would like to table a list of the dates and locations of each of the conferences. May I add that invitations will be going out to the members whose ridings are closest to the respective meeting locations, although certainly all members are invited to attend any or all of the meetings they may choose. All of the meetings start at 7.30 p.m.

The first one for the Ottawa region is on Thursday, May 7, that is a week tonight, in the Bell High School at Bells Corners; the second will be for the St. Catharines area on Tuesday, May 12, in the Sir Winston

Churchill Secondary School; the third in Kitchener, Thursday, May 14, in East Collegiate; the fourth in Kingston on Friday, May 19, in the Kingston Collegiate Vocational Institute; the fifth in Uxbridge on Thursday, May 21, in the Uxbridge Secondary School; the next in Barrie on Tuesday, May 26, in the Barrie District Central Collegiate; the next in Brampton on Wednesday, May 27, in Central Peel Secondary School and the last one in London on Thursday, May 28, in the South Secondary School.

**Mr. Speaker:** Oral questions.

**Mr. V. M. Singer (Downsview):** Speaker, I have a question of the Minister of Energy and Resources Management. What action is necessary on the part of the province of Ontario to effect federal Fisheries Minister Davis' ban on fishing in the Ottawa River?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Well, Mr. Speaker, as the article in this morning's paper indicated, we, the Ontario government and the Department of Lands and Forests, require a ban on fishing. —I believe this is correct—the federal government to impose a ban in respect to commercial fishing. As far as sports fishing is concerned, this is something that the Ontario government can do unilaterally.

**Mr. Singer:** By way of a supplement, could the minister advise us what action is going to take and how soon?

**Hon. Mr. Kerr:** Mr. Speaker, as the member knows, this is something that is a prerogative of the Minister of Lands and Forests (Mr. Brunelle). However, I can assure that we did have a meeting this morning as a result of the telegram from the federal minister and decisions should be made this week.

**Mr. Singer:** Mr. Speaker, I have a further question of the same minister. Does the minister agree with Donald J. Collins, head of the Ontario Water Resources Commission, that Canadian and U.S. needs for water resources management and pollution control are on a collision course?

**Hon. Mr. Kerr:** I would like to have that question repeated, Mr. Speaker. I am sorry.

**Mr. Singer:** Does the minister agree with Mr. Donald J. Collins, who is the head of the Ontario Water Resources Commission, in a statement that was recently referred to on the front page of the Toronto *Daily Star*, where Mr. Collins suggests that Canadian and

U.S. needs for water resources management and pollution control are on a collision course?

**Hon. Mr. Kerr:** Mr. Speaker, I am sure that is a statement that is out of context; it may have been some sort of a statement, or possibly a talk or speech, given by the chairman of the OWRC. For example, I would want to know the reasons behind a statement like that. Certainly we are having problems as to the management of waters that are international, such as the Great Lakes and the St. Lawrence River. However, I am hoping that with the new legislation being posed in the House of Commons in Ottawa there will be no danger of a collision course.

**Mr. Singer:** By way of supplementary. I can send the minister a copy of this question, but would the minister get a copy of Mr. Collins' remarks, because this story is quite explicit and it seems that he suggests that Canada and the United States are having great difficulty getting together. Would the minister agree with this statement?

**Hon. Mr. Kerr:** There are instances of that, yes. For example, over the matter of mercury contamination and the banning of commercial fishing in the Great Lakes. The hon. member knows what the individual states are doing; for instance, Ohio feels that fishing should be banned in Lake Erie. Our information, both federally and provincially, is that this is not necessary, at least at this time. So this is one of the reasons why we are going to have a conference in June.

**Mr. Singer:** Mr. Speaker, I have a question of the Minister of Lands and Forests, who is not here at the moment, and of the Minister of Trade and Development (Mr. Randall) who is not here.

**Mr. Speaker:** The member for York South.

**Mr. D. C. MacDonald (York South):** I have a question of the Minister without Portfolio, the hon. member for Stormont, in his capacity in connection with the St. Lawrence Parkway. What explanation is there for the thousands of carp being washed up on the shores of Ault Island No. 1 in the St. Lawrence Parkway system? Secondly, why have these not been cleaned up in order to avoid the danger of a pollution hazard?

**Hon. F. Guindon (Minister without Portfolio):** Mr. Speaker, I have received no official communication from the St. Lawrence Parks Commission. However, I was in touch with

people from my riding last evening and I was informed by the chairman of the pollution committee that there have been a large number of dead carp along Ault Island which I believe, by the way, is not within the jurisdiction of the commission. In any event, the chairman of the pollution committee told me that to the best of his knowledge this was not through poisoning of any kind but because of the lack of oxygen caused by the thickness of ice. When I go back home tomorrow Saturday, we will see that these fish are picked up and that the beaches or whatever will be cleaned up.

**Mr. MacDonald:** Mr. Speaker, by way of supplementary question. I am certain we will be interested in the official explanation of the kill—the alleged lack of oxygen. I think this is an interesting case that may have wide application.

**Mr. Speaker:** The hon. member will please ask his supplementary question.

**Mr. MacDonald:** Yes. My supplementary question is, why do dead fish, producing an ever-great aroma for the surrounding area, there for a whole week without somebody accepting responsibility for their clean-up?

**Hon. Mr. Guindon:** Mr. Speaker, I cannot substantiate that statement until I go home. That is not what I was—

**Mr. MacDonald:** I know they were there last weekend. I saw them.

**Hon. Mr. Guindon:** Not to my knowledge. We will look after it right away.

**Mr. Speaker:** The member for Essex South has a supplementary.

**Mr. D. A. Paterson (Essex South):** A supplementary question, Mr. Speaker: I believe this is in Lake St. Lawrence, and that is the source of the municipal water supply for Cornwall. Have officials of the OWRC been in there to test this water and make sure it is safe for the people of your city?

**Hon. Mr. Guindon:** Yes, Mr. Speaker, I believe Lake St. Lawrence is the source of water for the city of Cornwall. I know that many officials of OWRC have been in our area some time, and I presume they would have tested both Lake St. Lawrence and downriver from Cornwall east to Lake St. Francis.

**Mr. Speaker:** Has the member for York South any further questions?

**Mr. MacDonald:** I have further questions but the appropriate ministers are not here, Mr. Speaker.

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

**Mr. G. Ben (Humber):** Mr. Speaker, a question of the Minister of Municipal Affairs: is the minister contemplating introducing amendments to The Planning Act to take into consideration the apparent inconsistencies between the decision in re Venta Investments Limited versus Newman, which is reported in 1970, 1 O.R. 589, and the decision re Priamo *et al* and H. Harmon Leader Company Limited, also reported in the same volume?

For the minister's enlightenment, one case held that if A and B hold land, and either A or B hold adjacent land, they have to get the consent because you are adjacent owners. One case held that they were, and the other case held that they were not.

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Amendments to The Planning Act are always under consideration, Mr. Speaker.

**Mr. Ben:** Well, that is a big help! Is the minister giving any consideration to passing an amendment to The Planning Act which would make one consent last forever, so to speak?

**Hon. Mr. McKeough:** Amendments to The Planning Act will be brought forth in due course.

**Mr. Ben:** And one other supplementary question. When is the minister going to give up being a parrot?

**Mr. Speaker:** Was the member for Windsor West wishing to ask a question? The member for Wentworth.

**Mr. I. Deans (Wentworth):** I have a question of the Minister of Energy and Resources Management.

Could the minister indicate whether an appeal has been proceeded with against the recent decision of the court of appeal to quash the conviction of the coke company in the township of Saltfleet for pollution of the air?

**Hon. Mr. Kerr:** No, Mr. Speaker. The law officers of the Crown, if you like, or the legal people in my department, now have a transcript of that trial, and they are now preparing a recommendation to me as to whether or not an appeal should be launched, or whether the Act should be amended.

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

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

Is the minister aware of the rundown appearance of the new tourist reception centre on Huron-Church Line south of the Ambassador Bridge; and what does he plan on doing to overcome that rundown appearance, certainly is not indicative of a progressive province.

**Mr. Speaker:** Order: The hon. member asked his question. He need not make a comment on it.

**Hon. J. R. Simonett (Minister of Public Works):** No, Mr. Speaker, I am not aware of the condition of this particular building. I will check with our people and see if there is any programme this year to update it.

**Mr. R. F. Ruston (Essex-Kent):** A supplementary, Mr. Speaker: this building has been built in the last year or two; would it be that there are still some malfunctions in construction that caused it to go this way soon?

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

**Mr. W. Ferrier (Cochrane South):** Speaker, I have a question of the Minister of Education.

Is it customary for school boards to require the services of lobbyists for the purpose of expediting approval of loans and receipt of grants through The Department of Education?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I do not quite understand the question. I do not think it is customary to wonder if the hon. member would mind repeating it, so that I will be sure.

**Mr. Ferrier:** Is it customary for school boards to require the services of lobbyists for the purpose of expediting approval of loans and receipt of grants through The Department of Education?

**Hon. Mr. Davis:** No, that is to the effect that all of us are lobbyists in that we represent the people in our areas. If the hon. member is saying that members opposite, as well as members here, from time to time visit the office to expedite certain things or seek certain information, I guess to that extent we are all lobbyists.



**An. hon. member:** Is the minister's office a lobby?

**Hon. Mr. Davis:** Well there are some days when I think my office is a lobby, yes. But I would say this, that I do not know of any boards that do retain, shall we say, professional lobbyists to do this.

**Mr. Ferrier:** A supplementary question, Mr. Speaker: can the minister explain the role that the lobbyists hired by the Timmins public School Board played in the decision of The Department of Education to approve the building of, and expenditure for, the French-language secondary school in Timmins?

**Hon. Mr. Davis:** Mr. Speaker, I do not know of any lobbyists at all. The approvals are treated in a very routine fashion. I have not dealt with any lobbyists from any community in that sense of the word.

**Mr. Ferrier:** A supplementary question, Mr. Speaker: is the minister aware that the Timmins Board of Education has approved payment of \$559.80 to J. Wilfrid Spooner, former Municipal Affairs Minister, for his help in cutting red tape with the Ontario government, as reported in the *Timmins Press*, on Wednesday, April 29?

Interjections by hon. members.

**Hon. Mr. Davis:** Mr. Speaker, I would say that any organization that can avail itself of the very expert services of one Wilfrid Spooner, of course, as far as I am concerned—

**An hon. member:** Is that what one has to do to get action?

**Hon. Mr. Davis:** Does the member want an answer or does he not? As far as I am concerned, while I do discuss the problems of the hon. member's riding from time to time with one Mr. Spooner, it is always in the interests of the people of that riding—

Interjections by hon. members.

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

**Hon. Mr. Davis:** I must also confess, Mr. Speaker, that I really do not recall speaking to Mr. Spooner about the approval of the French-language high school in Timmins.

Interjections by hon. members.

**Mr. Speaker:** Order!

Further supplementaries? Then the member for Rainy River has the floor.

**Mr. T. P. Reid (Rainy River):** I have a question of the Minister of Energy and Resources Management.

Is the minister aware of the situation involving the water supply at Bondhead? Can he inform the House if the OWRC has tested and informed the citizens of the quality of their water and when they can expect the water supply to become available? And is the minister aware that they are now allotted two gallons of water a day for their needs?

**Hon. Mr. Kerr:** Mr. Speaker, the member—

**Mr. T. P. Reid:** Bondhead.

**Hon. Mr. Kerr:** Bondhead, yes. This is a type of question, Mr. Speaker, that requires only a short note to me; I could get the information and get a reply back to the member. Really, on an individual incident like this, I cannot be expected to know everything that is going on, particularly in northwestern Ontario.

**Mr. T. P. Reid:** This is just north of Toronto.

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

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

On March 10, 1970, on page 423 of *Hansard*, the member for Wellington-Duffin (Mr. Root), speaking on the Ontario Water Resources Commission, made the following statement:

In response to this demonstrated need, a laboratory-skilled, phosphorous removal system was developed which would apparently give effective economical results on a large-scale installation. In April, 1969, it was placed on a stream as a pilot plant unit at the Richmond Hill sewage treatment plant. The system, involving phosphorous removal by calcium hydroxide—lime—with subsequent sludge-treatment, was successful and was made public in September, 1969.

The questions that follow are for the record: how long, how much raw sludge has been produced, and what was its final disposal?

Does the Ontario Water Resources Commission have regulations regarding the disposal of raw sludge on agricultural lands?

Since the beginning of the pilot operation, how much sludge has been processed, how many cubic feet of methane gas have been produced?

In a recent article regarding this plant, the Ontario Water Resources Commission official stated the plant was functioning adequately.

**Hon. Mr. McKeough:** What was the question?

**Mr. Pilkey:** Well, I have asked three questions now.

**Mr. Speaker:** I would rule that the hon. member is asking a question which is not of that urgent public importance that it should take its place in the question period; therefore, it is out of order. He can get his answer in another way.

The member for Scarborough East.

**Mr. Deans:** Were you prompted by the remarks of the Minister of Municipal Affairs?

**Mr. T. Reid (Scarborough East):** Mr. Speaker, I have a question of the Minister of University Affairs. Is The Department of University Affairs—

**Mr. Pilkey:** Urgent public importance!

**Mr. T. Reid:** Is The Department of University Affairs giving leadership in the area of co-ordination of expensive graduate degree programmes among the 14 provincially assisted universities? And if so, can the minister—

**Mr. MacDonald:** It is costing them votes every time they do a thing like that. Cheer up!

**Mr. T. Reid:** If so, can the minister explain the current situation in which, on the one hand the department of chemistry at the University of Toronto rates the employment prospects of PhDs in chemistry as poor and is cutting back on such enrolment; and on the other hand the departments of chemistry at the universities of Guelph, Western Ontario and Waterloo are currently paying for advertisements for students to enroll in their graduate chemistry degree programme?

**Mr. M. Makarchuk (Brantford):** What is he doing, giving a speech?

**Hon. Mr. Davis:** Mr. Speaker, I think the answer to the question is yes.

**Mr. H. Peacock (Essex South):** Question? What question?

**Mr. T. Reid:** Supplementary to that: what is the minister going to do about the lack of co-ordination and planning among these graduate departments of the 14 provincially-assisted universities?

**Hon. Mr. Davis:** Mr. Speaker, if the hon. member will read very carefully a certain

report of the committee on university affairs—Dr. Wright's report—that was presented to this Legislature, I think some three years ago, and the discussions held in this House relevant to this document—and if he examines what has gone on in the universities in the field of graduate work being co-ordinated by the deans of the graduate schools within the universities, the formula that applies there and the co-ordination that has developed over the last two or three years, I think you will recognize we have made very significant progress in graduate work in this province and avoid duplication—

**Mr. Makarchuk:** Somebody should push another button to switch him off!

**Hon. Mr. Davis:**—and in an endeavour to make these courses as relevant as we can to the needs of the total community.

**Mr. Speaker,** I have to acknowledge we have not as yet reached perfection and you know it will take a while.

Interjections by hon. members.

**Mr. T. Reid:** A supplementary question I dare, Mr. Speaker. Is the minister aware that there is a crisis in employment among graduate students with PhDs and post-doctorate fellowships in this province; and not, why not?

**Hon. Mr. Davis:** Mr. Speaker, I recognize that there are employment problems for a number of graduates from a number of institutions. I recall reading a speech, Mr. Speaker, reported in the Fergus paper, or at least in the Guelph paper, made by the member, I think, for Scarborough East, relating to this in which he laid most of the responsibility for this problem at the doorstep of the federal government.

**Hon. J. H. White (Minister of Revenue):** Quite right!

**Hon. Mr. Davis:** Now, Mr. Speaker, I am not going to quarrel with that particular story.

Interjections by hon. members.

**Mr. T. Reid:** May I ask the minister if he will look into this? Will he go onto campus and listen to graduate students with PhDs and find out what their problems are directed from them?

**Hon. Mr. Davis:** Certainly, I shall find out what their problems are.

**Mr. T. Reid:** May I ask where the minister has been the past week?

**Mr. Speaker:** Order, order! The member for Brantford.

**Mr. E. R. Good (Waterloo North):** May I ask a supplementary?

**Mr. Speaker:** A supplementary?

**Mr. Good:** Yes. Is the minister aware that as of a week ago, of graduating students with PhDs at Waterloo University, none had found jobs? And the university is advertising at taxpayers' expense to seek more candidates to work for PhDs next year!

**Hon. Mr. Davis:** Mr. Speaker, we can get into a very long dissertation on this and I will be delighted to do so during the estimates of the department. If the hon. members opposite are asking this with a suggestion that we should curtail graduate work at the university; if they are suggesting that The Department of University Affairs should be responsible for guaranteeing to every student that when he enters his doctoral work there will, in fact, be a job available at the time he completes that work—I think, Mr. Speaker, that is being a little bit far-fetched.

**Mr. T. Reid:** Too big a job for the department! Is that right?

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

**Mr. Makarchuk:** Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Has the minister considered stopping or eliminating traffic in downtown areas when the pollution index reaches the dangerous level?

**Hon. Mr. Kerr:** Mr. Speaker, as the hon. member knows, the air pollution index deals with SO<sub>2</sub> and particulate matter. However, if there was a situation where the index reached a very dangerous level—

**Mr. MacDonald:** What is that?

**Hon. Mr. Kerr:** Something, say, over 50 or 60 or 70—something about there—we may have to curtail traffic.

**Mr. Makarchuk:** By way of a supplementary, Mr. Speaker: Am I to take it from the minister's answer that he does not monitor the nitrous oxide content in the air?

**Hon. Mr. Kerr:** Not specifically, no.

**My Speaker:** The member for Waterloo North has a question?

**Mr. Good:** I have a question of the Minister of Municipal Affairs: In the light of his statement at the municipal-provincial conference that shifts in assessment could be corrected by variation in taxation classes rather than in assessments, would he see this as a function of the municipality at figuring out variations in tax rates?

**Hon. Mr. McKeough:** No, Mr. Speaker would not. I realize that was part of the Liberal position paper which was distributed at the conference. I cannot think of anything more damaging to the municipalities of the province if we arrived at the point where we had 900 and some odd varying rates of taxation on various classes of property. It would be utterly chaotic. We would be right back to the state where we were a few years ago when municipalities were allowed to put fixed assessments.

**An hon. member:** Pranged again!

**Mr. Good:** By way of supplementary: does the minister agree that this variation is different from one municipality to the other?

**Hon. Mr. McKeough:** It has been by assessment practice, but not by taxation law.

**Mr. Good:** If so, then the minister agrees that Queen's Park is better able and better suited to define the differences of tax shifts between the municipalities than a municipal council.

**Hon. Mr. McKeough:** I did not say that. What I said was that I do not think it would be beneficial to the people of this province to let alone the municipalities of this province if we had 900 varying rates of classes of taxation in this province. I cannot think of anything more divisive in this province than that fool suggestion of the Liberal Party.

**Mr. Speaker:** The member for Middlesex South.

Interjections by hon. members.

**Mr. K. C. Bolton (Middlesex South):** Mr. Speaker, I have a question of the Attorney General. Has it been brought to his attention that the entire clerical staff, 30 people in number, walked out of a provincial court building yesterday because of intolerable working conditions, namely the heat? It was 90 degrees and there was evidence of noxious fumes; this was in Talbot Street, London.

**Hon. A. A. Wishart (Minister of Justice):** Yes, Mr. Speaker, I got the report.

**Mr. Bolton:** A supplementary question, Mr. Speaker. In view of the report, would he confer with his colleague in The Department of Public Works to find out why this building is still unsatisfactory after considerable renovation was made last year at the expense of the province?

**Hon. Mr. Wishart:** Mr. Speaker, we know the situation. There are many public buildings, including this one, which are not air conditioned and in which we have to work.

**Mr. MacDonald:** Heaven help us in the summer if this happens now, and it is only April.

**Hon. Mr. Wishart:** I think that probably the whole matter would be decided if we had unlimited amounts of money to renovate and air condition these buildings.

**Mr. Speaker:** The member for Essex—

**Mr. Bolton:** Sir, can I ask a supplementary question please? Is it not true that work was done last year and is now being proved to be unsatisfactory?

**Hon. Mr. Wishart:** No, I think not, Mr. Speaker. The renovations that were done are satisfactory—

**Mr. Makarchuk:** Why are they walking out then?

**Hon. Mr. Wishart:** —I admit there are more we need to do.

**Mr. Speaker:** The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** I have a question of the Minister of Justice and Attorney General. Do we have any regulations governing the rate of speed on our rivers as far as the limit of speed on our waterways is concerned?

**Hon. Mr. Wishart:** Mr. Speaker, I regret I was unable to hear the question. I wonder if I could ask it to be repeated?

**Mr. Speaker:** Would the member repeat the question?

**Mr. Ruston:** Does the minister have any new regulations covering the speed of watercraft on the inland waterways in the province of Ontario? Any regulations on speed limits?

**Hon. Mr. Wishart:** No, we do not fix speed limits at my department. We enforce the laws.

**Mr. Ruston:** If we have them! Who would be responsible?

**Hon. Mr. Wishart:** If they were navigating waters they would be, to a degree, under control of the federal jurisdiction. Inland and others areas, I would think, might possibly be under The Department of Transport although I am not certain of that.

**Mr. Speaker:** The member for Ontario South.

**Mr. W. Newman (Ontario South):** I have a question of the Minister of Public Works. In the interest of expediency in getting into the Legislature, could we ask him please to come in and do something about the electrical service in this building?

**Hon. Mr. Simonett:** Yes, I will, Mr. Speaker, immediately.

**Mr. Speaker:** The member for Peterborough. Has the member for Peterborough a question?

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to address a question to the Minister of Education. I wonder if he could tell us when he is going to introduce legislation which will allow those who are members of the colleges of applied arts and technology, the faculty members in the colleges of applied arts and technology, an opportunity to negotiate their salaries for the coming year?

**Hon. Mr. Davis:** Mr. Speaker, this matter is very high on the list of priorities of the government; I anticipate there will be news in this regard very shortly.

**Mr. Pitman:** May I ask a supplementary question? Will this allow them to negotiate their salaries for the coming year with their respective boards of governors—let me see now, I am not sure what they call them; boards of governors are they not?—for the colleges?

**Hon. Mr. Davis:** Yes. The member is right; it is the board of governors for the colleges. The council of regents is also involved, and we anticipate they will be in a position to negotiate this year.

**Mr. T. Reid:** A supplementary question, Mr. Speaker: does the minister intend to make quite clear in the regulations or legislation that the labour relations board will be instructed to determine the bargaining unit for each community college, as is normal labour practice? That is, to leave it up to the members of the faculty association.

**Hon. Mr. Davis:** Mr. Speaker, I am the member for Scarborough East and will be able to digest the legislation the moment

introduced, and we will know at that point just what the legislation will contain.

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

**Mr. B. Newman:** Mr. Speaker, I have a question of the Minister of Labour.

Is the minister aware that Loblaw Groceries in Windsor closed five stores back on Valentine's day, and now the OK Economy Food Stores, owned and operated by the Loblaw chain, are opening up in the city? And is the minister aware that many of Loblaw's employees lost employment when Loblaw departed and are still unemployed, while the new food chain coming in is still a subsidiary of Loblaw Groceries and possibly should have taken back these employees, rather than looking elsewhere for employees?

**Hon. A. Grossman** (Minister of Correctional Services): Next statement!

**Hon. Mr. Simonett:** Does the member think he can straighten that out?

**Mr. B. Newman:** I asked the minister if he was aware of all of this, and what he plans on doing concerning this?

**Mr. Speaker:** There, we have the question.

**Hon. D. A. Bales** (Minister of Labour): Well Mr. Speaker, I read that Loblaw's had closed some stores. But if another company opens other stores, surely they are free to engage new employees?

**Mr. B. Newman:** It is the same corporation that is operating the OK Economy Stores in the city now.

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

**Mr. E. W. Martel** (Sudbury East): A question of the Minister of Energy and Resources Management: because of the recent report by OWRC that 600 pounds daily of loading nickel is entering the Wahnapiatae watershed, can the minister indicate what the effects on the aquatic life will be as a result of this large concentration?

**Hon. Mr. Kerr:** Possibly the hon. member could leave that for the estimates when I have a couple of experts in front of me. Off-hand, I do not know; but I will find out.

**Mr. Martel:** Can I ask the minister a supplementary on the same analysis? Would the minister indicate to us, then, what the 0.7

iron oxide represents? Is it measured in parts per million or what?

**Mr. Speaker:** We will allow the minister also to take that as notice. Normally when a minister takes a question as notice, there would be no supplementaries. But I think that this information should go along with the others.

The member for Humber.

**Mr. Ben:** A question of the Minister of Lands and Forests: in light of the statements made in this House that pollution causing a reduction in fish life in our lakes or making the fish unpalatable, will the minister give consideration to either revoking or reducing the licence fees for fishing?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, since we are very fortunate to have in this province of Ontario about 250,000 lakes and there are only 100 lakes that are banned at the present time, would you hope that people would be able to fish in those other areas. And even in those 100 lakes that are presently banned, it is possible that the ban may be lifted.

**Mr. Ben:** Is the minister aware that all the people in the province of Ontario are blessed with being situated near these lakes, that they all do not live up north like the hon. minister?

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Energy and Resources Management concerning the "living-filter" method of returning liquid sewage wastes to agricultural use instead of discarding them into lakes and rivers. My question is, what research is being done in Ontario in this field?

**Hon. Mr. Kerr:** Mr. Speaker, I am not aware of any specific research being done in relation to the question asked by the hon. member. Our department and The Department of Health and The Department of Agriculture and Food are all involved in research, which would be in the nature of the report mentioned in the question by the hon. member. We also have our own laboratory facilities, and the Ontario Research Foundation's, but if the member would put that specific question either in a letter to me or on the order paper, I will get the information.

**Mr. Burr:** A supplementary question then: is the minister not aware of the seven or eight-year-old study of the Pennsylvania State University which has been very successful in this respect? Would the minister discuss it with the Minister of Agriculture and Food (Mr. Stewart)? Thank you.

**Mr. Speaker:** The member for Rainy River.

**Mr. T. P. Reid:** A question of the minister of Energy and Resources Management: is the minister aware of the mapping of air pollution areas in the United States, as written up in the *Christian Science Monitor* two days ago? Is his department going to move into this field when they have air monitoring systems set up across the province?

**Hon. Mr. Kerr:** I am aware of the article to which the hon. member refers, Mr. Speaker. I have asked for a report from air management branch. I did not feel, from my very cursory glance at the article, that it was anything we could learn too much from. I think we have most of the information. However, as to the indication that we should be part of a monitoring system, I think they use the term the whole northeastern seaboard, we are in favour of this. Of course, we wish to work with other systems of air pollution control in that area.

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

**Mr. Pitman:** I would like to direct a question to the Minister of University Affairs. I wonder if he could tell us how many more agreements are being negotiated or signed between teachers' colleges and universities in Ontario? I thought the minister might just tell us how close they are at Windsor and Brock, for example?

**Hon. Mr. Davis:** Mr. Speaker, there are three that are under active negotiation. I am not in a position to inform the hon. member just when they will be finalized. As they do progress and arrangements are finalized, I shall be quite prepared to inform the House.

**Mr. Pitman:** If I may ask a supplementary question. Is the minister and his department wedded to the view that teacher education must be a faculty on the campus of a university, or could there be some other arrangement which might be viable and perhaps even beneficial?

**Hon. Mr. Davis:** Mr. Speaker, we are really wedded to anything, I guess. We think that very careful consideration has to be given. We have used the term "faculty" for a long date because we do not want any consideration to exist that the students entering the teaching profession are second-rate students on the campus.

We feel, frankly, there is some significance to the terminology of "faculty", the traditional concept involved. This is why, to date, we have used this term and we think it has some validity.

One of the universities has been suggesting to us that it would like to approach us in some different fashion, but to date we are not satisfied that this will, in fact, accomplish our purposes. But, as I say, we are not wedded to any situation as long as the change is an improvement.

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

**Mr. T. Reid:** Mr. Speaker, I have a question of the Minister of Education and University Affairs. In view of the latest statistics report in the *Labour Gazette* that the employment rate for young people under 25 out of school, as of January, who were registered with the Manpower centres was 60 per cent across Canada, what are the full-time and part-time job prospects for more than 130,000 post secondary students in Ontario who are just now hitting the labour market?

**Hon. Mr. Davis:** Mr. Speaker, to predict what the long term job prospects will be for the graduates from our community colleges, high schools, or universities, for this year or the next three or four years, really is something that I cannot accurately predict. We are very encouraged by the response of business and industrial community relative to the capacity and calibre of the graduates.

Quite obviously, the numbers that can be absorbed or will find employment will be related to the economic prospects that exist at the time of graduation. For me to predict just what these will be, say in June or a year from now, Mr. Speaker, I am not in a position to do that.

**Mr. T. Reid:** A supplementary question of the minister aware of the report from the federal Manpower department that they believe there will be a substantial crisis in summer employment prospects of students across this province, as well as in the rest of Canada? That is, unlike last year?

**Hon. Mr. Davis:** Mr. Speaker, I do not know what terminology was used, but we are aware that the job opportunities—and now we are talking about summer jobs for students—the indications are they will be more difficult to find than last year.

**Mr. T. Reid:** A final supplementary: is the minister contemplating establishing a summer youth corps along the lines of the Alberta programme where students might be involved in constructive social action work in the communities and receive some pay so many of them will be able to attend post-secondary institutions beginning in September?

**Hon. Mr. Davis:** Mr. Speaker, this government, of course, employs a number of students. The Minister of Lands and Forests really has a very substantial number related to the operations of his department. Other departments have made a very real effort. This could be expanded upon by the Minister of Labour to employ as many students as possible.

Of course, under the very enlightened student award programme that exists in this jurisdiction, if a student, quite honestly, could not find summer employment, this is taken into account in his need assessment when he enters the post-secondary institution in September. We do take into account the fact that a student may not have been able to find a summer job.

**Mr. T. Reid:** A supplementary: is the minister aware that only approximately 3,000 students were hired by the provincial government last summer, and with the magnitude of the crisis **this summer, the need is for at least 20 times that of jobs.**

**Hon. Mr. Davis:** Mr. Speaker, I think the Minister of Labour might be able to give a more accurate figure, but I think something in excess of 9,000 students were employed by this government in related departments and commissions.

**Mr. Speaker:** The member for Peterborough has a supplementary?

**Mr. Pitman:** I wonder if I could ask the minister if he could tell me whether there is any centralized statistical information in regard to the number of students who do get summer employment? I think this is a very real problem.

**Hon. Mr. Davis:** Mr. Speaker, we do not have any centralized system. I doubt that any could be developed, particularly if you

relate it to, say summer employment for students from Grades 11, 12 and 13 in the secondary school system, assuming that a number do start taking jobs at the Grade 11 level. We do have statistics as they relate to the number of students who have qualified for student award programme in the community colleges, the universities and other post-secondary institutions. It would perhaps be possible to compile the number of students who had summer employment related to that programme.

What the files would not show would be those students who did not qualify for student award programme—that is, they had no sufficient independent means—whether or not they were successfully employed during the summer months. Mr. Speaker, I do not think that this type of information would be available, unless the post-secondary institutions were to make it a requisite of their admission whether the students had been employed.

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

**Mr. Martel:** A question of the Minister of Education: is it the government's intention to remove the following excerpts from The Teachers' Superannuation Act which discriminate against female teachers? I quote:

Whereas The Superannuation Act presently specifies that a female pensioner who is a dependent or widower of a female teacher who dies in service, must have been married 10 years prior to the death of the teacher in order to receive benefits as a dependent.

**Hon. Mr. Davis:** Mr. Speaker, any amendment to The Teachers' Superannuation Act, of course, will be considered when brought before the members of this House as it relates to the specific problem. There has been discussion here on previous occasions related to this particular situation and I am sure you will discuss it again either during the estimates or any discussion of The Teachers' Superannuation Act. I doubt if there is a purpose to be served in a lengthy dialogue here on this occasion on a relatively complicated subject.

**Mr. Speaker:** The Leader of the Opposition.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question of the Premier. Was it his decision, communicated to the Conservative members of the health committee, that prevented the member for Quinlan (Mr. Potter) from being re-elected as chairman?

**Hon. J. P. Robarts (Prime Minister):** No, Mr. Speaker, I have not been involved, really, in this dispute—

Interjections by hon. members.

**Hon. Mr. Robarts:** I think if members examine the records of the standing committees of this House, they will find that it has been the practice to rotate the chairmanship of these various committees. Perhaps there is one exception—the private bills committee—but in all the other committees the chairmanships are rotated as a matter of principle. If members check those who have been chairmen of these committees over the years they will find that very seldom does a chairman succeed himself. It is quite obvious, when we have as many members on this side of the House as we have, we like to allow them all to participate in the work of these committees. This is quite a normal procedure.

**Mr. Nixon:** I am glad to see that so many of the Premier's supporters are applauding.

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

**Mr. Nixon:** A supplementary question: would the Premier not agree that when such an outstanding job of public service has been done, as the former chairman had done, we might have considered acceding to his nomination for reappointment?

**Hon. Mr. Robarts:** Mr. Speaker the committee chose its own chairman. I was not present.

**Mr. Nixon:** I think the Premier told them how to vote!

A supplementary question: I wonder if the Premier would consider a select committee, perhaps under the chairmanship of the member for Quinte to deal, over the summer recess, with the recommendations made by the committee on healing arts, which I think are so outstandingly useful and which should be a part of the legislation before we prorogue at the end of this year?

**Hon. Mr. Robarts:** No, I think the government is quite capable of examining that report and deciding which—

**Mr. Nixon:** We would like to help with the examination.

**Hon. Mr. Robarts:** Hon. members opposite will when the recommendations are brought down in due course. Their problem is that they are not the government. That is the real problem.

**Mr. Nixon:** A supplementary question: would the Premier not agree—

**Hon. Mr. McKeough:** Never will be!

**Mr. Nixon:** Would the Premier not agree that not only some members of the opposition but most members in the backbench of our own party do not have access to the review of such recommendations? This might very well assist the government in making their decisions which we think is so desperately needed in the field of providing better health care.

**Hon. Mr. Robarts:** Mr. Speaker, I will point out to the hon. member that very little legislation ever appears on the floor of the House that is not processed by our caucus. I am not betraying any secret of our organization when I say that. It goes through caucus; sometimes it does not ever see the light of day. It goes in one end and never comes out because the caucus rejects it.

**Mr. Nixon:** The Premier is going to be knocking the member for Quinte on the head.

**Hon. Mr. Robarts:** I think that our caucus is fully informed about what the government does and it has an opportunity to express its views.

Now then, just a moment until I finish. The Leader of the Opposition asks questions he has to be prepared for the answer.

When the legislation is introduced there is a full, frank and free discussion by hon. members, if they choose, are able to take part in the debate and make their comments about the legislation. It goes to committee in the House and is examined there; very often changes are made as a result of these deliberations. I would not want the member to go and spread the idea abroad that we do not involve our members in what is done, because we do.

Interjections by hon. members.

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

**Hon. Mr. Robarts:** I might suggest that the member check the situation in Ottawa. He will find that very little legislation that has ever been submitted to caucus—

**Mr. Nixon:** The Premier wants to do it; they do it in Ottawa?

**Hon. Mr. Robarts:** No, I do not. I like to do it the way I am doing it—

**Mr. Nixon:** What is he bringing it up for?

**Hon. Mr. Robarts:** It is a very democratic way to do it. And our members are thoroughly involved—



**Mr. MacDonald:** All the deprived back-benchers!

**Hon. Mr. Roberts:** —in every decision; thoroughly involved in every decision that is made. If members do not take my word for it, ask them; they will tell hon. members opposite.

**Mr. Nixon:** Did he not tell the hon. members they could not vote for the member for Quinte?

The member will lose his seat!

**Mr. Speaker:** The oral question period has now expired.

Petitions.

**Mr. T. P. Reid:** Point of order!

**Mr. Speaker:** Point of order?

**Mr. T. P. Reid:** Mr. Speaker, I am surprised, perhaps because it is because some members of the chamber have not been aware of it but I think it should be made public for those on the other side who possibly have not heard that the Liberals won the election in Quebec.

**Mr. Speaker:** I am sure the members were glad to hear that. The hon. member will realize that is not a point of order. He is completely out of order.

**Mr. Pilkey:** Point of privilege, Mr. Speaker.

**Mr. Speaker:** Point of privilege.

Interjections by hon. members.

**Mr. Pilkey:** Mr. Speaker, you ruled my question today out of order, yet in the *Globe and Mail* of April 22 they thought it was important enough to print an article on the subject. In addition to that, the minister was the one who made the comment, and my questions were phrased within the framework of his comment.

The question I want to ask you, sir, is what rationale did you use to rule my questions out of order, and not of public importance, when the press thought they were and when the minister thought they were?

**Mr. Speaker:** I would be very unhappy if I thought that Mr. Speaker's rulings had to depend on the views of the press or any other media.

Secondly, I would point out to the hon. member that I said that his questions were not of urgent public importance, such as would require them to be dealt with in to-

day's sitting. Undoubtedly, they are of public importance, but to be proper here they must be of urgent public importance.

Of course, as the new rules point out when the Speaker rules in the oral question period, it is not debatable; it is not questionable. But I have no objection to telling the member what I have told him, and that is that that was not a matter, in Mr. Speaker's opinion, of urgent public importance.

Presenting reports.

Hon. Mr. McKeough presented the report of the Ontario Municipal Employees' Retirement System for 1969.

**Mr. Speaker:** Motions.

Introduction of bills.

The hon. member for Sudbury East.

I would point out to the hon. member that I always try to make sure there are no government bills.

## THE WORKMEN'S COMPENSATION ACT

Mr. Martel moves first reading of bill intituled, An Act to amend The Workmen's Compensation Act.

Motion agreed to; first reading of the bill.

**Mr. Martel:** Mr. Speaker, an explanatory note: Where a workman has an industrial disease and there is a time lag between occurrence and its effect, the amendment requires him to be compensated on the basis of the scale of pay when the disability takes effect and not on the scale of pay when he was contracted.

**Mr. Speaker:** The hon. minister from Stomont has the Speaker's eye.

**Hon. Mr. Guindon:** Mr. Speaker, before the orders of the day, I would like to make a brief statement. As a French-speaking member of the Legislature, I should like to say how pleased and delighted I am with the results of the Quebec election.

**Mr. Ben:** No applause from our friends the left.

**Hon. Mr. Guindon:** In my opinion, this was a resounding victory for Quebec and Canada as a whole. Once again the silent majority has made it very clear and without any doubt that our French-speaking citizens of Quebec are first, foremost, and always Canadians at heart.

This election will ease the tension which has existed in the last few years between Quebec and the rest of Canada. I wish to congratulate Mr. Bourassa and assure him of our full co-operation to bring about a climate of peace and understanding between all our people.

I feel quite certain, Mr. Speaker, that the Ontario government's policy toward the French-speaking minority in our province and the leadership given by the Prime Minister in this field is an underlying factor in the victory of federalism over separatism. I was never so proud to be a Canadian and, as member for Stormont, I rededicate myself to work constantly towards the achievement of national unity. Our efforts have not been in vain.

Monsieur le président, je tiens à exprimer la joie des minorités francophones de l'Ontario à la suite de la victoire éclatante du fédéralisme sur le séparatisme. Les citoyens du Québec ont démontré d'une façon non équivoque leur profond attachement au Canada.

Je suis persuadé que nos concitoyens du Québec ont compris que l'Ontario sous la direction d'un Premier Ministre excessivement compréhensif entend parachever son oeuvre pour l'épanouissement de la langue et de la culture française dans cette province. Je termine en criant de nouveau: "O Canada, mon pays, mes amours."

**Mr. Speaker:** The hon. Leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, I am not just sure what order of business this is, but since the hon. minister has made a statement in this connection I, with great sincerity, want to join with him in almost everything that he has said, because I do believe it was a great day for Canada, a great day for Quebec, a great day for the Liberal Party, probably in that order of precedence.

Although the hon. minister did not emphasize this and did give credit for the victory to the Premier (Mr. Robarts)—which is just about the biggest switch I have heard in a long time—the Liberal Party in Quebec and their great leader, Robert Bourassa, must deserve at least a modicum of the credit.

We on this side support the hon. minister's comments, at least as far as they went in that connection, and also convey our congratulations to the Premier Ministre-elect of the province of Quebec.

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

**Mr. MacDonald:** Mr. Speaker, since seems to have been a topic on which parties will express a view, I would like to add mine.

I join with all others in welcoming the assurance that emerged from the vote in Quebec yesterday. I want to add this note of caution: we have some problems to solve and we cannot drift with them. Let us not miss another factor in Quebec's vote yesterday, and that is about one third of the French Canadians did vote for a separatist objective or tendency. So if we avoid the problem or if we miss solving the problems, the province is going to be back on our doorstep.

We should not be misled by the headlines of this hour. Indeed, I think some very interesting possibilities have emerged, one of which I would be glad to present to the Prime Minister of Ontario this afternoon since Mr. Bourassa is sharply critical of ill-advised policies of the federal government and its anti-inflation programme. I think this province now has some common ground with the other very large provinces in this country, and perhaps joint action between the Conservative government of Ontario and the Liberal government of Quebec might get some of the desired changes in terms of federal policies. In short, we are into a new ballgame; there are many opportunities and potentialities which I hope will not be missed.

**Mr. Speaker:** The hon. Prime Minister.

**Hon. Mr. Robarts:** This is no place for a debate. Obviously there are many comments that I could make in reaction to both the comments of the Leader of the Opposition and the member for York South. Perhaps the House would be interested in a telegram that I sent to Mr. Bourassa this morning which I said:

MY HEARTIEST CONGRATULATIONS TO YOU AND YOUR ASSOCIATES ON YOUR SUCCESS IN THE POLLS YESTERDAY. MY COLLEAGUES AND I LOOK FORWARD TO WORKING WITH YOU AND YOUR GOVERNMENT IN THE MONTHS AHEAD AS WE ADDRESS OURSELVES TO THE MANY MATTERS OF MUTUAL INTEREST. IT IS OF THE UTMOST IMPORTANCE THAT A MEANINGFUL PLACE BE FOUND FOR ALL CANADIANS IN A GREATER CANADA.

Now some of that may appear to be over the top but it is not, because I meant it. I do look forward to meeting with Mr. Bourassa who will be the fourth Prime Minister of Quebec whom I will have had the pleasure of working with as we have attempted to solve some of these problems, and I agree

the member for York South that it appears there is emerging perhaps a different ballgame. As I say, this is not the place; however, I will be making some remarks in the next few days, and I intend to deal with some of these questions, because with the emergence of a strong government in Quebec, I hope that we will be able to reinforce Ontario's position in Confederation.

I think it is time we started to think about what our position is and support other provinces as they seek to establish their position. But I am a little distressed occasionally at the way Ontario appears to be disregarded or simply taken for granted. We will be addressing ourselves to this problem, I can assure the House, with great vigour.

**Mr. Nixon:** Do not tell me we are developing another separatist attitude.

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

**Mr. L. Bernier (Kenora):** Mr. Speaker, with your permission, I would like to bring to your attention and to the attention of other hon. members in the House today, the fact that in the Speaker's gallery we have a very distinguished individual from northwestern Ontario. She is Mrs. Lillian Byrd, of Vermilion Bay, who is the recipient of the 1970 Lamp of Learning Award. This award is presented annually by the Ontario Secondary School Teachers' Federation and is given to the person, a non-teacher, who contributes most to secondary education during the period of one year or over a period of years.

Mrs. Byrd has spent over 40 years on the school board of the Vermilion Bay Public School and has made it her business to encourage Indian children to continue their education. Accompanying her on this trip to Toronto, but not here today—they are out visiting other parts of Toronto—are two Indian children of outstanding ability, Sharon Peters of Eagle River, Ontario, a Grade 8 student who is the recipient of the top girl athlete award; and David Kelly, a Grade 11 student, who is a recipient of a best all-round student award.

I am sure that all hon. members would join me in extending to Mrs. Byrd, Miss Peters and Mr. Kelly a very sincere and warm welcome to Queen's Park and congratulations on their accomplishments.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** Mr. Speaker, I have two brief questions with regard to the business of the House on which I would like to inquire of the Prime Minister.

First, there seems to be some divergent opinion as to exactly when we are going to move into the estimates committee. Can the Prime Minister clarify when we are to begin that motion and when the committee is likely to begin? Secondly, since the next estimates up is The Department of Highways, is it possible to intercede and have the project booklet made available?

**Hon. Mr. Roberts:** Public Works is next.

**Mr. MacDonald:** Public Works is next. Oh, fine. You are right. Public Works is then Highways.

Could the Prime Minister intercede to assure us that we would have the project booklet so that we would have some idea what the projects are for the coming year? Highways' estimates before they are discussed?

**Hon. Mr. Roberts:** I hope so, Mr. Speaker. Without consulting with the Minister of Highways (Mr. Gomme) I cannot give the member that assurance, but I hope it will be available. I understood that the whips were drawing up the membership of the estimates committee. We have the names of the Liberal members. I do not know whether we have names from the member's group.

**Mr. MacDonald:** I can give them immediately.

**Hon. Mr. Roberts:** Then give them to me and I will introduce the motion tomorrow and the committee can go to work the following week, provided we can timetable it.

I might say that it will be necessary to get the whips and the House leader and the Clerk of the House to start the timetable worked on in committee if we are to avoid ending up in a certain amount of confusion.

**Mr. Speaker:** Orders of the day.

#### THE FISHERIES LOANS ACT, 1970

**Hon. Mr. Brunelle** moves second reading of Bill 76, An Act to amend The Fisheries Loans Act, 1970.

**Mr. R. F. Nixon (Leader of the Opposition):** I thought the minister was going to make a statement about this first.

**Hon. R. Brunelle (Minister of Lands and Forests):** We can follow the procedure, Mr. Speaker, and if I may at this time, I

make a statement with reference to this reading of the fisheries loans bill.

With the unanimous approval of the House, I move second reading of Bill 76, being An Act intituled The Fisheries Loans Act, 1970. As I indicated yesterday, the purpose of this bill—Mr. Speaker, may I have the bill distributed in the meantime?—the purpose of this bill is to authorize the making of loans—

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, on a point of order. I noticed that in the order paper this bill is—

**Mr. Speaker:** We have agreed to this.

**Mr. Lawlor:** We have agreed to this? Oh, I am sorry.

**Mr. H. Peacock (Windsor West):** No one has asked for it.

**Mr. Speaker:** I believe the minister was just explaining.

**Hon. Mr. Brunelle:** The purpose of this bill is to authorize the making of loans to persons who carry on the business of commercial fishing, or any other business, dependent in whole or in part on the taking of fish from waters in which such taking has been prohibited by reason of the contamination of the fish. In addition, the Act will provide for the making of agreements with the federal government for sharing the loan and other incidental matters.

As indicated to the House last week, that is on April 17 last, we and the federal government have agreed to provide loans to commercial fishermen and fishing camp operators in the Lake St. Clair area. Our local committee has been taking applications from the commercial fishermen and from the camp operators. The purpose of these loans is to provide those persons, who have claims against the polluters, with financial assistance during the period they are preparing their cases.

It appears that the total amount of the loans to the commercial fishermen will be in the vicinity of \$250,000 and for the camp operators, in the vicinity of \$100,000. Applications for some of these loans have been received and, of course, it is necessary to have the legislation authorizing these loans in order that we may process these applications. Dealing with bait fish dealers, the federal-provincial committee has considered these people.

The persons who have made claim include marina operators, bait fish dealers, tackle

manufacturers and sundry occupations. Many of these groups are not wholly dependent on the fish resource and, in some instances, the relation to the fish resource is remote. Accordingly, the committee has proposed that we consider applications from these people who hold licences to take bait fish, provided at least 40 per cent of their sales are dependent on the fish resource. Applications from other persons may be made and will be considered in the light of extreme need. Of course, we will have maximums for the loans and will not encourage people to borrow more than they actually need.

**Mr. Speaker,** it is estimated that these loans which are contemplated may amount to approximately \$350,000, although we have no firm figures as yet.

**Mr. Speaker:** The hon. Leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, thank you.

In being part of the grant of unanimous consent to consider this bill in second reading without it being duly printed, we obviously support the principle of the bill, mainly to get money in the hands of the fishermen whose livelihood has been removed from them because of the mercury pollution that has been evident in Lake St. Clair and the west end of Lake Erie.

We feel very strongly on this side that the introduction of the bill should have been coupled by an announcement, either from the minister or from the Attorney General (Mr. Wishart) that the province was prepared to move forward with legal action against the polluters who, presumably, are responsible for the pollution.

The delay associated with the decision of the government's part is very serious indeed. Because the Attorney General, the Minister of Justice, has indicated on four or five occasions that he is considering the matter whereby such a suit can be brought; meanwhile, time moves further along. The fishermen are left with the understanding that they have been given to them by the Minister of Environment and Resources Management (Mr. Kerr) that they are going to have to bring forward suits themselves.

In my view this would be a very unwise, wasteful, inefficient way to deal with this important matter. Surely the representatives of these fishermen, the government of Ontario should bring the suit themselves or, failing that, provide all of the legal assistance that would go toward a test case that would

brought in the name of one or more of the fishermen.

But to let it sit there without any definitive decision or statement made by the Attorney General or the Minister of Energy and Resources Management, or the Minister of Lands and Forests, is indefensible. I believe that such a statement should have been coupled with the introduction of this bill.

Frankly, I am a bit troubled that this money is going forward to the fishermen as a loan. There should never be any undertaking made that they would repay the loan, because it is the responsibility of this government to have protected them from the pollution in the first place. They had nothing whatsoever to do with the pollution. In undertaking the fisheries industry in that particular area, many of them have been expanding for a good number of years.

I believe the responsibility of the minister and his colleagues has been seriously weak in not providing direct assistance sooner than this. I do not really favour even the provision of loans. It should be in the form of grants, because this bill carries with it the connotation that there will be repayment; this carries with it, in turn, the connotation that it will be repaid by payments made from the alleged polluters after legal action. Now the only way that could be justified, in my view, is that the government take the responsibility for the legal action, and assume that responsibility at the same time as they ask us to support this bill which calls for loans.

Obviously we are going to support the bill, because we believe that the Treasury Board must move very rapidly to get the cheques out to the fishermen concerned. It should not be limited just to the fishermen in Lake St. Clair and the river, it must be available to all those in the province whose livelihood has been interfered with by mercury pollution.

We might find that general legislation providing grants or loans, if in fact there is going to be a government undertaking to take court action on behalf of anyone who suffers a reduction in their means of livelihood by pollution comes under the jurisdiction of this government, and particularly the OWRC. I fear that this is simply the first piece of patchwork legislation in a succession of bills that the government may have to bring forward to cover the various crises in pollution that seem to be coming on us at an ever-increasing rate. With the misgivings I put before you, sir, we are prepared not only to support to the extent of unanimous consent so this matter can be

considered sooner than ordinarily would be the case, but we would support the bill in principle as it is understood.

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

**Mr. D. A. Paterson (Essex South):** Speaker, I, too, rise in support of this. We have not had too much time to study, and I certainly agree with all the comments put forth by my leader.

I have discussed some of the principles this particular bill with the federal counterparts in my area, Mr. Whelan, who is assistant to the federal Minister of Fisheries and certainly it is their intent to move rapidly and try to provide funds, especially for the Lake St. Clair area fishermen. It is to be hoped that the solution will work favourably as it did in the case at the plant in Newfoundland where there was a known source of pollution. These people moved in, and I believe the expectation of the federal Fisheries people is that it will cost the taxpayers of Canada one cent assisting the fishermen there. I assume that is possibly a little more difficult case in Lake St. Clair and the surrounding waters, but I hope this does work out with as much favour.

Last Friday, the member for Essex (Mr. Ruston) and I were in attendance with the federal Minister of Fisheries visited the largest freshwater fish port in the world, Wheatley, and at that meeting Mr. Drouin spoke on behalf of the Lake St. Clair fishermen and the business people related to that industry. He stated at that time the formula that was put forth by this department and the federal people was acceptable to all those involved. Therefore we accept the formula that has been worked out, with one reservation, and I refer the minister to section 2 of this particular bill. I feel it does not quite go far enough in intent contained therein, and I raise one point: commercial fishing in Lake Erie has never been prohibited as a result of mercury pollution, and yet some of these fishermen have possibly suffered the greatest financial loss. It is estimated that the crews who work on the fish tugs may have lost \$150 to \$200 per man per week during the period when the freeze was on the particular fish and were not allowed to dispose of their catch. This happened right at the prime time, when prices were very high, during the relatively short spring fishing season. These particular fishermen suffered a great financial loss, caused by the time the fish, perch in particular, had been proven to be non-contaminated, the price on them had dropped

from some 22 cents a pound, and I believe it is down to approximately nine cents. I think this is really a chargeable amount, that the liability could be proved in court and that it should be taken into consideration in this instance.

The scare of mercury pollution of this particular species has kept the price lower than had been expected. Beyond that, other species are affected even more adversely. I believe the silver bass fresh market in Detroit is down for the people engaged in that, particularly one fishery on Pelee Island. I have written to the hon. minister, Mr. Speaker, in that regard. I do not feel these particular matters are covered by this proposed legislation. I do not feel it is spelled out that far.

I might remind the minister of the letter that was delivered to him by hand, I believe by Mr. Laverne Kelly of the Lake Erie fish producers, back on April 20. I might read clause 2 on the second page, after his five recommendations. This is on behalf of all the Lake Erie commercial fishermen:

We therefore, feel we should be included in a programme for compensation of our losses and possibly government interest-free loans to fishermen. This problem could not have erupted at a worse time as the fishermen have spent large amounts of money and incurred many debts due to long winter layoff.

I know the minister will take this particular brief into consideration. I would suggest to him if he studies this bill, after we have given it second reading and approval in principle; if he will look at this particular clause 2 and, hopefully, bring in an amendment that would include the Lake Erie fishermen, we would support this amendment. Should he fail, I feel as a representative of the area that I will put forward an amendment to do this very thing.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, I should like to support the principle of this bill. The guilt of the polluter is fairly well known and obvious. I believe it came entirely through ignorance, but it is the principle in law that ignorance is no excuse. That should certainly be the principle we follow here. The expense should be borne by the polluters and not by the taxpayers of the province. Now of course, the taxpayers of the province will have to bear some expenses through our actions, e.g. the

borrowing of this money which we are lending at no interest. However, there is justice in this, that the province, or provincial government, should bear some of the expense because it certainly shares some part of the responsibility.

For example, in the spring of 1969, OWRC found the mercury in the St. Clair river but, because it was not environmentally oriented, or ecologically oriented, it was not interested in where the mercury was coming from than where it had gone.

It was not until the fall of 1969 that OWRC realized that the mercury had gone somewhere and wondered whether it had gone into the fish. If they had thought of this sooner, in the spring, the fish could have been tested sooner. If they had thought to sample the fish to Chalk River, where atomic facilities are available for such testing, the results might have been known in June of 1969, or even by the end of the fishing season in 1969.

If that had occurred, then the cleanup which is being planned now and which we would like to see completed in a period of some weeks, might have been accomplished. I do not know, I am not an engineer, therefore I cannot say this is the case; but it might have been accomplished during the winter and early months of the spring season. If the optimistic prediction that the cleanup is feasible and that the fish can be decontaminated in a period of 17 to 20 weeks are true, then we might have avoided the loss of this winter fishing season. We, as taxpayers, through the provincial government, should bear a large responsibility—not the major share, but a minor share.

There are two or three questions I should like the minister to clear up for me when he speaks. One of them concerns the date when the Act comes into force, April 20. I am wondering whether that means that the loans would cover only the period beginning April 20, or whether there is any restriction of that kind? That may not be very important but if the minister could clarify it I would appreciate it.

A second point is the one raised by the member for Essex South: does section 2 permit an interpretation that would include Lake Erie fishermen in the provisions of the bill?

The minister's opening remarks referred to the tackle manufacturers as being one of the groups applying for assistance or loans. I should like the minister to tell me whether an employee of one of the tackle manufacturers qualifies. A specific case I have in mind is a lady who has worked for ten years in

tackle industry. Two or three weeks ago her job folded up and she is now unemployed. Being a widow, her situation is rather desperate. Having no other trade her chances of re-employment are not bright. As a person who might get compensation through legal action, the fact that she is unorganized—

Interjections by hon. members.

**Mr. Burr:** I was referring to the case of an employee in one of the tackle manufacturing concerns who would not be in a position to launch any legal action, as members of some of the other groups can; that is the commercial fishermen, the bait dealers, the charter boat operators. An employee of this kind does not belong to any such organization. I do not see how she, by herself, or even in association with three or four other employees in the same boat, would be able to launch a legal action. Has the minister made any provision in the bill, that would cover a person in this category?

The principle of compensation—or the principle that is involved here of giving loans in lieu of compensation or in anticipation of compensation—is not a real substitute for the restoration of the environment and for the restoration of these people who have been displaced in their former employment, or employment of some other kind. This bill of course does not extend into these areas.

I should like to draw to the attention of the minister and ask him whether he has been considering the proposal which I made to him some days ago. By now, perhaps, he has had some time to give it some thought. This is a proposal that came through one of the victims of the mercury pollution. His name is Harry Radlin, operator of the Lighthouse Cove Marina. The idea was reported in the *Wind-sor Star*, Friday, April 24, by Mr. Bob Meyer in his column called "Open Seasons."

Very briefly the plan is this that a few thousand fish should be caught and tagged and returned to Lake St. Clair. On the tags would be dollar values indicating various amounts, which might range, perhaps, from \$1 up to \$1,000. The tags, numbered secretly to prevent counterfeiting, would be redeemable for cash.

This plan is based on two assumptions. One that the eating of fish is a minor consideration to a sports fisherman and that the anglers have been made completely aware of the possible danger of eating St. Clair fish.

I am not a fisherman. I cannot say with confidence what the merits of this proposal are, but it would certainly have some very

commendable effect. One would be return to employment of all those concerned except the commercial fishermen, and that would be very desirable from every point of view. There is no need for me to expound on that.

**Mr. Speaker:** Order please! I believe we are straying a bit from the principle of this particular bill.

**Mr. Burr:** Yes, I am virtually finished, but I would like to point out that this loan is not a complete substitute. It is not a complete answer to the problem. There are other things that we should consider, as well as this method of lending the people money. Any kind of charity is repugnant to me as a person and I want to qualify my complete support for this bill by pointing out that some other plan should be followed at the same time, if there is no valid objection to it.

So in closing, Mr. Speaker, because this is a bill that needs passing urgently, I shall say nothing more except that I support the principle of the bill and would look forward to the minister's comments on the questions that have raised.

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

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, I rise to some extent to reiterate the comments made by my leader in connection with this bill. I join with him and my colleagues in supporting same, but I do so with a degree of reservation.

I wish to reiterate some of the remarks I made during the course of the emergency debate in this Legislature relative to the question of pollution. If you will permit me, I want to clarify my position entirely.

My position has been this throughout. It is not the obligation of the fishermen to institute action against the polluters. It is definitely the obligation of the government of the province of Ontario, because the ultimate obligation has been theirs throughout. They have had a statutory obligation under The Ontario Water Resources Commission Act.

The Minister of Energy and Resources Management, let the records show, should hold his head. I say they have an obligation in connection with the control of the quality of water in the province of Ontario. And, under section 31 of that Act, they also had the obligation in connection with waste material and the utilization of water.

So I do wish to reiterate that which has been said by the Leader of the Opposition

let us go forth with the principle enunciated in this bill. Let us make these loans and let it be the obligation of the government to take carriage of any action. These fishermen have not got the finances, they do not have the expertise available to them that the government has.

It goes without saying that The Judicature Act of this province amply gives the government jurisdiction to take any matter before the courts that they wish. The fact of the matter is that we can be the ultimate court. If the government is convinced that an industry or a group of industries have caused this situation and they are prepared to bring satisfactory evidence to this House for us to make a quasijudicial decision, I am sure that we will do so and we will pass laws. As the hon. member from Essex South has said, the posture of this provincial government must be analogous to the posture taken by the federal government in connection with the Electric Reduction Company situation.

I want to close and clarify one thing. I ask you to permit me to read something from the *Sarnia Observer* of Saturday in connection with this whole matter and my particular attitude toward it and what is happening in this field of pollution and the concern that we all have. I would hope that there are people in every party in this Legislature—and I voice this publicly—who have sufficient social conscience to do everything within their power to assist in pollution control and pollution abatement. In the *Saturday Observer*, this I quote to you:

Discussing mercury pollution, David Bill, vice-president of the Sarnia NDP, during an NDP meeting here Friday, drew a parallel between the behaviour of Liberal elected representatives for Sarnia and that of former Conservative for Sarnia, MPP Ralph Knox.

And here are the important words:

In the Ontario Legislature, Sarnia MPP James Bullbrook has argued that taxpayers' money, not Dow funds, should be used to compensate the Lake St. Clair fishermen.

That, of course, is an absolute lie, and *Hansard* discloses it to be an absolute lie.

The position that I took then, and that I take now, is that it is an obligation of government to have charge of the action. Subsequently I said in this House, and I quote:

If there is a legal responsibility on the part of Dow Chemical of Canada Limited, then let us see them accept that legal burden.

I do not regard this question as a matter of partisan inclination. It is an unfortunate circumstance that some people have to live in tragic circumstances such as these for political advantage. I support the bill.

**Mr. D. C. MacDonald** (York South): What is that the member is doing now.

**Mr. Speaker:** The member for Essex-Kent.

**Mr. R. F. Ruston** (Essex-Kent): Mr. Speaker, I rise to support the principle of this bill. I do believe that there are some misgivings about it, that maybe it is not adequate enough to cover the situation in all the areas that may be affected and are no doubt affected. I am speaking now of the Lake Erie area. On section 2 of the bill, where it says it must be prohibited before allowance will be made for a loan. Mr. Speaker, this has been mentioned before and I do not want to repeat it any more, but I am sure we would hope that the minister would be prepared perhaps to have that rewritten, or an amendment to it in the committee of the whole House.

I am wondering about the serious situation that involves not only the commercial fishermen in Lake St. Clair and camp operators but the boat and livery operators and so on in the small villages and towns along the lakes are suffering from this. Naturally a number of people are going to suffer very much. I suppose, will never be able to get compensation; and it is going to be difficult for them to designate what people farther away from the area are losing.

But what disturbs me considerably—and I think the leader of our party mentioned in his remarks—is that an individual or group will have to sue to get this money; to do this is utterly ridiculous. I do not see how we can expect individuals, some of them small businessmen, to spend perhaps years in the court trying to obtain this money. If it must be done with the wholehearted support, if not completely, by the government.

I think that pretty well covers the remarks I have to make, Mr. Speaker.

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

**Mr. Peacock:** Mr. Speaker, the New Democratic group supports the principle of the bill. But I would like to echo some of the reservations that have already been pointed out by members in this caucus and the Leader of the Opposition.

The bill would appear, at first glance, to meet the needs of the particular group



fishermen and those dependent on the fishery of Lake St. Clair, in terms of the compensation required to cover some of the costs that they will meet over the ban on fishing in the lake and those costs they have already incurred in not being able to use their fleet and employ their fishermen and sell their catch.

However, in looking a little more closely at the bill, I would think the wording, particularly in section 2, is so restrictive as to apply to no one else other than that particular group of fishermen and those very closely associated with the fishery in Lake St. Clair, in providing compensation to them.

The Minister of Lands and Forests and the Minister of Energy and Resources Management have already spoken of a number of other situations in the province which have occurred and which may well occur. There was the federal ban, which was imposed temporarily, on the sale and distribution of fish caught in the western end of Lake Erie.

There are the continuing difficulties of the fishermen in that area in marketing their product; as there will be the ongoing difficulty of marketing fish from the Lake St. Clair region in the event that that lake is cleaned up to the point where the fish is consumable again. There is the ban on fisheries in the northwestern portion of the province approximate to the dumping of mercury from the pulp and paper industry. There is the request of the federal government to the province of Ontario to impose a ban, or to consider the imposition of a ban on the Ottawa River, and the prohibition of fishing in that river as well.

This bill, however, to my mind would not cover any situations other than the St. Clair situation. It will cover specifically only the St. Clair situation, in a retroactive manner, I believe, from reading clause 2 of the bill. It will have no application whatsoever to any other situation that has occurred in the past in the west end of Lake Erie, or any future prohibition which may be implemented in the same or other parts of the province.

Secondly, Mr. Speaker, the bill appears to be rather hastily and deficiently drafted, in that it does not contain any reference to regulations or the power to make regulations under the Act. I believe that a considerable deficiency in the bill is that the minister cannot proceed to identify those who can properly claim compensation and those who cannot, or the circumstances in which the damage occurs, unless he has the power to make regulations under the Act. The Act, as

it presently reads, apparently does not give him such authority.

The number of situations in which a prohibition of fishing can be envisaged is more than those which apply to the Lake St. Clair. The closing of the fishery where mercury contamination was the specific factor.

We have had already the instance of a decline in sales of catch of all kinds; not only from Lake Erie but from other fisheries in the province and in Canada. There is a likelihood that, as other contaminants and pollutants are discovered by this government and by other governments along boundary waters, those of Quebec, Manitoba and the United States, prohibitions may be imposed by those jurisdictions as well. The bill is silent as to what compensation will be paid to Ontario commercial fishermen, Ontario marina operators and charter boat operators and others in the bait business, the instance of a prohibition of fishing being imposed on them by an adjoining jurisdiction in whose waters they are taking fish.

I think the bill must countenance such an eventuality, because all of the jurisdictions along our waterways are now very much aware of the problem and on the watch for the presence of contaminants and pollutants in catches of fish in these waters.

The bill, in failing to provide for the enforcement of regulations by the Lieutenant-Governor-in-Council, is also silent about the maximum amount of loans that the applicant can apply for. It is silent, Mr. Speaker, on terms also of the conditions under which the loans must be repaid. It provides that the minister may make loans with or without interest in such amounts and upon such terms and conditions that he considers appropriate. I am not sure whether that language will permit the minister to waive the repayment of the loan. Certainly it ought to.

The bill should have provided initially in its original form that the moneys paid by the province of Ontario go to the fishermen without any strings attached in terms of interest or repayment. Full compensation should be made by this government, not in terms of loans with or without interest. I feel once the loss has been estimated and future needs established the money should have been paid in the form of outright grants.

The Minister of Energy and Resources Management has in an earlier debate in the House, I believe, faced up to this government's responsibility for not having adequately protected the fisheries that we

seen suffer such loss. It is, therefore, incumbent upon the government, I think, to make whole the loss of the fishermen. The obligation for recovery therefore, should rest not upon the fishermen, but upon the government to recover from those charged with the pollution that has caused the end of the fisheries.

Clause 4 of the bill, Mr. Speaker, might well have read, "the moneys required for the purposes of Section 2, shall be paid out of those settlements made in court by those found negligent and guilty of the pollution"; and not by the consolidated revenue fund of the province of Ontario, or by the fishermen who will be receiving loans from that fund.

Mr. Speaker, finally, I would like to say that the bill ought to have provided the same concept of forgiveness in making these payments to the fishermen as the Minister of Trade and Development (Mr. Randall) has so generously afforded applicants under his equalization of industrial opportunity programme. Surely in instances such as this, namely the loss of individual and small business livelihood, the element of forgiveness ought to apply to a loan by this government, not to those loans that are made in such large numbers and of such size to major international corporations locating in this province.

I would urge both ministers, Mr. Speaker, to reconsider this aspect of the bill before it reaches committee, so that by that point it will contain the key element of forgiveness of the loan so that they become, in effect, outright grants; and so that the bill contain a provision empowering the minister to make regulations to cover future situations where prohibition of fishing may be required on account of pollution of a waterway. The conditions upon which the grants or loans may be paid will be spelled out by the regulations and those who will be similarly affected, as I am sure there will be many others in the future, as have the St. Clair fishermen and those dependent on the St. Clair fisheries, will know of their right to apply for compensation to this government.

**Mr. Speaker:** The Minister of Energy and Resources Management.

**Hon. G. A. Kerr** (Minister of Energy and Resources Management): Mr. Speaker, if I might deal with a couple of points that have been raised that may be more appropriate to my department than to my hon. colleague from The Department of Lands and Forests. This was dealt with by the hon. Leader of

the Opposition and the hon. member Sarnia. I think I have indicated on a number of occasions, as the result of questions that we are seeking a legal opinion from the law officers of the Crown. I am still waiting for that. I understand it will be available within a matter of a few days.

I think that I should mention at this time the fact that an action has not been launched by the government against the polluters, whether or not there is that right certainly is not a time loss. As the hon. members will realize, it is necessary to establish damages; it is necessary to establish a *quantum* of damages. Really, we will not know the final answer to that until we know how long the ban has to be enforced.

In the meantime, getting this opinion on providing assistance to the fishermen does not, in any way, prejudice any rights which may exist. As far as legal help or legal assistance is concerned, to the fishermen, certainly it is my understanding that our legal aid system would, in fact, provide this assistance in the event that they wish to either individually or collectively as a group sue the polluter or polluters.

For example, one other point that has been raised in the Legislature is the question of whether or not the rights of those fishermen or other people associated with the fishing industry could be transferred or subrogated to the government. It is, in my personal opinion, very doubtful that there is a right in action for damages in the government as a result of such subrogation. However, this is a personal opinion which may or may not be borne out when we have a more authoritative opinion.

One hon. member also mentioned that it should not be making loans, that it should not be a loan, assuming, of course, that advances or the money would eventually have to be paid back. I think the wording of the bill would indicate, certainly, that although the reference in the margin might give a wrong impression, these are advances that are being made to the fishermen. The only reference to recompensating the government is "in the event that the fishermen themselves are successful in collecting against the polluter or polluters".

**Mr. Bullbrook:** But the bill does not do that—

**Hon. Mr. Kerr:** I am saying the bill implies—

Interjections by hon. members.

**Hon. Mr. Kerr:** Mr. Speaker, we should remember that it is going to be necessary for someone, for some party, to be a plaintiff in an action against known polluters—

**Mr. Bullbrook:** Right, no matter who it is.

**Hon. Mr. Kerr:** —on both sides of the boundary. Bearing that in mind, it is questionable whether or not such a provision in the Act is necessary. Certainly, if money is to be repaid, it is only when the polluter or polluters have, in fact, made compensation.

**Mr. Bullbrook:** Would the minister permit a question? Would the minister not agree that inherent in the word “loan” is the concept of repayment? I am wondering whether you have the legislative entitlement to make a discretionary judgement in the future that you do not want the money back? This is what we are concerned with.

**Hon. Mr. Kerr:** Mr. Speaker, I think maybe I might go so far as to say that the word “loan” in section two is maybe, not the most appropriate word—

**Mr. MacDonald:** At least call it a “forgivable loan”; that new phrase the government has fabricated.

**Hon. Mr. Kerr:** It is quite possible the word “advance” should have been used in section 2.

In any event, I think, as the statement has indicated and as statements in this House have indicated, up to this time when this whole arrangement was made with the federal government—and statements by the representatives of the federal fisheries department—these were, in fact, “advances to be repaid when the fishermen obtain compensation”. Now I cannot—

**Mr. Bullbrook:** But the Act does not say that. That is the problem.

**Hon. Mr. Kerr:** This is what has been said and certainly this is the understanding of this government. I think my colleague the hon. Minister of Lands and Forests will confirm that.

The hon. member for Essex South mentioned the fishermen in Lake Erie. True, the fact that we have not imposed a ban in that area may not qualify those fishermen under this particular piece of legislation. But, again, those fishermen should be able to establish loss; they should be able to establish damage just from the fall in the price of their product and the fact that, of course, a num-

ber of fish have been seized for inspection. A great deal of the catch has been turned down and prevented from being exported.

**Mr. Nixon:** The government is going to have to change that part.

**Mr. Bullbrook:** But it says from which—

**Hon. Mr. Kerr:** The hon. members may be misinterpreting what I am saying. I am not admitting, and it is quite true, that the fishermen would not be eligible for advance under this legislation at this time—

**Mr. Nixon:** What is the minister going to do for them?

**Hon. Mr. Kerr:** —but they would be eligible to take action or to obtain compensation against the polluter or polluters.

Interjections by hon. members.

**Hon. Mr. Kerr:** After all, we may be going beyond, certainly, the whole principle of advances or assistance for fishermen. It is, I would think, very difficult—and my colleague will probably dwell on this—to measure the extent of loss for such fishermen who, in fact, still are fishing and are obtaining some income. You must remember, Mr. Speaker, that the idea of this legislation today, as I say, is not compensation; it is not anywhere near the full income that they would otherwise earn. It is a form of assistance to tide them over a situation while they are prevented completely from carrying on their livelihood.

The hon. member for Sandwich-River again reiterated or reviewed, I should think, the role of OWRC. He did mention, quite accurately, that it was in spring, 1969, that the commission found mercury at the bottom of the St. Clair River. All I can do is reiterate what has been said before. As soon as this was discovered, we analyzed water, we analyzed effluent. There was no indication as a result of those analyses. We then simultaneously looked for sources of mercury and sent fish to be analyzed. I believe at that time it was to California.

This was all done in the later spring and summer so there was no time loss or, might say, foot dragging. The hon. member for Sandwich-Riverside mentioned the St. Clair River. It is my information that there is not sufficient expertise, nor laboratory facilities, at that site to carry out this type of analysis. Only California, at that point, had such a facility and knowledge and exper-

We did, of course, find the mercury, and we spent the summer after we found the source, eliminating that source. Our concern could only be, shall we say, awakened, to a great extent, when we had the result of that analysis. Of course, that was not until this year. So I do not think there was any unnecessary or unexplainable delay.

The hon. member for Sarnia mentioned section 31. He mentioned a previous debate in respect to The Ontario Water Resources Act. My interpretation of this and another similar section is that when anti-pollution or pollution abatement equipment is installed in a plant, this is under the direction and inspection of The Ontario Water Resources Commission Act, and the commission itself. There was no question here as far as the known polluter in Sarnia was concerned, of installation of equipment.

What we were concerned about, as the hon. member knows, was process losses—mercury losses—in the manufacturing process. It was not the lack of any particular type of anti-pollution equipment. It was the method by which the product was manufactured, and suffering substantial loss over a period of time, and to some extent without complete knowledge of the company. So that section of that Act would not apply; there was no dereliction of duty on behalf of the commission.

I believe a group of four to six men spent nearly a week in that plant, continuously, and as a result of that we were able to substantially eliminate the mercury loss. My information now is that it is practically nil.

Regarding the question of regulations, the hon. member for Windsor West referred to this and it is my information that because of the uncertainty surrounding the purpose of this legislation at this time—you know, who was going to be eligible under section two, for example, how long these advances will have to be made—that regulations may, in fact, be too restrictive. Without reference to regulations this may lead more—

**Mr. J. Renwick (Riverdale):** There is no power to make regulations and the government must have it.

**Hon. Mr. Kerr:** I am not sure. I do not wish to argue whether or not that should, in fact, be in this particular bill. In any event, as much discretion as possible should be left with the minister because of the nature of the advances and of the remedy.

I think, in dealing with the waters or areas in which there is no ban imposed, should also, possibly, refer to the action of some of the other states, particularly the action of the federal government. There were reports, I should say, that fishing in Lake Erie had been banned when in fact it had not been taken place.

I think these were reasons for the reduction or drop in the market and, correspondingly, in the price of fish, particularly in the west end of Lake Erie. This, of course, results from there being contamination in other areas which, in my opinion, can directly connect with the polluter or polluters, who are well known to the members of the House.

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

**Mr. J. P. Spence (Kent):** Mr. Speaker would like to ask the Minister of Environment and Resources Management a question. I understood his remarks correctly, he indicated that the Lake Erie commercial fishermen, whose price of fish had dropped considerably, could sue those who are polluting Lake St. Clair; and the government would make loans available to them. Is that what the minister is indicating to us? Another thing he did clear up was that the fishermen would have to sue the polluters in Lake St. Clair in order to get the loans, instead of the government suing the polluters in Lake St. Clair.

**Hon. Mr. Kerr:** Mr. Speaker, I want to refer, with your permission—there were a number of questions there and I want to remember all of them. But what I did indicate was that the fishermen in Lake Erie would have suffered a loss as a result of the fishing ban in Lake St. Clair and the St. Clair River and the whole publicity and result of the government action, if they have suffered a loss they should be able to establish damages. We know the sources and the reasons for the loss so that if they, in fact, commence an action against the polluter or polluters, that action, of course, should be in a position to be compensated.

I am not sure what the other questions were but the point that I was trying to make is that these fish, of course, are travelling all over these rivers. This whole matter of damages and loss is, really, inter-related. A ban on an adjoining lake is bound to have a dilatory effect on the industry in an adjoining area.

This, incidentally, I understand, is being done by a number of fishermen in the

Thomas area. They have engaged a solicitor and they are preparing action against the known polluter or polluters. But as far as advances under this bill are concerned, they do not qualify under this particular legislation.

**Mr. Spence:** Mr. Speaker, if the suppliers to the fishing industry, such as the manufacturers—

**Mr. J. Renwick:** Point of order!

**Mr. Speaker:** Order, please. This is—

**Mr. J. Renwick:** This is second reading of the bill, not a question and answer period.

**Mr. Speaker:** I was just going to point this out. We are speaking on the principle of the bill. The member for Kent had, I thought, just a quick question for clarification before he spoke in this particular case. But many of us are straying from the principle of the bill. Did the hon. member wish to make any further remarks?

**Mr. Spence:** I go along with the principle of the bill.

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

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, I rise to join this rather dreary debate as the government goes about trying to—

**Mr. Nixon:** It was not dreary until the member started.

**Mr. Makarchuk:**—use the taxpayers' money to try to bail out a large corporation. I would suggest to the members opposite and sitting beside us, that their vehement attack on pollution would have a lot more credibility if they stopped accepting money from polluters.

**Mr. Nixon:** Oh, really!

**Mr. Speaker:** Order please! The principle of the bill.

**Mr. Nixon:** He does not know what the principle is all about—

**Mr. Makarchuk:** I would suggest—

**Mr. Nixon:** There is not an ounce of principle in it.

**An hon. member:** How is the fishing in Grand River?

**Mr. Makarchuk:** Pretty grim!

**Mr. MacDonald:** The Leader of the Opposition is showing his bitterness again!

**Mr. Makarchuk:** I would suggest to minister, regarding the comments made by the Minister of Energy and Resources Management that there has been a considerable amount of information on mercury pollution. In the last few years he has had the example in Sweden and he has certainly had the example in Japan. I wonder what his department is doing—do they not read these particular publications?

The other thing the minister raised was the question of whether the fishermen would be able to establish damages. If he realized the economic condition of some of the fishermen right now, particularly the commercial fishermen, he would find that they are really in a position to hire legal assistance. They can't really get legal aid, and they cannot really establish any kind of—

**Hon. Mr. Kerr:** They can get legal aid. Why is the hon. member making a statement like that?

**Mr. Makarchuk:**—They just have not the facilities to go ahead to get the legal work done in order to be able to sue the Chemical. They just do not have the resources.

I would suggest that this bill is derelict on another aspect, in the fact that there is nothing in the bill saying specifically that the minister himself may take action. Now that may be a legal reason for this. I would suggest that there should be a clause in this bill stating specifically that the minister will take legal action or should be empowered to gain this money. I think this should be in the bill. In other words, to prosecute them.

I realize the OWRC has certain regulations but they do not seem to be applicable in this case. If they are applicable, what has been happening?

I think this is an amendment the minister should attach to the bill or introduce to the bill for second reading in committee.

The other two points I think the bill has laid down on are that there will be no compensation paid to anybody with the exception where fishing is prohibited. You could have a chemical spill that would kill the fish in a particular area, of a lake or river, and this in no way would interfere with preventing fishing.

In other words, you can sit there and throw your line all day; you are not going to catch anything because there are no fish. They have been killed. This may destroy the commercial industry, the resort operators on the shore or the commercial fishermen who go out on their boats.

There is nothing in this bill to prevent this particular situation happening. The other situation that can develop is in the case of an oil spill, which again will not cause anybody to prohibit fishing but it certainly prevents fishing in a particular area. Again, this would have certain serious economic consequences to the individuals or the people who operate tourist resorts in the area. I think that these two situations should be considered and introduced into the bill when it is brought in for second reading for the committee of the whole House.

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

**Mr. J. Renwick:** Mr. Speaker, I want to confine my remarks to what I believe the government is intending to do. I think the bill is very sloppy and the debate has been very sloppy and I hope that the minister will consider the criticisms of the bill.

Nobody is questioning the fact that we want to—and everybody wants to—provide some financial assistance some way or other to those fishermen who have suffered business loss because of the pollution of the fish which led to the ban by the federal government in Lake St. Clair and the St. Clair River. But what the minister has got to bear in mind is that this is a bill which is authorizing the payment of moneys out of the consolidated revenue fund. That means that at some point or other the Treasurer of the province is going to have to sign the cheque which draws the money on the consolidated revenue fund, payable to somebody to whom a loan can be made under the bill.

Now that means that somebody is going to have to say that the bill authorizes that particular loan, and the loan is restricted under this bill by the words which conclude clause 2 of the bill, and nobody can get away from it. It is restricted to persons who are carrying on the business of commercial fishing or a related business, or any other business dependent, and the clause that qualifies the ability of the Treasurer to make the loan is the words:

—dependent in whole or in part on the taking of fish from waters in which such taking has been prohibited by reason of the contamination of fish resulting from pollution of the water.

In other words, it can only relate to those persons who suffer a business loss because of that prohibition with respect to specified waters. Nobody else can come in and ask for a loan.

And the prohibition—if I may say, Speaker—the prohibition in a bill passed this Legislature would require the interpretation of this bill to be a prohibition of government, not a prohibition of the federal government, or some other government; the bill does not say that. So that my restrictive view of the interpretation of this bill which is the interpretation which has to be made on a bill authorizing the expenditure of funds out of the consolidated revenue fund is that it could not be interpreted to apply to a ban on fishing, or a prohibition on fishing, put down by The Department of Fisheries of the federal government.

Those are the two fundamental flaws in the bill because we are not going to be able to I understand it, to assist those fishermen in the commercial fisheries on Lake Erie under the bill as it is presently drafted. You are not going to be able to assist those few commercial fishermen who happen to fish in the St. Clair, or in the St. Clair River, at the present time, and I just do not think it is adequate.

I also want to make two or three other points. I think the bill has got to refer to some decisions of the government as to whether they are providing the financial assistance. The way that this bill is drawn is that if you happen to be a commercial fisherman in Lake St. Clair, you could apply to the government for a loan to go to the World's Fair in Japan. There is nothing which says that the minister is going to decide.

I think that there has to be some language which says that the minister may make loans to those persons, and so on, who, in the opinion of the minister, have established to his satisfaction—I am not trying to fetter the minister in any way—that they have suffered a business loss, or require financial assistance by reason of the prohibition of the fishing in the areas where these commercial fishermen fact earn their livelihood and carry on their business. I think you have got to do that in the bill.

I also wonder whether it would not be advisable, if the minister will think about it, that the actual decision should be made by the Lieutenant-Governor-in-Council, rather than by the minister himself. I know that the Minister of Mines (Mr. A. F. Lawrence) not so very long ago transferred this whole question of processing minerals, or the exemption of processing minerals in Canada, from himself to the Lieutenant-Governor-in-Council. I know it is quite likely that any loans that would be made by the minister would be ones

would be brought before cabinet. I assume that would be so, in any event, and I do not see why the bill should not, in fact, say so.

I am sure the minister does not have any particular pride in the fact that he is the one that is going to make the loan, because I do not think that in fact any cheque can be drawn except by the Treasurer of the province. What we are really saying is not that the Minister of Lands and Forests may make the loan, but that the Minister of Lands and Forests may make the decision that a loan be made. He is not going to make any loan. It is only the Treasurer (Mr. MacNaughton) of the province who is going to make the loan. Therefore I think the government would solve some of its specific technical problems about authorizing payments under this bill to the kind of person who, in fact, it wants to help.

I think the whole discussion about who can sue for what and whether there is a lawsuit, or whether they need funds to assist them in carrying out a lawsuit, or whether, in some way or other, they can be assisted under the legal aid plan are quite irrelevant. Those are things which are quite rightly left to the discretion of the minister and the judgment of the minister as to who in fact he wants to help.

What the minister is saying is that he wants to provide financial assistance to some people who have suffered a business loss and may incur other expenses because of the prohibition of fishing in certain waters. You cannot get into an argument as to how remote the persons are from the specific place where the loss originated.

If, in fact, the minister wants to assist the commercial fishermen in Lake Erie because of a ban imposed by the United States on the importation of Lake Erie fish into the United States, then I think he has got to spell out in much greater detail the kind of prohibition that they are talking about. And this always poses a problem for us in the opposition.

Of course, we are in favour of providing financial assistance to the commercial fishermen who have been hurt, or financial assistance to the commercial fishermen who need cash to put them in funds, should they decide to bring a suit against the Dow Chemical Company, or go to that kind of expense. Certainly we are all in favour of that.

But so many times when legislation is drafted in haste, we come into the House and go through it in haste and give our consent to do it. We are in grave danger here

of—just as a matter of an interpretation of a statute—missing the very people that we are supposed to help.

We support the principle; we support the government if the government is asking should be done.

Of course, when the bill comes back, substantial amendments can be made to the bill. But I do hope that with all the comments which have been made, with the very much of the debate which has taken place and some of the points which have been made, that the minister will consult with the Attorney General and will consult with the Treasurer of the province about the kind of language which is required in this bill if he wants to carry out his purpose.

I do not mean in any way to restrict the purpose. We want—as I said before, and I close my remarks on the bill with these words—we want to provide a bill which will provide the government to give financial assistance to the commercial fishermen in the Great Lakes or other waters of the province, who have suffered a business loss, or need financial assistance by reason of the pollution. That is what we want to do.

I am simply saying to the minister, in light of many of the remarks that have been made, and the ones that I have tried to summarize in these brief remarks, that there should be prepared substantially to amend the provisions of the bill, if he wants to achieve the objective which he undoubtedly wants and which we share with him.

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

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I rise to support the principle of the bill, but I am a little disappointed in the fact that these are loans, that will have to be repaid by the fishermen and by those who are going to receive them even though they suffer—and I should say will—suffer substantial financial loss.

The portion of the bill that does deal with me a bit actually is section 2, that is the second clause that the member for Riverdale mentioned. The portion that reads:

Any other businesses dependent in whole or in part on the taking of fish from the waters.

I am afraid we are not giving any type of protection for a lot of allied industries who may not be involved in the taking of the fish from the waters but will be adversely affected.

In fact, I understand the number of individuals who are going to be helped, as the bill is now printed, is really minimal. This is really only the tip of the iceberg. I have heard from others that will be adversely affected that their claims may amount to well over \$1 million. Some of these refer to boat agencies, which have taken deposits from persons engaged in the fish industry and which now are having to cancel their need for the craft. As a result, they are going to be adversely affected financially.

A thing that disturbs me, too, is that even though we may have pinpointed one of the polluters—and we sort of seem to be acting against the one polluter—there is still a polluter in the Great Lakes, the Wyandotte Chemical Company, over which we have no legal authority, and which still insists on polluting the waters.

The state of Michigan did get an injunction banning the discharge of mercury by that chemical company, which, by the way, is foreign-owned and controlled—owned by some German corporation. The Wyandotte Chemical Company is fighting this ban, and I understand the governor of the state of Michigan is sort of having second thoughts and is going to allow them to continue dumping mercury into the Detroit River. I know mercury pollution from this chemical plant can have an adverse effect, not only on the waters of the Detroit River but also can on the western end of Lake Erie. This would be a very serious loss to the fishermen in the western end of Lake Erie.

One of the things that did sort of surprise me, Mr. Speaker, when I ran a questionnaire throughout my riding asking if government should assist industry in their fight against pollution was the fact that 60 per cent of the people said that government should assist industry. I thought they were more concerned in having industry pay for the pollution, rather than go on a share-cost basis with government. When you get 60 per cent of the people saying that government should assist, it sort of disturbed me a bit. However, I can understand that, because the question was extremely vague. They were probably concerned with other pollutants rather than the mercurial pollution, as we are really now discussing in this bill.

One of the things that does please me, Mr. Speaker, is the rapidity with which the government acted. If they would only act with this same haste and speed in a lot of their other legislation, I think we would find the

business of the people of Ontario be taken care of and expedited.

At this time I would like to take my being fully in support of the principle of this bill.

**Mr. Speaker:** The member for York S

**Mr. MacDonald:** Mr. Speaker, I am going to attempt to repeat much of the substantive criticism and comment that has been made with regard to the principle of this bill and some of the detail to clarify the principle.

I must say the longer the debate has gone on, the more concerned I become. I am concerned, in the first instance, that these people who have suffered losses down through the years, through the callous actions of industry and the neglect of government—and the public, to be fair—should have their needs met. However, what concerns me most is that while I am in support of the principle of this bill, the longer I listen I am sure I am standing here now that a year from now, or five years from now, somebody is going to say: "How in heaven's name could you be a member of a Legislature that would let that kind of statutory monstrosity pass through the House?"

This is an unbelievable bill, absolutely unbelievable. The hon. minister, in whose name it is being introduced, is a layman. I am not blaming him; he has to depend on the legal counsel or the counsel of his department. But what became even more shocking was that when his colleague, the hon. Minister of Energy and Resources Management, is not only the minister responsible for the OWRC but a lawyer, got up and spoke about the bill and dealt with some legal aspects of it, he was talking about another bill altogether. He certainly was not talking about this bill.

On two or three occasions he stated certain things that should be done, but this bill does not do them. I wonder, was he in the cabinet when it was discussed? Was he involved in the discussion? Has he a certain set of objectives that he thinks this bill is going to meet? At this stage, he has not examined the bill with any care to find out whether it meets those objectives.

I repeat, Mr. Speaker, it is really unbelievable. We drew to his attention, for example, the use of the word "loans" and he immediately confessed, "Well, I am not certain 'loans' is the appropriate word."

He is dead right; "loans" is not the appropriate word—unless you are going to use



new term that has been introduced by Ontario Tories, "forgivable loans", the phony proposition whereby you make a grant, but you call it a loan and ultimately you forgive it. The government does this for its big business friends but they are hesitant about doing it in the instance of fishermen who have been victimized by losses through causes that have no relationship to themselves.

I do not want to repeat all that has been drawn to the minister's attention. But this bill by any normal interpretation of the words of the English language is going to be restricted to those who happen to have been involved in the ban in Lake St. Clair and the St. Clair River. When we raised the question—the minister shakes his head—when somebody raised the question with the hon. Minister of Energy and Resources Management about whether or not there could be a claim for compensation by the fishermen in the west end of Lake Erie who have suffered commercial losses, who for a time were under a ban, he said they would not come under this bill. They, in effect, could be compensated for their losses by direct action. Presumably they are going to have to make a direct suit. Presumably they cannot come under this kind of a law.

Again, a few moments later, when the question was raised, "Why is this not an outright grant, cleared of the obligation of having to take suit," he makes the puzzling comment, "They have access to legal aid."

As I understand the regulations for legal aid, these fishermen may not qualify since some of them are not completely impecunious; some of them have some resources. They may have tens of thousands of dollars of resources in terms of their equipment and their fleets. I think you have to rewrite the regulations of legal aid in order to provide assistance for these people to fight their cases, though you claim that you are going to stand with them.

In short, there are more holes in this bill than there are holes in a sieve. There are more questions being raised than there are fleas on a dog's back. This is no answer to the problem.

Mr. Speaker, I am really on the horns of a dilemma. We expressed our support for the principle of this bill because we want it to go through, and not because the hon. member for Windsor-Walkerville says that the government has acted with rapidity. Some three or four weeks ago, the Minister of Energy and Resources Management said that the action that could be taken under The

OWRC Act was not open for coping with situation and we would have to have legislation. The government has been wringing with this for three or four weeks. I have never seen any legislative body wrestling with a bill for three or four weeks and coming with a bill that is so obviously deficient in terms of what it does and what it does not do, as this bill. So what should we do? We are desirous of having some action to get compensation to the fishermen as quickly as possible. We want to clear the deck so you can sit down with the Treasury Board and yet I think we are going to have more problems created by this bill.

All I can suggest to you, Mr. Speaker, at the moment, is this. I presume they are going to rush through into Committee of the Whole House with this today. In light of what has happened, that would be an insult to injury. All I can suggest is that I hope the minister will respond to some of the points that have been raised; but, it is important that he and his colleagues and law officers of the Crown will sit down and take a look at the bill and the widespread feeling in the Opposition that it simply will not meet the objectives that you want to meet. They will come in with many amendments—to be quite frank, I think you need that—to the point of almost making it advisable to having an alternative bill. If it is not done, I give you fair warning that we are going to come in with many amendments to try to achieve the objectives you have set—although, sometimes I am a little uncertain as to what your objectives are now, but certainly we have objectives that we want to meet.

Mr. Speaker: The member for Sudbury

Mr. E. W. Sopha (Sudbury): Mr. Speaker, in trying to comprehend the principle of this bill, I am prepared to accept the comment of my friend from Riverdale and the leader of the NDP that the debate has lacked clarity up to now. But perhaps it is helpful to focus upon their assessment of it, at least from the point of view that perhaps it has not been satisfactory in that we take a legislative initiative into a new area in the public domain.

I hasten to say that the problem is new. These things have happened for a good many years. Interference with the environment comes from various sources—a lot of them industrial—but the response is new and perhaps this is the breaking of the ground in which we now engage. And it is safe to say, is the first response from

ministry. Then a study of the principle of the bill is an exemplification of a position that Her Majesty's Loyal Opposition—and I join with my friends to the left—can be put in, like a hiving of us or a categorization.

Sometimes, over here, believing as we do that we are parts of the governing process—we have had good reason to exult that we are, in the broad sense, parts of the government—sometimes our response is that we endorse, without reservation or qualification, a legislative enactment. Were we to do it, we would do it in exactly the same way.

When a bill goes through second reading, sometimes very little is said, except some ordinary euphemisms to the effect that there is unanimity in the House. On other occasions, of course, the Leader of the Opposition and others will point to the fact that the very generation of the idea emanated from this side of the House, and that the government has now borrowed it.

But this is a third example, where we are put in the different position that we do not think that the bill is either adequate or courageous. But so far as it goes, however inadequate it is, we have to come to its support. And that is the exemplification in this bill. In its first preamble, what it states as a legislative fact—this sovereign body beyond which, in this area, there is none more sovereign in the society—is that it has found that people have been damaged because of pollution. That is what it says. It would be interesting to know whether a court could make a finding that was not consistent with what the highest court of them all has found. And it is important, when one considers the principle of this bill, to bear that finding in mind.

Now, I say it is not courageous. It seems to me that, apart from everything else, had the government acted with courage in this area or had it been consistent with the accepted principle of our culture and our civilization, it would have said that we believe in shifting losses. The very warp and woof of our system of civil law is founded upon our desire to shift losses. Sometimes we do it by shifting the losses to the whole of society; we spread them over the whole seven million people. They each pay their pro rata share. There are many examples of that. Sometimes we shift them only to those who are culpable; we find culpability and we require those to whom blame attaches to bear the loss.

That is so in this case, because there is plenty of evidence around and about that

can lead to a determination that some people in the industrial world are the culpable ones. Against that background, it seems to me, although I am no historian of the law—there is a principle of long-standing and of centuries, probably 700 or 800 years old, that the Attorney General has an inherent jurisdiction to act in the name of the whole society.

The Attorney General could found an action in virtue of his position, and I have oft quoted the phrase here, "What is everybody's business is nobody's business; it is the business of the Attorney General." The officers of the Crown could no doubt cite those precedents, and the Attorney General could maintain an action in the name of those who have suffered damages.

We have been waiting for his assistance to look up the law and to advise us on the state and what remedies it may provide for those who have suffered injury. We are not on good authority that he told the press yesterday, outside the chamber, as is the modern ministerial wont, that he had come to an opinion. They asked him, of course, what the opinion was. He was not saying it is not telling them, and he is sure not to tell us what it is. We may, in the fullness of time, be the beneficiaries of the researchers.

If that principle is not as accurate, according to the Justinian theory of jurisprudence as I have purported to state it, then it is not to the Attorney General—and here I would again say that I am on firm ground—to maintain an action in the name of one person. All that would need is one client, officially, and name him as the plaintiff and maintain what he knows in the law as a class action. The action establishes the precedent and all others in a similar position are the recipient of the same remedy as the court provides that one person. He might have done that. His pleadings might have been advanced by a week or a calendar month at this point. Who knows? He might have had it on for trial at Sarnia. He sure has not got it.

All right, if you do not like those, then say why does the bill not go on to say a general expression of principle—having found a fact, as it does in the first of the preambles, that there has been pollution—that the Minister of Lands and Forests shall be authorized to maintain such actions in the court as he may deem necessary, to recover any money that he pays out. Because we have the power, the uncluttered, unfettered, unquestioned power—we can make the Minister of Lands and Forests a plaintiff, and he

hire the Attorney General. I would not myself. But because of the spirit of brotherhood over there—I am serious; do not shake your head—the law officers of the Crown, and they have some able lawyers, would be available to the Minister of Lands and Forests. We could then get the matter settled once and for all.

Who can stand in the House and say that there is anything to quarrel with that proposition? No one can say, whoever it is. I am not even going to name the companies. They will get the usual fair treatment in the courts, every opportunity to present their evidence, to make the argument that is available to them and by skilled counsel. The courts, as is their custom in the unequalled system of justice that we administer in this province, will give a fair and just decision and the matter will be settled, insofar as the polluters named in the preamble are concerned.

Incidentally, along the way, one of the great benefits of it will be that it will set a precedent and be an example or warning to all others who get themselves into a similar position.

Now I ask rhetorically, and the Minister of Lands and Forests might inform us when he rises, why he did not have the courage to take that next logical step and settle the matter on behalf of all the fishermen who have suffered injury?

I do not want to prejudice the case because we must keep the debate on as high a plain as possible. It may be that, on the present status of law, nobody is culpable. It may be. I do not know. But if that is so, the courts will determine it. They will decree it after a full and fair hearing.

Why leave the matter in limbo as this bill does? In uncertainty? We are entitled to complain, because you are asking us here to make a vote of public moneys and we have a duty to express our grievances about the vehicle under which the Minister of Lands and Forests presumes to expend moneys from the consolidated revenue fund.

It opens a very searching question as to what the Minister of Lands and Forests is afraid of. Why he tiptoes into this area. And I said at the outset that we are breaking new legislative ground here. The member for York South is perfectly right. In four or five years' time, our actions today will be examined very critically, because this sort of thing is going to happen, I fear—it saddens me to say—with increasing frequency.

Therefore, it is in the public interest this matter get settled, once and for all, is to say, our legislative response to it be determined, once and for all, to indicate to the society we seek to serve, the position we are going to take and the activities which we are going to engage, to uphold the principle of shifting losses.

The Minister of Lands and Forests will not do it here and we say, "Well, we will vote for the bill, as inadequate as it is, but we are willing as a party to go much further than this." You cannot treat lightly the spending of public money, unless you are going to do something to preserve the public purse. What do you do here? What do you do to protect the public purse? You make a law which means the way you leave this, or you get royal assent, is that you are asking the people who already have been aggravated by the fact that they have sustained injuries which they did not ask, are going to be responsible to the consolidated revenue fund?

Is there anyone who could quarrel with me that it would not be fairer that those who are blameworthy recompense the consolidated revenue fund? Does anyone want to make an argument and be taken seriously? We are not invoking any hasty government action to penalize people.

We are merely saying that, if you are liable under the existing state of the law, it is fair and proper that you should pay for the damage that you have caused. That is what a person does in a motor vehicle accident. That is what he does when he trespasses on his neighbour's property. That is what he does when he releases or creates a public nuisance. That is the area of the law in which this bill is operating.

This is the area of nuisance, public nuisance, meant in the legal sense and according to the legal definition. It is a term of art. I would like for me to stop and give any dissent on the meaning of it. What the Legislature saying in the first preamble is that someone has created a public nuisance in respect of those waters. It goes pretty far.

All right, let the government understand the position we take. I hope I have not contributed to the murkiness of the debate. I have a responsibility to face the challenge of a member for Riverdale to make absolutely clear the way that we view it over here and how we feel about the measure of this response.

I cannot sit down without reflecting that there was a time in the history of this Legislature, not too long ago, that the ministry appeared to stand together. When an im-

expression of cabinet cogitation and reflection emanated from that cloistered atmosphere at the end of the hall, they came in here to defend it and explain it.

Apparently, that day has gone past. I just want to reflect for the public and those that are interested, that now when a minister promotes a bill in this House, apparently he is on his own. He makes the best of it, strictly on his own. I saw that the Minister of Energy and Resources Management was here taking a hand in this debate and then he fled.

**Mr. Speaker:** Order, please! The principle of the bill.

**Mr. Sopha:** Yes, all right. It is the principle of the bill. I doubt whether the Minister of Energy and Resources Management—I heard him—I doubt if he was speaking to the principle of the bill as I apprehend it, but—

**Mr. T. P. Reid (Rainy River):** He was talking about another bill.

**Mr Sopha:**—one of the penalties of modern parliamentary life is that we do not get them here. Indeed, I am glad to see the Minister of Municipal Affairs (Mr. McKeough), because this abuts his constituency down there. But I should not complain too much, because in the late afternoon it is awfully hard to get a crowd here.

And the press are no better. They stay for the question period and then, if you were a small child up at that door you would be trampled to death in the rush as they take off through the door. So the only action, apparently, is between the hours of two and three, and I must say on some days you cannot get in on that action too easily. But that, to me, is important.

It is important that the ministry—and I am not speaking lightly—it is important that we know the attitude of the ministry and just what they intend in respect. As the member for Riverdale says, their intent in this bill is exceedingly murky and it is hard to discern.

But be under no misapprehension—and I hope the fishermen will view my remarks as those of a lawyer. That is the basis upon which I intervene in this—as a lawyer, and in seeing it from a legal point of view—and, as a lawyer, when we are dealing with the compensation of those who have been injured, we must be exceedingly careful about the precedents we set. The good lawyer reflects very long, very deeply, on the device that he uses to effect that purpose he has in mind. I am not at all satisfied that the requisite amount of cogitation has gone into this; but on the

other hand, if the government is afraid to move—and it could be explained by fear—because they might trample on some of the people, then I can understand this bill. I cannot agree with it, but at least it begins to come through when I see the intent, if that is what you have in mind. But, for heaven's sake, if you are open to any pleas at all, then take your courage in hand and read the last lines of Terrence's "Ulysses" again. Strike out into new fields without hesitation and say, in the most direct way, to those who engage in this type of activity that creates damage to people in the means of making a living, that this Legislature is not going to tolerate that type of behaviour without coming to your door and asking you to make full, just and fair compensation.

**Mr. Speaker:** The member for Rainy River.

**Mr. T. P. Reid:** Mr. Speaker, not to enter the debate, but just perhaps to refresh the minister's mind on some of the points that have been made in the debate so far this afternoon, I would pick up where my colleague from Sudbury left off in regards to the compensation of these people.

I am sure that the minister would agree that this is a social problem that we are facing here, and as such it should be dealt with in full by this Legislature. This Legislature has a duty and a responsibility to compensate these people. There are other examples and analogies that one could draw to prove one's case in this regard, and I suggest to the Minister, for instance, that we have legislation dealing with compensation to victims of crime.

The Minister of Energy and Resources Management not too long ago stood in this place and banged the table and, in a grand dramatic gesture, said: "Industry are thieves. Well, if they are thieves, they are criminals. And if they are criminals, the ones who are the victims of these criminal offences should be entitled to compensation the same as they are under the existing Act. So I leave that to the minister's consideration that we on this side are very loath to accept this legislation although we want to see the people who need the money, the cash to carry on, and that they get it as quickly as possible.

But we have our reservations, in that we feel strongly that the government should be moving in getting some funds out of the people who are responsible for the pollution. My colleague from Sudbury has already drawn to the minister's attention the fact that the Attorney General's department has con-

to a conclusion in this regard, and I think it was incumbent upon the Minister of Justice to go to the Minister of Lands and Forests and say, "This is what we have decided. If you like, we will cabinet caucus it." But before this bill received second reading the ministers should have made a statement in regard to the government's intention in bringing these people to court or in aiding the fishermen. I reiterate that argument put forth by the hon. member for Sudbury. I do not profess to be a lawyer and know the legal niceties of the matter, but I think it is obviously a very ill thought-out and very sloppy piece of legislation. Whose responsibility it is, I do not know, but ultimately it must be the minister's. And I think he should have a very careful second look at this before we pass second reading on it.

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

**Mr. Lawlor:** Mr. Speaker, I have three points to make on this legislation.

It is regrettable that it is so poorly drawn. I think it is quite faulty in numerous instances, such as have been pointed out here this afternoon. Only the most overriding considerations of urgency could persuade me to accept a bill of this kind, with its *non sequiturs* and its omissions, and its holes. But we are driven to that position by the government this afternoon, seeking to assist these people who, through no fault of their own, have been severely damaged.

The first thing that I wish to mention is, is the business of the making loans with or without interest? Why on earth would they be with interest in the context of the social need for which this legislation is designed to cure?

The minister then says they are not really loans. They are some kind of advancement of moneys to which we will be, I trust, he says, eventually subrogate when the moneys are paid into court, either after judgment or by way of settlement with the companies who are at fault.

Why did it not say so? Lots of clauses and various statutes in art have subrogation principles. It is not that difficult to have placed it in that particular form, if that is really what your intention was. As things stand, the government could very easily just simply consider them loans, period. They could charge whatever rate of interest was the going rate, which would be onerous and prohibitive in my opinion. There is no restriction on what

interest the government might charge. It not provided itself with a schedule or regulations whereby it can make a determination of what is this interest or no interest likely to be.

It is incredibly bad under that head. Perhaps the minister should reconsider section—redraft it as it stands to achieve true intent. He certainly will not get a quarrel from us on this side if he decides overnight to do that in view of the fallacies that you are including.

The second matter is that in which is clause talking about—I have to go back to beginning: "with or without interest in sums amounts and upon such terms or conditions as he considers appropriate to a person carrying on the business of commercial fishing or any other business dependent in whole or part on the taking of fish from waters."

That gives employees of business, in my opinion, no redress at all. It is directed to the business itself and to the business losses of an unincorporated or corporated entity must suffer. Other individuals within those businesses are going to receive no compensation. Is that the minister's answer that they are going to go on unemployment insurance or there should be no compensation for them in terms of actual loss inflicted? It is only a percentage.

Exactly what does the minister intend to do with this? Does he not mean to include employees of business? Does he not mean to include everyone who has been detrimentally affected, directly as a result of this pollution? If he does so mean, and I trust that he does, he said that he does, then why does he not say so; and embody it in the legislation?

The third point is reading from there: "the taking of fish from waters in which such taking has been prohibited." It has been mentioned I think, by my colleague, prohibited to whom? And what conditions of prohibition? The government is going to have a sweet taste if this matter is ever contested in any way. Their hope, of course, is that it would not.

But going more widely in terms of evidence in terms of what may be presented to a court in seeking recompense for these people, the government's intention to supply the evidence? Surely this would be an incredible chore for fishermen, even in hiring good lawyers. And the costs would be extremely high, to search out and detect, with a device that would meet the requirements of liability, that is, on the balance of probabilities, that a particular company, for example, Dow, was the one that *de facto* polluted the waters in this particular place.

I notice the degree of naïveté, a real freshness of face, with which Mr. Green approached the president of Dow. It was reported that he, and I suppose your government were part of that, seemed to assume initially that the company, recognizing its public responsibility in this area and admitting that there were overflows of mercury, would, in an openhanded way in terms of public relations in its own interest, set about a machinery of compromise and agreement. No, sir. The government seemed to assume that this would be the mentality.

On the contrary, in no uncertain terms, in the most categorical way possible, the president said "No. Sue us. We deny liability in this particular regard. We will fight it through the courts. We will use every instrumentality, scientific and otherwise." You can always hire a scientist, you know, to testify in any one way or another.

The minister is going to have a tough court fight in this thing. He is going to have great difficulty. It is even conceivable to me that the court case could fail through inability to establish the chains of causation that will be necessary in order to tie this company down.

They know that and that is why they are resisting in this area of public responsibility. I think greater pressure should be put on the company by the government to bring an out-of-court settlement of these claims, rather than hazard the risks of litigation in this particular regard.

Those are my thoughts in the matter of this legislation. It is most regrettable, hurried as it may be, that it should emerge in the form and subject to the numerous fallacies that have been presented to us today. However, we have no alternative in terms of humanity, but to support the badly drafted legislation.

**Mr. Speaker:** Is there any other hon. member who wishes to participate in the debate before the hon. minister replies?

**Mr. Nixon:** Only by way of a point of order, if I might, Mr. Speaker. The bill before it is really not fully printed; it is mimeographed for our consideration and with unanimous consent we have been going through this debate.

I wonder if the hon. minister, in his remarks, might consider holding the actual vote on second reading until such time as he might, perhaps with his advisors, have had a chance to reconsider it, rather than spending a lengthy period of time in the committee of the whole with amendments from all sides.

He might very well bring in the amendments that obviously will be needed, and we would be prepared to co-operate in any way that could so that this could be done expeditiously.

**Hon. Mr. Brunelle:** First, may I say that I listened with a great deal of interest to the various comments that were made. I appreciated the hon. members saying that they agreed in principle with the bill, although they expressed their reservations very well. This bill will be going tomorrow to the Committee of the Whole House. The reason that there is an urgency to this bill is that as the bill implies it is making loans to fishermen to provide financial assistance during such a time as they are preparing their cases for compensation through civil action. I would like to say that we acted, I think—referring to the Leader of the Opposition's comments that we were rather, I forget him exact words, we were not too prompt—I would say to that we were very prompt in acting on this taking action.

Two days after we heard of the contamination by mercury, our officials went to Ottawa. Then we, our colleagues and ourselves, went to Ottawa and met with the Ministers of Fisheries, and Mines and Energy and they came here. In the action we have taken on this bill we consulted them considerably because they have experience in these matters. I think this was mainly in Newfoundland.

Again, I would like to say, Mr. Speaker that there is a certain amount of confusion here. What this bill is doing, the principle of this bill, is to provide loans, financial assistance to those fishermen and others who are directly affected as a result of pollution in those areas. This is just an interim system until such time as they take legal action. Again, I am a layman in this legal aspect and as the hon. member knows, the Attorney General and his law officers have been studying this. I understand that they will have a report shortly.

There is considerable concern about section two. That section two says that this bill applies in waters in which the fishing has been banned. Probably tomorrow, Mr. Speaker—I hope tomorrow, if not tomorrow it will be Monday—I will be announcing the banning in certain waters. Therefore several of the hon. members who spoke to me were quite concerned that fishermen in that area were not being compensated because their waters have not been banned. I think that most of these hon. members will agree that the fishermen in those areas—

**Mr. Nixon:** Well they do not consider that a great favour!

**Mr. Bullbrook:** Will the minister permit a question?

**Hon. Mr. Brunelle:** Yes.

**Mr. Bullbrook:** Not to be argumentative, Mr. Speaker, I would like to question the minister as to his concern for this implication. This bill comes into effect on April 20, if I recall correctly. If he bans waters tomorrow, would that not cause him concern since the words "has been prohibited" are used in the statute?

**Hon. Mr. Brunelle:** Good question. April 20 is the day that applications were made by commercial fishermen and others. If this is too restrictive, it is possible that we could amend this tomorrow.

**An hon. member:** Put "has" or "will"!

**Hon. Mr. Brunelle:** Pardon? Put "has" or "will" be?

**An hon. member:** Mr. Speaker!

**Mr. Nixon:** Who is that man?

**Hon. Mr. Brunelle:** Mr. Speaker, there were quite a number of comments by various hon. members. I notice the hon. member for Riverdale in his seat, and he made the suggestion that we should allow sports fishing in Lake St. Clair—

**Hon. A. Grossman** (Minister of Correctional Services): Wake up, they will be taking a picture.

**Mr. Singer:** He cannot hear!

**Hon. Mr. Brunelle:**—because there are a large number of persons interested in sports fishing and that we should look into the suggestion that was made in the *Windsor Star*, I believe, of last Friday whereby the fish could be tagged and there would be prizes; and this would create a certain amount of interest and that those who rent boats and operate marinas and so forth would not lose as much business as they are now. I would say that this suggestion is under consideration. There are legal aspects.

One point I would like to make clear, Mr. Speaker, and this is very important. The reason we are making loans and not grants is because the solicitors of the commercial fishermen have asked to have it this way. They say that if the legislation was to read "grants" instead of "loans", this would

jeopardize the civil actions they will be taking. If I may refer again to Newfound land, what had happened there was fishermen were granted loans and they received in compensation more than twice amount of money that had been loaned the federal government.

Again I would like to repeat that this is just assistance to tide over the fishermen and others affected until such time as they can cover full compensation. Again, my understanding is that those fishermen and those who are affected whose business is adversely affected even though the waters are banned—nothing prevents them from seeking compensation.

In the future, the federal government, the hon. member knows, has a bill now, the Fisheries Act, being amended, whereby legal action will be taken immediately. We in the government will also have legislation where it will be possible to take legal action on ourselves; the government itself. My understanding is at the present time that this is possible. However, we shall await the decision of the Attorney General on this matter.

I believe it was the member for Windsor West who mentioned that section 2 was too restrictive and that we should have regulations. Mr. Speaker, I would say that the way I look at this bill is that it has a certain amount of latitude and that it has more latitude than it would if we had regulations. Also, he was wondering about the amount of the loans. As I mentioned in my talk in *Hansard* on April 17, the amount of the loans is based on the gross income of last year. The commercial fishermen and the camp operators will be receiving 70 per cent of last year's gross and, as I mentioned today in my remarks, the bait dealers, the marinas and others will be receiving about 40 per cent.

**Mr. Peacock:** Is it correct, then, that the bill will apply not only to the St. Clair situation that has passed, but to future similar situations where prohibition is imposed?

**Hon. Mr. Brunelle:** The bill reads "banned" will apply in waters that have been banned. At the moment it applies only to Lake St. Clair, the Detroit River, the St. Clair River, Clay Lake and part of the Wabigoon.

Tomorrow, I think more probably than tomorrow, but certainly in the near future will be announcing other areas where fishing will be banned; therefore those additional areas will be included. At the same time my understanding is that nothing prevents fishermen from other areas, where the waters

not necessarily banned who but think that they are adversely affected on account of the waters being polluted in adjoining areas, that their business is affected—I understand that they can take civil action. But this is a legal matter and I must confess that I am a layman.

Also the same member referred to section 4 which reads that “money will be paid out of consolidated revenue funds”. Again, Mr. Speaker, these are only advances that we are making. These are only advances—these are only loans and full compensation will be recovered from the polluters themselves.

Referring to the member for Brantford: “Will the minister himself be taking legal action?” I wish I had the power, Mr. Speaker, to save the fishermen all the trouble and expense of taking legal action, but as I said earlier, under my understanding at the present time, we may not have that authority.

Mr. Speaker, I know that I am not answering fully all the questions, but I thought maybe tomorrow that this will come to Committee of the Whole House. Then I will have the benefit of having *Hansard* and be in a better position to answer the various queries that may be put.

Again, I wish to thank the members for agreeing in principle with the bill.

Mr. Burr: Mr. Speaker, on a point of privilege.

During the discussion I pointed out that certain actions took place in the spring and fall of 1969. When the Minister of Energy and Resources Management was replying, he more or less contradicted me by saying they both took place in the spring.

If you will consult page 1052 you will find that my interpretation was right.

Mr. Speaker: I think there is no point of privilege. There may be a point of order.

The hon. member had made certain statements which were contradicted by the hon. minister. Is this what the—

Mr. Burr: Yes.

Mr. Speaker: So now the hon. member is referring to some reference in which he attempts to prove that he was right?

Mr. Burr: That is right.

Mr. Speaker: The record will show that.

Mr. Burr: In *Hansard*.

Mr. Speaker: The motion is for second reading.

Motion agreed to, second reading of bill.

## THE MUNICIPAL ACT

Hon. Mr. McKeough moves second reading of Bill 64, An Act to amend The Municipal Act.

Mr. Speaker: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Speaker, I want to make reference to one portion of the bill; the principle, of course, is in the bill.

I am a little disturbed that nowhere in the bill is there any reference to the consolidated revenue fund of the province of Ontario making good to the universities the amount of money that they will have to spend if the municipalities levy this tax against them.

All of the good intentions in the bill are really of little use if the end result of this particular bill is that the universities are forced to change their fee structure and raise the fees to the students in order to pay the \$25 *per capita* that is named in the bill, being the amount that the cities or municipalities can levy against the universities. I would hope that the minister could clarify up this particular point.

I think that it is necessary that it appear somewhere, if not in the bill, at least on the record, that the province of Ontario intend to make available to, and to give to, the universities that have this levy against them an amount equal to the cost of the *per capita* levy. Other than that, we will not support the bill.

Mr. Nixon: Mr. Speaker, I would like to say that that it would be made clear that the government would provide grants to the universities so that this additional levy by the municipalities would be payable. I think this should be made clear, as well, that, if this grant is payable through the Minister of University Affairs (Mr. Davis), that it will become a part of the cost of post-secondary education. Therefore one-half of that amount would be met by the federal-provincial agreement in these matters, so that there should be no doubt that the extra payments will eventually go into the treaties of various municipalities concerned will be met half from the consolidated revenue fund



this province, though grants by that department, and half from the treasury of the government of Canada.

I believe that one of the ministers at the provincial-municipal conference last week made it clear that this bill simply enunciated a principle which was going to be followed up, as funds became more readily available, and that they would move from the universities to other centres of post-secondary education which, at the present time, enjoy freedom from local assessment, if not complete freedom from local payments.

The problem is, of course, that there are certain municipalities—and quite a few of them—which are going to be done a severe disservice from the fact that their taxpayers will be contributing to the provincial share of the new payment envisaged in this bill without getting any of their own back, so to speak. I would think of many Ontario centres which do not have universities within their boundaries, but which do have community colleges, nursing schools, and other centres which are not going to benefit under the provisions of this bill.

It might well have been that the dispersal of the funds assigned for this purpose might have been a bit broader and therefore a bit fairer—that in just selecting universities for this assistance, a mistake might have been made, and that if a limited number of dollars were available that it might have been dispersed among all the post secondary institutions.

The other thing is that the announcement made by the Treasurer that these payments were to be made, indicated that certain decisions had not been arrived at the time of the budget presentation. This, of course, was as to just what universities would have the right to claim extra grants for the payment of the \$25 per student levy.

The decision has now been made that only those universities which are in receipt of full provincial assistance will, in fact, get the extra grants. That means that a good number of institutions which receive only part assistance, or in fact no assistance at all but which enjoy the tax-free status in their own municipalities, will not have the wherewithal to contribute to the municipal treasury in any way. This is another area of some substantial inequity which I think is apparent in the reading of the bill.

We, of course, accept the principle, and have fostered the grant system so that the universities and all post-secondary institutions

that have been exempt from local taxation so long will, in fact, pay their way.

On a recent trip to Kingston, it was brought home very forcefully to me by municipal officials that even the provisions under this bill would only meet something like 25 per cent of the cost that the municipality feel must put up in servicing the expensive facilities of Queen's University.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): It is not that much.

**Mr. Nixon:** Not that much, the minister tells me.

So while we are prepared to support this principle, certainly we are reiterating our complaints the minister has received from many sources that it does not go very far to meet the problems that these university towns face. Of course, it does nothing to meet the problems of those municipalities that have within their boundaries the institutions which I believe should come under the provisions of this Act, but as yet are not listed.

**Mr. Speaker:** The hon. member for Waterloo North.

**Mr. E. R. Good** (Waterloo North): Mr. Speaker, I would like to speak to this to amend The Municipal Act. Perhaps the member for Kingston and the Islands (Cape Breton) and myself, being in small municipalities with large universities, have been affected by the presence of these universities and have spoken for the need of increased tax support from these non-taxable institutions more than others in the House. The city of Waterloo has had 25 per cent of its assessment in a non-revenue-producing category for the past number of years.

The city of Kingston, I believe, has something like 33 to 35 per cent of its assessment that is non-revenue-producing. While we are all happy to have universities in our municipalities there is a certain social obligation and municipal obligation that falls heavily on a small community with a large number of students.

This is just a very small step towards putting the situation in the correct perspective whereby full tax would be paid by these institutions which benefit, in fact, throughout the whole province. On the matter of increasing this tax, I think the Minister made the statement at the provincial-municipal conference that full taxes would be paid by universities after they had been assessed. When pushed on the point later I think he backtracked a little bit and said,

soon as money becomes available." There is quite a difference in those two views, and I would think that, with this step being taken, the principle of getting full support for these institutions and others must be kept in mind at all times.

Going to the matter of the principle of the tax, which is derived by the municipality from the institutions, this will increase the general assessment of that municipality by that amount. So that, in turn, will affect the rates under The Assessment Act, whereby the municipality will make payments to the county and other levies in this area. I think the principle has to be recognized that it does increase the assessment and will affect it. I wonder if the minister, in his reply, could give some indication as to how serious this effect will be on the other payments by the municipality to regional and county commitments.

The other matter on which I would like to speak is the section in the beginning, the principle whereby the local municipalities may pass bylaws to levy an annual tax from universities designated by the Lieutenant-Governor-in-Council. This has been set up to include only those universities which are provincially supported and precludes the levying of taxes by the municipality in Waterloo against Waterloo Lutheran University and the church-affiliated colleges of the University of Waterloo. While the city will receive support for 8,279 full time students from the University of Waterloo, they will not be getting support, tax support, for the 2,580 students at Waterloo Lutheran University. This, of course, is a loss in revenue of \$64,550, or \$25 per student.

The point is this. How can one justify this? Actually the only reason it happens is that some university students are going to the Lutheran university and the others are going to a provincially supported university. With this answer, I cannot conceive the justification for it. The policy is probably support by the government on the basis of, "Well, these are our universities and the others are other universities."

The grant is not, in fact, in its final analysis, going to the universities. It is going to the municipalities. There is no such thing as a Waterloo Lutheran fire hydrant, or a Waterloo university fire hydrant. The same services have to be provided for all university students within the municipality. The sewers of the one university go into the same trunk line as the sewers of the other university, so the grant, in fact, is going to the municipality.

It is the people of the municipality who are being short-changed on this interpretation of the Act as it now stands.

So I would seriously ask the minister to consider extending this support to all universities, if universities is the class which is affected now. I would say all universities in the province and all municipalities which eventually derive the benefits should be included.

This would apply to degree-granting universities other than Waterloo Lutheran, which would probably include the RMC in Kingston and others in the province which are church-affiliated. Basically, the principle has support. It is a very small step and we will look forward to seeing it enlarged as the years go by.

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

**Mr. J. R. Breithaupt (Kitchener):** Speaker, I too would like to join my colleague from Waterloo North in asking of the Minister of Municipal Affairs his reasoning behind the lack of this programme being made available to Waterloo Lutheran University.

It would appear that the announcement made out through the budget that set up this programme looks at the budget as being a general document of principle, and not one which is based on accurate mathematical calculations. The Treasurer, apparently, is not as certain as to what a budget is supposed to be, and the details surely should be cleared out before the total amount of figures arrived at, in order to set a tax burden on this province.

We have a bill that is going to attempt to patch up this kind of a problem. The head has been made. Now we need some legislation to try to work out the details. But who is to receive the funds? As my colleague says, only the provincial universities.

I believe that the payment here in lieu of taxes is a sound one. But, if the principle is a sound one, why are there two glaring examples? Why are the funds not available to the city of Kingston with respect to the Royal Military College? Why are they not available to the city of Waterloo with respect to Waterloo Lutheran University?

The member for Grey South (Mr. Winch) and I both happen to be members of the board of governors of that university. We know its problems and its rather interesting ability, in these days of higher education, to operate in the black each year. Indeed, I think it is probably the only institution of higher

education within this province whose administrators seem at all concerned with intelligent financing. Perhaps it is because they do not have the ease of financing entirely from the public purse to which others have access.

I would refer to the minister a brief comment from an editorial that appeared in our local newspaper the day after the announcement was finally sorted out as to who was to receive what benefit. This is what the editorial writer said:

The answer, for what it is worth, is that WLU is a sectarian university, while U of W is a provincial public university. Ontario does not give grants to the private university on the same scale as to the public. That may be a defensible policy for money going to the university. The \$218,000 being paid this year to the University of Waterloo, however, is not going to the University of Waterloo. It is going to Waterloo to benefit all city taxpayers.

I suggest, Mr. Speaker, that here is another example of a piece of legislation which is hastily put together and in which the details are not intelligently completed.

The minister tries to put some reform into the situation, but once again misses the mark just enough to show that, in fact, the programme had not been thought out. There is no reason, certainly, of which I am aware, that these tax payments should not go toward the provision of services and to benefit the citizens of the municipality.

In this case the citizens of Waterloo are being short-changed, and I see that there is no other explanation for it but that. The grants should be to help the cities recompense themselves for the loss of assessment and when you leave out these two exceptions you simply do not solve the problem the way it should be solved.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: During the hearings of the Smith committee, when we traversed Ontario, on many occasions we were struck and made to well know by the afflicted municipalities, of the failure of the government to provide for taxation of university properties. In instance after instance the grounds that were occupied by university authorities and exempt from taxation have made a severe impact on their total assessment picture and their leviable taxes.

The beginning of a cure is evident in this bill and so we perforce must accept it. As my

colleague from Oshawa (Mr. Pilkey) will say in a moment, it is peanuts, nevertheless; amounts to very little in the way of a cure. As a matter of fact, this piece of legislation a timorous and even dainty mincing gesture on the part of this minister to move into an area which he well knows is one demanding and crying out for attention, and which has brought severe burdens to university municipalities. This is a rather weak-kneed way which to move into this particular area. The total cost to all the universities in 17 municipalities is about \$2.5 million spread over the lot. That can hardly be said to be a generous gesture of lifting the burden of the city of Kingston. However, no doubt the minister will hold it out as such.

The exemptions that universities presently have, of course, are largely under private Acts of this Legislature which say precisely that they will not have to pay any taxes. The Smith committee in its recommendations went to some lengths in seeking to have a review of universities made—I refer to recommendation 12(9)—for the minister, and a review made of the grant structure, a particularly of municipal taxes for universities based on the recognition of the university itself. I see nothing in this bill indicating such desire or regard.

Finally, the Smith report does say that when the properties become taxable that we would trust that there would be a resultant weight of taxation, which would be substantial. Many of their buildings are of high quality and their properties usually include large open spaces. On the other hand little of their property will be classed as occupied for business purposes. We conclude that the resulting municipal school revenues—of course, school revenues do not fall here—will not be excessive when compared with the alternative use of the land by industrial and commercial establishments. None of this is really embodied in this present legislation. Unanimous as it may be, what can we do but bow one's head?

Mr. Speaker: The hon. member for Kingston and the Islands.

Mr. S. Apps (Kingston and the Islands): Mr. Speaker, when I am speaking to this particular bill I might say that this has been a long hard struggle. The city of Kingston and I, as a member, have been trying to impress upon the Minister of Municipal Affairs for four or five years now the desirability of giving tax relief to cities which have universities within their borders.

would think that the other cities of the province should send a note to the city of Kingston and thank it for the efforts it has made on their behalf, because it is only in the last year or two that other members have got on the bandwagon to try to persuade the minister to provide this tax relief to the cities.

However, I cannot in all honesty get up and speak to this bill without conveying to the minister some of the reaction that I received in Kingston when the message came through that the government was going to do something in this connection. I hesitate to read into the records the comments in the local paper down there.

Suffice it to say that Kingston, with a tax-exempt assessment of approximately 35 per cent of the total assessment, which is a considerable amount higher than any other city in this province, was very sorely disappointed at the amount of tax relief that was provided in this particular bill. I concur in that disappointment, but I realize, as well, that something is better than nothing and half a loaf is better than nothing at all. We are appreciative of the fact that the principle has been realized; something has been started and we can look forward in the future to a much greater amount of money being made available for this particular purpose.

I congratulate the minister on bringing this bill in. We certainly will support it. We will support with the reservation—at least I will certainly support it.

But I want to convey to him again the fact that the city of Kingston, with that large tax-exempt proportion, feels that this particular bill is still inadequate. We feel that we should get some special consideration because of the fact that we have so much more of this tax-exempt property than any other city in the province. We feel that our efforts have been somewhat overlooked because everyone else has been provided with the same amount of money. We find ourselves in the position where Kingston is getting less than, I think, Waterloo or London, areas where the tax-exempt proportion is much lower than in Kingston.

So, Mr. Speaker, although we are happy that some relief is being given, we are disappointed in the amount of relief that has been allocated. We look forward to increasing this amount in the years to come so that it will not be very long before we receive practically the total amount of taxes assessed on the tax-exempt property that we now have at the present time.

**Mr. Speaker:** The hon. member for I borough.

**Mr. W. G. Pitman (Peterborough):** Speaker, I join the member for Kingston the Islands and other members who spoken here this afternoon in expressing mixed feelings about this piece of legislation. It is most certainly a step forward, obviously, so, to the extent that this principle should have been accepted many years ago.

In fact, one might say that this fact, a university property has been exempt from assessment and property taxation by municipalities, has been one of the reasons there has been so much abrasion between town and gown, between the universities and the municipalities across this province. I would hope that very quickly we will see towards the acceptance of a full and fair recompense to those municipalities which are fortunate to have universities—and we are all aware of that, Mr. Speaker—but we are also unfortunate enough to have to pay for the presence of these universities through their local taxes.

I want to say a word about the unfairness of this legislation. I think the minister might even consider the possibility, when money becomes somewhat more available than it is now, of some form of retroactive fairness with regard to this. I refer, of course, to the method by which the municipality is required to give up its share of the money set aside.

As the minister realizes, the municipalities are being paid \$25 per student. This is unfair as the member for Kingston and the Islands has pointed out, in a university town where the amount of assessment is 35 per cent, is, as well, unfair to municipalities which do not have what we call emerging institutions. I mean emerging universities, as they are termed. I might put it bluntly, a town which has an emerging university is paying out at a point in time—when interest rates are high and when the costs of sewer construction are at a most monumental, when all of these problems are exacerbated to some extent in relation to older universities—a considerable amount to service universities.

At the same time, I want to suggest that these emerging universities invariably tend to overbuild. They are forced through economic reasons, through the recognition of their responsibility, to take a growing number of students through, indeed their responsibilities and their relations with The Department of University Affairs and the committee on university affairs—to overbuild, to create a large

number of student places than they actually have students.

I know the Minister of Municipal Affairs realizes that the Minister of University Affairs (Mr. Davis) has a study going on indicating how much—

**Hon. Mr. McKeough:** I am really wondering how the member is going to relate to municipal taxes.

**Mr. Pitman:** If the minister will be patient, I shall be glad to do so.

**Hon. Mr. McKeough:** Well, it will be interesting.

**Mr. Pitman:** I think for once, perhaps for once, I can explain.

**Hon. Mr. McKeough:** Because they are emerging, their municipal taxes should be higher? Is that what the member is saying?

**Mr. Pitman:** I am suggesting that on the basis of assessment in an emerging university, the assessment of the building is much greater in relation to the number of students than it is in older institutions. But as the number of students per worth of building—

**Hon. Mr. McKeough:** Would the member permit a question?

**Mr. Pitman:** Yes, indeed.

**Hon. Mr. McKeough:** How would he relate that back to what is probably the far more serious problem carried by the member for Kingston and the Islands, and perhaps, to a certain extent, the people here in Toronto, where the real problem is not an institution being built out in the country, which has not been all that difficult to service really, and when there has been no loss of assessment. The real problem in Kingston or in Toronto has nothing to do with the loss in taxes—

**Mr. Pitman:** I agree.

**Hon. Mr. McKeough:**—the problem is that, because it is in the core of the city, there is a loss in assessment in every acre that they add. That could hardly be said to be true in an emerging university, built on the beautiful banks of the Otonabee River, or my friend's university in the Niagara Peninsula, Brock. I do not think the problems are really quite the same. The member is reaching, really.

**Mr. Pitman:** One of these days I hope that the minister may find it possible to visit Peterborough.

**Hon. Mr. McKeough:** I have.

**Mr. Pitman:** And he will find that there are a number of buildings in Peterborough that are in the core of the city. Indeed, the Rubidge Hall complex, the Peter Robins College, the Catharine Parr Trill College—they are all in the centre of the city—they took over areas that were receiving assessment before. So, that problem is not unlike one you mention. The minister talks about servicing of places in the county.

**Hon. Mr. McKeough:** Some of them would suspect, are still taxable, that is, occupied by the university; some of the lovely old buildings would not be theirs.

**Mr. Pitman:** Well, I am not quite willing to accept that. But these buildings are the same. In fact, if the minister had been in Peterborough five years ago, he would have seen that all the buildings were older buildings.

**Hon. Mr. McKeough:** I was there last year.

**Mr. Pitman:** Last year? Well, he was taken far enough. I would be glad to make sure that his education is more complete in relation to that institution the next time he comes up.

**Hon. Mr. McKeough:** I was in good company.

**Mr. Pitman:** Because a great many of the buildings are old. In fact, the university built in older buildings, in older homes, which were previously assessed and which now are no longer assessed. The minister and I have agreed, I think, on that point.

**Hon. Mr. McKeough:** All I am saying is that the problem in Peterborough is just a fraction of the problem in Kingston.

**Mr. Pitman:** I think when I was discussing this matter I said that the unfairness to the member for Kingston and the Islands is quite obvious. I am indicating there is another example of unfairness here.

**Hon. Mr. McKeough:** But the member is trying to get on these coattails.

**Mr. Pitman:** Well, it is a different problem and I wish I could get across to the minister and get some sympathy from him for that. That is really what is wrong with the ministers in this government, they do not seem to have sympathy.

**Mr. Speaker:** I think this debate is now somewhat out of order.

**Mr. Pitman:** Well, Mr. Speaker, I suggest that the minister prodded me into becoming

far more partisan and more pointed than I expected to be.

Interjection by hon. members.

**Mr. Pitman:** I want to make this point; I made it with his colleague. I would think that the Provincial Secretary (Mr. Welch) would have somewhat the same problem in relation to Brock University, in that the assessment of Brock University has very little to do with the number of students in that tower. I think a number of emerging universities are faced with this problem. What we are suggesting is that the number of students per amount of building—

**Hon. Mr. McKeough:** Probably all.

**Mr. Pitman:** Pardon?

**Hon. Mr. McKeough:** Probably all.

**Mr. Pitman:** All emerging universities have this problem?

**Hon. Mr. McKeough:** No. All universities.

**Mr. Pitman:** Well, yes. But I am trying to get across—

**Hon. Mr. McKeough:** What I am trying to say, Mr. Speaker, is this: Is there a university which does not fit into the special category enunciated by the local member?

**Mr. Pitman:** Yes, there is.

**Hon. Mr. McKeough:** Sure there is!

**Mr. Pitman:** If the minister would take the study of the Minister of University Affairs, he would see that the number of students per square foot, which at least relates the amount of assessment, is very different in different universities. If he takes the University of Toronto, it has a very low number of students per square foot, you might say, okay? Or, I should say, a high number of students per square foot. And, in an emerging university, you have a very low number of students per square foot. Is that clear? On the basis of \$25 per student—

**Mr. Good:** The member is kicking with both feet.

**Mr. Speaker:** Order!

**Mr. Pitman:** I am not sure what my friends to the right are all excited about. I am simply trying to make this point as briefly as I can—

Interjections by hon. members.

**Mr. Pitman:**—that the number of students in emerging universities is very small, cause they have to build in order to grow. And this is much more true in emerging universities—

**Mr. Lawlor:** Surely that is obvious to the minister.

**Mr. Pitman:** I wish I had the statistics this point from the Minister of Education. I did not bring them with me, expecting that this was a point so clear, so obvious—

**Mr. C. G. Pilkey (Oshawa):** Draw his picture!

**Mr. Pitman:**—that it would not have been made. I simply say to you, Mr. Speaker, that this is another example of unfairness which the minister might well consider rectify actively when money becomes more available in the future.

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

**Mr. B. Newman:** I, too, with my leave support the principle of the bill. We happen to have a sort of emerging university in the city of Windsor and what we are disturbed about is that the same thing may happen in our community as has happened in the town of Kingston. That the university will be growing and as a result the municipality will find it most difficult to provide services.

We are pleased to see that at least the city has started to take a start in the contribution on the part of the government to assist the municipality in carrying its burden as far as the university is concerned. However, we would have liked to have had the teachers' college, which is a provincial institution and will shortly be under the jurisdiction of the University of Windsor, included in one of the universities that will receive this—

**Mr. Pitman:** That is another unfair point.

**Mr. B. Newman:**—this \$25 grant; likewise St. Clair College—

**Mr. Pitman:** The minister did not think that.

**Mr. B. Newman:** The three different institutions that I have mentioned now; the teachers' college, St. Clair College and the University of Windsor; if the hon. minister considers that.

**Mr. McKeough:** The member was around; each one was unique.

**Mr. B. Newman:**—the \$25 per student grant to those attending the three institutions I mentioned would be a really substantial assistance to the community. I am only afraid that this \$25 levy may mean that students attending universities will have their tuition fees increased by \$25. It is difficult enough as it is today for a student to get funds to attend university. If they are burdened with the difficulty of raising another \$25 it may be asking a little too much of some of the students. There are some who regardless of the amount you would charge, could afford to attend university.

I would like the minister to likewise consider in this bill making some type of allowance for students who attend on a part-time basis; because now the university is set up on a semester basis by which the student can go for only the one semester. He is a fulltime student but a fulltime one for that semester. I certainly would like to see him consider some type of financial assistance to the municipality for those students who are attending on a parttime basis, part of the year basis, but fulltime students.

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

**Mr. Pilkey:** Take your time.

Mr. Speaker, first of all, when I was on the select committee on taxation I was rather impressed with the number of briefs that were presented by university communities, particularly in the area of exempted assessment and the problems they were confronted with as a result of the exempted assessment. I relate particularly to Kingston and Guelph and a number of other university communities.

As I say, I was impressed with those briefs and the presentations, but I was not too much impressed with the minister's statement on April 20. It seemed to me that he was apologizing for introducing this bill. If you read his comments, that was really what he was doing. He was apologizing for introducing a piece of legislation that really did not add up in any meaningful way to providing adequate resources for those municipalities which are afflicted with this exempted assessment.

**Mr. Lawlor:** He had to do something before he got to the municipal conference.

**Mr. Pilkey:** And really, I can understand the member for Kingston and the Islands when he said that in his municipality they were rather disappointed. I can understand that because what does this really mean in Kingston? Just reflecting for a moment, I

would suspect very strongly that the city of Kingston would probably have a total municipal budget of about \$15 million. Those figures may be somewhat incorrect but I assume for a population of that size, it would be something like \$15 million in the total municipal budget.

What does this mean. This means about one per cent. That is all they are going to give the city of Kingston—about one per cent their total municipal budget. Two per cent? Okay, two per cent; I doubt it. I doubt very much whether it will reflect two per cent of the city of Kingston's total budget.

**Mr. Apps:** \$188,000.

**Mr. Pilkey:** How much?

**Mr. Apps:** \$188,000.

**Mr. Pilkey:** \$188,000. That is not two per cent. It is just a little over one per cent of total budget of the city of Kingston, as an example. It seems to me that it is incredible that this is the best we can do for the municipalities that need the help and that have 35 per cent, as Kingston does and a number of other municipalities that have a high exempted assessment. You know if we are really serious about this question—if we are really serious about it—it seems to me that we ought to have provided the total benefits for the municipalities. We should not say, "We have \$2.5 million, we are going to distribute this over 17 municipalities in the province of Ontario and in some meaningful way that is going to assist the municipalities."

This appears to me as some kind of Tory benevolence—that is what you could call it. Tory benevolence. They are not really serious but they want to say that we are doing something and it is really a step in the right direction.

**Hon. Mr. Grossman:** The hon. member should be nice, he knows he is speaking to the ladies.

**Mr. Pilkey:** There may be a few ladies involved in this as well and if there are, I bless them if there are a few women involved. As a matter of fact, has the hon. minister done anything against women? Surely he has got anything against women?

It just seems to me that there are extraordinary disparities in the structure of local taxation between the university municipalities and other municipalities that have not got that level of facility within their boundaries. Surely the government can bring in more meaningful











# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Thursday, April 30, 1970  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 30, 1969

The House resumed at 8 o'clock, p.m.

## ESTIMATES, THE DEPARTMENT OF CORRECTIONAL SERVICES

(continued)

On vote 302:

**Mr. Chairman:** The hon. member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, I was wondering if the minister would have any comments with regard to a report in the Toronto *Daily Star* of Wednesday, July 23, with regard to a correctional official's views about rehabilitation. I think it is an article by Mr. W. R. Outerbridge, of the Ontario provincial probation services. In one place he said:

Inmates convicted of armed robbery, or phoney cheque artists and so forth, are usually more easily rehabilitated than petty thievery and other types of offenders.

With regard to this report—I do not think it is necessary to read it—I was wondering if the minister has any comment? I imagine he is aware of it.

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Chairman, I would have to see the report. If it is just as blunt and simple as the hon. member has read it, quite frankly I would not really have any opinions on it. I doubt whether that has been proven anyway, one way or the other. It is another one of those areas which is subject to all sorts of opinions. Depending on who has done the research, whatever the research is, and who has done the report, you can arrive at that conclusion, I suppose.

However, I would like to see the full report and I would be very glad to comment on it when I have a chance to study it.

**Mr. Chairman:** Vote 302, the hon. member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** I would like to engage the minister on one or two areas, Mr. Chairman. Whenever I approach this department, I must say I have a sinking

feeling in my stomach that there is an almost impossible problem here. The dichotomy is obvious, and it is brought out, I think, well in the minister's own statement at the beginning of his report—that in a sense he is charged with two responsibilities, that of protecting society, making sure that the people—

**Hon. Mr. Grossman:** Jailer and doctor.

**Mr. Pitman:** Right, exactly.

As well as behaviour changing, he is involved in the obvious role of trying to protect society. I do not know how he can do both.

I have been watching the minister over the last two or three years, and it seems to me that what he is trying to do is to hang on for one and still try to move ahead. I think his arms are getting too short. In other words, I think he is going to have to let go; something is going to have to give.

I am interested in a comment made by some gentleman who has already been mentioned, Mr. W. R. Outerbridge, who wrote an article for the *Chitty's Law Journal* in June 1969, entitled "The Tyranny of Treatment." He made a comment in that journal—I think it is a very helpful article—and I thought I might just quote for a moment:

Whether we like it or not, recidivism rates have a hard, cold currency by which the effectiveness of correctional programs are judged. In other words, a real evaluation of corrections is made in terms of how many offenders, once convicted and treated, return to prison or probation for a second, third or fourth time. And what do these recidivism rates show?

And this is the statement which I really find quite interesting:

Modern treatment methods espoused by behavioural scientists apparently are more effective than the more punitive, less humane methods which they are replacing.

Mr. Outerbridge goes on to point out some of what you might call the hangups of the behavioural scientists, who are rather turned-on by the ideas of the behavioural scientists.

For example, they start off by saying we have not failed, we have never been given a chance to succeed. The other one, of course, is that it is not the poor treatment programmes, it is the poor research. The third school is, let us limit ourselves to humane warehousing until we know what we are about. The final one he mentions is, in the face of failure we must redouble our efforts. He makes a very interesting point in the role of the behavioural scientists in his efforts, in a sense, to undermine, really, the rights of the individual, the liberties of the individual. It is an extremely interesting article.

But I wonder if the minister would comment on that problem which Mr. Outerbridge has brought up? Is it true, in the view of the minister? Is there enough research going on in the minister's department for him to be able to say, in regard to the adults that he is dealing with under this particular item of the estimates, that really the humane methods he is trying have no more success than what could be called the other system, which was, of course, to punish and to punish as heavily as one could?

**Hon. Mr. Grossman:** Mr. Chairman, the hon. member for Essex-Kent was kind enough to send over a copy of the news clipping. I do not know whether the hon. member for Peterborough was reading from the news clipping.

**Mr. Pitman:** I do not think I was. I think it was a different—

**Hon. Mr. Grossman:** I think the hon. member was reading from an article in *Chitty's Law Journal*.

**Mr. Pitman:** I think it was taken from that.

**Hon. Mr. Grossman:** I remember reading it, and I think the answer to that, really, is in the last paragraph of the news item. I cannot recall whether it is in the *Journal*. Of course, all of these things have been tried. In the last paragraph, Outerbridge puts it very well. I am quoting here. This is the *Star*, July 23, 1969; in his article Outerbridge said:

During the past 25 years, behavioural scientists have substantially taken over the decision-making positions in probation, parole and aftercare in North America. The same thing had begun to happen in prisons and training schools.

All the hon. member is really doing is delineating the problems in this work. No one has really come to many conclusions.

Some people say we ought to spend a percentage of our expenditures on research. I

do not see the value of that. It means if you are spending \$50 million, you should be spending, if the percentage is one per cent, \$500,000 on research. If you are spending twice as much in your system, you should spend twice as much in research.

I do not see the value of that. It is an arbitrary figure. I do not think that you can really accomplish anything because there are not enough people prepared to do research in this field, particularly what they call empirical research, so that you can spend 10 times of your budget or 10 times the budget and have people all over the place doing research.

Quite frankly, it is my intention to consider very seriously recommending to the Solicitor General of Canada that all research work be co-ordinated and handled from a single source. I think there is a tremendous waste in research funds. You go to California; you go to New York State; you go over to Europe; you go all over the place and everybody is doing research on the same thing.

Some researchers would say, "there is too much wrong with that, because we will never find out something that you cannot find out." But it seems to me the ultimate result of that is that no-one is doing sufficient research on any particular subject. Quite frankly, the hon. member touched on this. One has a tendency to become a little cynical on the whole matter, anyway. Because, you know, when you are dealing with the social sciences it is very difficult, in this field, to get what is known as controlled research. The hon. member knows better than I do what the implication is of that.

It is very difficult, as probably you have guessed, with 50 inmates of adult institutions or 50 students from training schools who have had, at least, almost the same background, almost the same problems, and yet another 50 who have had a like background. We are dealing with them with different programmes to find out who has succeeded. It is also complicated because the problem you will have in following through.

For example, in training schools, by the time a young man reaches the age when he is no longer juvenile, his record is buried. It does not follow him through life, so how are you going to follow him through life?

Some of this information is available and you have an integrated Department of Correctional Services, which is one of the reasons I give every time someone talks about splitting out training schools, and so on, at least the people working within the de-

ment will be able to see some connection, because they have the records available which would not be available to anyone outside the department. Whether I have mentioned it before or not, and even if I have, I am prepared to repeat it. No-one has the answer.

All we know is that the inhumane system did not work. For thousands of years, they had been chopping a man's hand off for stealing. In fact, there are some places in the world where they still do this. It has not worked; crime still went on; crime increased; and it is obvious that the punitive approach did not work. So we try something else. We try the humane approach.

In other words, at least, we try to impress upon the offender that those of us who are working with him are really trying to help him, not just punish him. Of course, this puts us in that dichotomous position where, at the one time we are taking away his freedom, and, at the same time, trying to treat him. It is most difficult.

But, if we have a choice between an inhumane system and, let us say, the present system, which is not working either—and I am not prepared to say that this is so—if the humane system does not work and an inhumane system does not work, as far as I am concerned, being civilized people, we have to opt for the humane system, because we are dealing with human beings.

There are people who tell me that there is some evidence that a real punitive approach will work with some people, and that possibly is so. But our problem is to decide which is which. Which is the person with whom a punitive approach would accomplish something, and which is the person who will become more hostile if you attempt the punitive approach?

I do not know whether I have answered the hon. member's question, except to say to him that we are in just as much of a dilemma as he is, but we are trying all sorts of programmes.

That is another advantage of having an integrated system, because you can try various types of programmes and, perhaps, get from one of them an idea that this will work as against that. This is all we are doing; all we are doing most of the time is experimenting, and, on the way, helping some people. It appears, on the face of it, that a humane approach will do more.

**Mr. Pitman:** I am very pleased with the minister's response to that. The part that I see is that the minister is trying very hard

to develop a humane approach, but I think he feels that somebody is breathing down his back. That is, the punitive approach breathing down his back, and therefore tries to hang onto at least the trapping of the punitive approach.

What I am suggesting, Mr. Minister, is this: would it be possible for him to consider a far greater range of approach? When we incarcerate a person in prison, what we essentially do is we take away his freedom. We also take away, virtually, his humanity. That is, we try to cut him off from his senses. We take away his ability to see, his ability to smell, all the tactile responses and, of course, we might add the sexual responses. We virtually try to make him less human.

What I am wondering is, if there could not be some concept of trying to develop some kind of a control, not so much in terms of control groups, but in terms of wider areas of the spectrum. I think the minister will agree that he has a series of institutions which cover across the spectrum. Ones which are more punitive, to ones that are extremely free. The programme which he has already initiated this year, where people are going out of the institution into jobs, coming back at night and, in a sense, having a stake in the community, I think this is all very good, but particularly we have to make a very real effort to let people move away from that punitive pole. In other words, to give them more chances.

Sure, the Minister has pointed out that some people are going to escape. There are going to be blow-ups. There is going to be criticism of his menus. There is going to be criticism of the two-great freedom which is allowed. But it seems to me that he might very well try a more varied approach to get that kind of control.

This brings me to the next question which I would like to ask the minister. The question of the development of his staff in an area which interests me very greatly and which I look with very great interest at page 15 of his "Ontario Plan in Corrections," his report.

He has there a tremendous list of all the things that are going on, you might say educationally, so far as the staff is concerned in his institutions. At first glance it is a very impressive list, but one cannot help wondering why there are not more.

I suggest to him—and I want to come back to this—we had a bit of an interchange some months ago when we talked about why the minister had brought down the lowest level of applicants to join the department from Grade 10 to Grade 8. We can perhaps ca

on this, but the thing that I was trying to get at at that time I think comes up perhaps in here.

I am concerned, for example, that when you need so many people of varied talents, when you need to make the pyramid so much taller and wider at the bottom that you only have, for example, 10 people on extension courses to BA, one for Master of Education, two for extension courses. This seems to be the area, it seems to me, where you should have a great number of your staff taking extension courses in various universities across this province. I would think you should have more than one taking an extension course in English and one taking a Master of Social Work.

When I look at what could be called conferences, I think there should be more than two people taking interviewing and counselling workshops at York University. I think there should be more than one at the Ontario Psychological Association from your department. I think there should be more than two at the annual meeting and at the Ontario Psychological Association. I would think there should be more than one at the Canadian Association for Children with Learning Disabilities. I think there should be more than one at the conference on the treatment of alcoholics, Dixon Research Foundation, and I could go on.

I just wonder whether there is a sufficient opportunity—I know the minister is going to say look at No. 1, staff training course for correctional officers, 225. These are essentially in-group instruction. They, I think, are probably not providing the variety, of course, at the level which one would hope would provide the kind of pyramid of correctional officers which should be present in all of our correctional institutions.

I am just suggesting to the minister that it would seem to be to his advantage to have as many people as possible outside his institutions taking courses and going to conferences and getting a wider approach to corrections, if he really wants the kind of officers that he is attempting to secure in his institutions.

**Mr. Chairman:** Is there anything more on this?

**Hon. Mr. Grossman:** Shall I answer the hon. member now?

**Mr. Pitman:** Yes.

**Hon. Mr. Grossman:** I agree with the hon. member that it would be preferable to have

more people taking these courses. There are a number of problems involved.

First and foremost, you have to have people who are qualified to take the various courses available. You cannot give a person an extension course leading to a BA, unless he has a certain academic qualification to begin with.

**Mr. Pitman:** This is why we talk about Grade 10.

**Hon. Mr. Grossman:** I know it would be fine if we could man our institutions with people who have a minimum of, not Grade 10—a minimum of university education might be better—but you just cannot do that. I have said before and I repeat it now, that it does not necessarily make the best correctional people in the field and the hon. member agrees with that.

We have other problems. We have other problems at the same time as you are having your staff participate in these courses. You have the problem of manning all the institutions of which there are now some 82 or 83. It is a very difficult problem in addition to which there is the expense involved in bringing people from all over this very large province to take courses, compared to extension courses.

There are a host of these problems involved. The fact that we are not unaware of the need for more of this exemplified by the fact, in a matter of four years our estimate has risen from \$36,855 in 1965 to \$278,000 this past year. That is a vast increase in funds and, aside from all of the other matters mentioned, there is, of course, cost. You cannot spend so much money on any one of your programmes. Every one of them is important.

We do not, by any means, put staff training at the bottom, but on the other hand, the increase, as I say, in four years, from \$36,855 to \$278,000—I think it was—is an evidence of our desire to increase the training of our staff and the building up of a core of correctional people who can do the best job in the work.

**Mr. Pitman:** Would the minister suggest, though, that money could not be better spent than in upgrading the staff.

I want to make this very clear because the minister said a few hours ago that he set out the *Hansard* and I want to make this very clear. I think the people who are in the institutions—I would like him to include that. I think that the people who are in these institutions are doing a very difficult job. I think



in view of the fact that they do it with the minimal amount of training and background which they have, it is a matter of some surprise that they are as successful as they are.

Because if you look at the difficulties that they face, say, in running a penitentiary as compared to running a high school, and if you look at the breadth of experience and educational background they have, I think it is a pretty amazing contrast. The fact that, as I say, there is any success at all, is pretty amazing.

I would like to bring another point to the minister's attention. One of the things I think really cuts off the institutions he operates from the society around them is the fact that there is so little opportunity to go in and out of these institutions. I realize his first reaction is going to be, "Good Lord, these are still prisons, we have to have some kind of security. We cannot have people wandering in and out." But I want to suggest this is to him.

Some months ago, we had some debate while I was speaking about the role that young people could play in society. I think we agreed on the fact that this obsession with schooling has gone too far; there are many young people, in their late 'teens—17, 18, 19 who could go out of the schools and learn a great deal more in the world of work. Indeed, they might well be better out of school; they could accomplish more, both for themselves and for society.

I cannot help wondering whether there is, within his institutions, an opportunity for young people to carry out, we might say, low-skill activities in terms of going into these prisons on a short-term basis and doing some of the lower level activities, so that he could upgrade some of the permanent people to higher levels, both in terms of training and activity.

I was wondering if the minister might not consider the advantages this would have for young people, who would then begin to realize that people inside prisons are human, and might very well help to recondition the society which these inmates have to go out into after they have been incarcerated. As well as that, these young people might very well be able to provide, in terms of arts and crafts, of recreation, in terms of all kinds of experiences, counselling experiences and so on, they might very well be able to bring some humanity into these institutions, which virtually they are unable to receive in any other way. I wonder if the minister might not consider some kind of a pilot programme to

involve older young+strange thing to say—b  
older young people, older teenage people—

Hon. Mr. Grossman: Mature young people

Mr. Pitman: Right, mature young people. You bring them in, realizing you are not giving them a job for life. You are giving them a job, maybe for a year, a year and half or two years. You give them a basic course. You screen them very carefully; they can be screened through the schools. You find those who are sensitive and concerned and who want to play some role in rehabilitating people's lives. You might very well begin to find some link between society and your institutions which might be very healthy and very worthwhile.

I suggest this as a measure whereby the minister might carry out his own philosophy of education which, as he has pointed out, that we can over-educate. We can become overconcerned about education and we do not let these young people do anything meaningful in their lives while they are going through school. I just suggest that as a possible extension of his own thinking.

Mr. Chairman: Vote 302?

Does the hon. minister wish to reply at this point?

Hon. Mr. Grossman: It is a philosophical discussion. I would like to point out to the hon. member, as briefly as I can, that this is one of the reasons we have been bringing schoolchildren into the institutions. If the hon. member recalls the discussion that we had late yesterday afternoon, one of the hon. members opposite, I think it was the hon. member for Wellington South (Mr. Wortor) said that he had had some complaints, I think when he was at one of the institutions. The inmates were beginning to feel like they were animals in a zoo on display. This was one of the problems we have. I know, you—

Mr. Pitman: I do not mean to look; to participate.

Hon. Mr. Grossman: We bring young people in. We bring students in. We bring law students in, students of sociology. We bring people in from service clubs, in order to let them know what is going on. We do have citizen participation in many of the institutions—in fact, in all of them.

There is socialization with the community downtown: they attend dances downtown and *vice versa*. They participate in sports with

the local community and, of course, our temporary absence programme is designed to bring more of them out of the institution who can be so trusted. Of course, it would be a good thing if we could get a lot of mature young people to come and do the work the hon. member suggests. How practical it is at this stage, I am not prepared to say. There are some problems in exposing young people to manipulators in the institutions—there are many hundreds who will take advantage of them—but it is most difficult and it may very well be that answers may come out of the citizen participation programme, which we will probably be proceeding with this coming year. I mentioned yesterday that we had had an *ad hoc* committee meeting on citizen participation. I have got the report here; I have not quite finished reading it. But they are recommending more citizen participation in all of the institutions, and out of this may very well follow something like that.

But it is an area where we do have to tread very carefully. As a matter of fact, I remember that about five years ago during the debate in this House we had some complaints—I forget where it was; it is probably just as well that I cannot remember it and mention it—in a community where we had had some socialization between, I think it was, the young boys at the training school and with some young ladies in the community, which was supervised and organized for the purpose. Some of the parents of the young ladies were complaining.

**Mr. Chairman:** The hon. member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Chairman, I spoke to the minister about an individual matter; the case of a man who found himself handling the public's money and—I think you would call it embezzlement—he spent money that he should not have spent. He received a sentence from the magistrate, or the judge, of 18 months definite and six months indefinite. The man is married and has four children.

I was going to make reference to the temporary absence programme. He has, up to this point, no funds; he was working with very little money of his own. They are in the process of losing their home, a home costing some \$35,000, in which they had invested \$7,000. And, on top of that, his wife is now on welfare, getting some \$51 per week to maintain herself and their four children.

The man who has put the house up for sale, because he had the second mortgage,

insists on selling the house because now he wants his money. These people have been before the immigration authorities to get them; I find that they are going to appeal in particular order, and I understand that they will not be deported.

The question that I want to ask of the minister is, since you mentioned yesterday that 489 applicants have been permitted on one to 15 days, I was wondering how much of the sentence had these people served before they applied for temporary absence. And how long does it take to process an application for temporary absence?

I say this to the minister, with all due respect: I am not one to say that the man was wrong in sentencing this man to 18 months. I am not saying that what happened in the past was not right. But the wrongs, in my opinion, do not make a man a criminal.

If this man could get out, he has assured of a job with a reputable firm, he can immediately pick up and try to recoup his losses and set himself back in society where he ought to be. If he does not, his family is going to suffer that much more. And I think if anybody is entitled to a temporary absence—we are all entitled to a second chance—I think this man is.

I would like to know—in answer to the two questions that I asked—how much of the sentence should he really serve of the 18 months, and how quickly can he be let out on temporary absence with the approval of the authorities, providing everything is in order, and I presume that everything is right, what I have gathered.

**Hon. Mr. Grossman:** Presuming there are no other problems, there is no specific period of time which the inmate has to serve. It takes one or four days to process, depending upon the circumstances.

There may be some information which people are looking for in a particular case; it may take a little longer to get the information. But he does not have to serve a specific period of time. Once he is cleared on this programme, we are only too happy to have a person in on this programme. And it is not just for 15 days; it is for 15 days of time. Because if he is obviously working well in the community, he would come out and his case would be reviewed again within a break and he would be given another 15 days automatically. So you go on for a long period of time on that programme.

Now, the case the hon. member has in mind has not been accepted. I do not

how long he has been waiting, but if he has not been accepted, there must be a real good reason for it.

**Mr. Bukator:** I would say, Mr. Chairman, through you to the minister, that I do not believe there is anything—again I am just giving you my opinion—that would not allow this man to come out to the job he is assured of. The man is well recommended, I gather. I would like to take this up with one of your people, Mr. Minister.

**Hon. Mr. Grossman:** Yes, I will be very glad to give you the information. If the hon. member will give me his name privately, I will be glad to look into it.

Did I understand the hon. member to say that this man had an appeal pending? It may very well be that that is the reason.

**Mr. Bukator:** Only for the immigration question, and I understand that within the last few days that has been cleared.

**Hon. Mr. Grossman:** That may have something to do with the holdup.

**Mr. Bukator:** No doubt it has.

**Hon. Mr. Grossman:** If the hon. member will give me the man's name I will give him the information privately. If there is any hold-up I am sure he will be satisfied with the reason.

**Mr. Bukator:** I know as much as I do since these people come from the village where I live. The wife of the family is a nurse and she has four youngsters, one with a bad hip. She has to maintain them under the circumstances with a very limited amount of money. There is a job waiting for him, assured by a reputable firm in Niagara Falls that will put him to work if he is allowed this temporary absence. I will take this up with you, Mr. Minister, and I hope we can bring it to a conclusion very quickly.

**Hon. Mr. Grossman:** I would hope so.

**Mr. Bukator:** Thank you.

**Mr. Chairman:** The hon. member for Middlesex South.

**Mr. K. C. Bolton (Middlesex South):** Mr. Chairman, I have three matters I would like to discuss with the minister under three different headings: one to do with care, the other with aftercare, and, as a subheading of aftercare, I would like to say something about volunteer agencies.

With reference to care, one of my colleagues spoke about the tension which Corrective Services finds itself in as between punishment and reform, the humane and the strict procedures. I was interested to read in the Onimet report that, under The British North America Act, those things which have a treatment connotation are referred to the provincial—medical services, including mental health, welfare and education. Some suggest this may be why the lesser sentences of the two provinces and under are given the province, while longer sentences are given to the federal government, and also why in the federal scheme of things they refer to penitentiaries, which suggest a punitive, whereas in the provincial institutions they refer to reformatory prisons.

What I am suggesting is this that we see at the provincial level, to be given a greater responsibility for the rehabilitative procedure, the health of the patient, and the change of the attitude of the inmate. I think there is very evident in the approach that is made to the corrections service.

I have a question to ask about one section of this. Group and individual counselling, of course, quite important. Rehabilitation provided at the training centres, at the intake assessment centre in the reformatories, at the clinic, and very obviously and in very great depth, I believe, at the Vanier Centre. But I read the report correctly, group and individual counselling is not provided at the correctional centres for recidivists. I was wondering, what is the argument for the apparent lack of this kind of support?

**Hon. Mr. Grossman:** Mr. Chairman, I do not understand the hon. member is asking if Burwash, there is no group counselling at Burwash?

**Mr. Bolton:** Yes, Burwash, Fort Williams, Monteith, Camp Bison, Rideau and Burwash and so on. According to the chart here, reference is made in all the others to individual counselling, but no reference is made to this section here—to the recidivists.

**Hon. Mr. Grossman:** The hon. member may recall that in my opening remarks yesterday I pointed out the very extensive program that was now in existence at Monteith—

**Mr. Bolton:** Yes, that is right.

**Hon. Mr. Grossman:**—and the one that is now in the process of being organized.

If he is referring to Burwash, I do not think there is any group counselling at Burwash, probably because Burwash is an

where they feel that those who are transferred to Burwash are not amenable to this kind of therapy. If they were, they would probably go to some other institution, rather than to Burwash.

And of course, there is also the matter of the distribution of the staff. It is very difficult to get this kind of staff up in Burwash. Most difficult, which is the reason, if we were building that institution today we would not be building it in Burwash. We would have built it either in, or much closer to, Sudbury. That is why the institutions which have been built in the last few years are always built in an area where treatment personnel is much more available than it is in some of the institutions which have been built in isolated areas.

**Mr. Bolton:** Mr. Chairman, I would hope that although these people are difficult and not immediately amenable to this sort of treatment, this will not interfere with the fact that we will try to improve our group therapy in such a way that these hard core people, these repeaters, can be made more amenable to this kind of treatment. I will leave that for the moment.

Now, if I may make a comment or two about the aftercare situation; I have some questions to ask. Obviously the dramatic and difficult moment is when the inmate leaves the gate of the prison and makes his first step out into the community. I want to ask what is the minimum amount of money in the possession of any prisoner — the minimum amount, I know it may vary — at the time of discharge, if the minister has the figure?

**Hon. Mr. Grossman:** Is the hon. member asking whether there is a fixed minimum? If so, there is no fixed minimum. There would not be a fixed minimum in any case, because by the time a man or woman has served even a fair portion of the sentence, he or she will have been able to accumulate a fair sum of money, because of the incentive allowance which we instituted seven or eight months ago, I guess it is. As far as the help required is concerned, we do not have a maximum on that either, as I mentioned yesterday. Whatever help is required by a well-motivated releasee will be provided.

**Mr. Bolton:** What I had in mind was if it is possible, even though there has been some kind of opportunity of earning money, for that money to be dissipated in the course of a sentence. A person might, without some sort of examination of his financial position, leave the prison and be immediately tempted

to obtain money in some illegal way, wondering if there was any check made if the person has some kind of financial report before he leaves?

**Hon. Mr. Grossman:** He has no way possibly dissipate his money while he is in the institution. The incentive allowance programme, the hon. member will recall consists of two portions—the portion he spends in the institution and the portion is put away for him, or her, in a trust. It does not take very long for the inmate to work up to the grade four, which gives an incentive of about \$5 a week. I think that would have to be saved.

If the inmate is released and, in the opinion of the aftercare officer at the institution, is reason for that inmate to need more help, and the aftercare officer feels that the inmate will not be thrown down the drain—some would just go out and, whatever you give them, they will go and buy a dozen bottles of whisky, and that is the end of it; they are back in in a few days and have to pick and choose. Those who the aftercare officer feels can be helped by institutional funds, as I said earlier, will go on.

**Mr. Bolton:** We may be assured, Mr. Minister, that the bad old days have passed when people were turned out without provision to meet society?

Another question. I note that special clothing was provided in 1,927 cases. I am wondering this was to provide clothing for particular kinds of work? If a man is arrested, for instance, in July and released in January, the clothing he had on when he came into the institution in July is not going to be adequate for January; is provision made before he leaves for adequate clothing to meet winter weather conditions?

**Hon. Mr. Grossman:** That is what the system provides for. In case the hon. member has the odd letter of complaint from an inmate, we often—the hon. member shall be the head and says, no. He may get the odd letter like that.

In the same way that some inmates refuse parole because they want no help from anyone and they do not want to be under supervision, there are some who get nothing from the establishment. They get nothing from the system and if you give them clothes, they refuse them. You would think this will happen with some of the odd inmates unless there is some slip-up you would

they are provided with clothing consistent with the time of the year.

**Mr. Chairman:** The member for Oshawa.

**Mr. C. G. Pilkey (Oshawa):** Mr. Chairman, I know that the House would take this opportunity to welcome a group from Oshawa, the Sea Scouts. And just to show you that I do not discriminate, I notice that we have a Girl Guides' group with us as well and a group of Scouts here at the back of us. I think the House would like to welcome them here.

**Mr. Chairman:** Vote 302?

The hon. member for Port Arthur.

**Mr. R. Knight (Port Arthur):** Mr. Chairman, late yesterday afternoon I brought up the subject of the notoriety that meets every ex-inmate as he returns to society. I would like to pursue that subject just a little. I think some of the saddest personal experiences that I have had, and perhaps all of us here have had these experiences, have been in trying to help a friend, or an acquaintance to rehabilitate; get back into society; help him with a job; and help him to be just a normal citizen again and resume a happy life.

But this notoriety always seems to catch up with him no matter where he goes. I realize that the department is inclined to lean on statistics and count out so many repeaters; you know, how many have come back. This indicates the failures or the successes.

**Hon. Mr. Grossman:** On the contrary, I mentioned to the House yesterday that we did not have too much faith in these statistics, because they were not too accurate.

**Mr. Knight:** Over and beyond that are all the people who do not repeat, the ones who just stay out and rough it out and become good citizens. But what goes on within their homes and within their hearts is sheer torture. I do not think I am saying anything that anyone else does not know, but I think it should be said out loud, so that perhaps eventually we are going to get this society of ours changed a little bit.

I wonder if our human rights legislation in this province is adequate to cover the ex-inmate? It seems to be serving the needs of people quite well, and the women are quite vociferous; they are trying to bend it a little bit more in their direction. And most non-white people in this increasingly cosmopolitan

society, especially in Toronto, seem getting along better. But I just wonder the ex-inmate is in pace with that, or whether he is not, indeed, that segment of our society which is more discriminated against than the other.

I wonder if the minister feels that human rights legislation, as it is now, is adequate to serve his needs, or whether himself or someone in his department is planning to reexamine this aspect of the inmate and perhaps come up with some recommended amendments in our human rights legislation.

Does the minister have many complaints from the ex-inmates or their families that their rights are being trampled on, not because of the stigma?

**Hon. Mr. Grossman:** I do not think anything to do with human rights really is the hon. member's concern for those people who suffer because of having a record. Of course, quite justified. We are all concerned about this because some, having served their sentence, served their penalty, are entitled to be treated like any other citizen.

However, that is easier said than done. This is part of the appeal I, and members of my staff have been making for the last six or a half years, and my predecessors as well. This is one of the problems. I should like to point out, too, that there is a new bill coming out of the House of Commons—I do not know whether it is before the House of Commons yet, yes my staff nods, it is already before the House of Commons—it is known as Bill C5 and the fact it has a number means it is before the House of Commons. It provides for pardons after five years.

This was, in fact, an idea put forward by the chairman of our parole board here in Ontario for many years. He put this forward as a member of the Minister of Justice's advisory committee. We are concerned about it. Whether this is the solution—I think it could be partly a solution—but I do not think it is going to solve the problem.

I think it is a matter of just having to wait for the time when society is prepared to accept its responsibility to help rehabilitate those offenders who are prepared to accept that help. Having regard, of course, to the fact that not everyone gives you an opportunity to help.

But the concern is a concern we have for years, and we are attempting to get the public educated to the need. By and by, as the years go by, I think the public

gradually more and more accepting their responsibility in this area—not as quickly as we would like, but there seems to be some progress being made.

**Mr. Knight:** With all respect, Mr. Chairman, I have to disagree with the hon. minister. I do not think our society has made any progress at all in its attitude towards the offender. And I think the correction systems of this country, as well as in this province, are barmy, because they have not made any marks. If you come right down to the individual cases, the minister is probably in the best position of anybody to know we are not getting anywhere at all. You just cannot stand by and wait for society to finally accept; somebody has to take some leadership in changing this thing and changing this narrow-minded attitude.

It is one of the worst antiquated social diseases there is, as far as I am concerned, that a man makes a mistake and a few people try to help him but the majority of people are afraid of him, and the fear goes on. As long as this society is not convinced that this department has indeed rehabilitated or is not really rehabilitating people, then his department really is not succeeding, because it is not inspiring the people of the province with confidence. They are not buying your product. And your product is that man or that woman who, after he has been through the corrections system, whatever it is, society still faces him with the same scepticism and he still has the same row to hoe. It is just as bad as it was before.

I think the department should start moving into a little higher propaganda here, a little more brainwashing, and give this man a little hand. I do not mean behind the scenes and so on where he comes and discusses things with his officer, but right out in the open. There are a lot of antiquated ideas in this society that are gradually going down the drain, and this is one that has to go down the drain if we are ever going to really rehabilitate these people and help them to be useful citizens.

I think what is needed is an advertising campaign. There are all kinds of subtle public affairs announcements that we see on television and hear on radio and which are in the papers these days that gradually change people's attitudes. Look at what this ad in the *Toronto Telegram* is doing for wards of the children's aid society. I do not say that you start printing a picture of these people,

But I do say that your department should enlist some experts in public brainwashing.

**Mr. J. L. Brown (Beaches-Woodbine):** That do not need any experts in brainwashing.

**Mr. Knight:** That is all it is. You have got to overpower people. Some of these old ideas are so deeply ingrained in people—in me, like anybody else—that you have got to really dig at them to get them out. You have got to show people that there is another way of looking at this thing, and you have got to sell it to them. If these fellows are going to get a break, you have got to engage experts to help them to do it. You cannot do it in a blunt way; it has got to be subtle. Your department, to sum it up, has got to do a selling job. Perhaps the Minister of Trade and Development ought to move over to this portfolio. But we need a salesman. I think this minister has impressed me, Mr. Chairman, that he has the heart and the soul of humanity, just from the way he speaks about the matters of his department. I think what he needs is a right hand man who knows something about advertising and something about social attitudes. I think we should have a real campaign next year to break down these narrow-minded ideas about these people.

**Mr. Chairman:** The hon. member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** You remember Oscar Wilde said that civilization is typified "by those who know the price of everything and the value of nothing."

I would like to turn for a moment to the rehabilitation process. The business of the recidivist rate comes up. When I first became a member of the House the minister used to sit on those figures. At least, my recollection is that they were not readily available. Now he is more open about it and it is a little more high and he agrees to that.

I was wondering—I will just throw this question for what it is worth—since you are not having great success in cutting down the number who return, have you thought of making a study of those who do not return? Have you thought of giving some attention to the reasons that go into a man actually achieving rehabilitation in a society? Has there been any work done in this area?

**Hon. Mr. Grossman:** Mr. Chairman, I think we are repeating a discussion we had last night. There are people doing all sorts of studies—

**Mr. Lawlor:** I was not talking to you last night. I was talking to the Minister of Justice (Mr. Wishart) all evening.

**Hon. Mr. Grossman:** Oh, I see. Are you hoping we contradict each other?

There are all sorts of studies going on in this area. In the first place, as I mentioned yesterday it is very complicated by the fact that a person who does not come back is not advertising himself. He quite properly and understandably seeks anonymity. He is swallowed up in the population.

We do get some letters from very grateful people. Just because they send us a letter saying they were helped, and so on, by members of the staff and tell us about how they have been married, and raise families, and have no longer been in trouble, obviously they do not intend for someone to knock on their door and sit down with a paper and pencil to get some information from them. They have found their place and they want to be left alone. There is no way legally that you can go and get this information from these people.

Obviously it would have to be done on a volunteer basis and some have tried this, with varying degrees of success. I mean it is a matter again of the kind of research you do and the kind of research you are able to do.

Unless we go into a system, which has been discussed, of adding on to a sentence—a fairly long term of probation at the tail end of a sentence. In fact, for a while I noticed some local judges were, in fact, sentencing in this manner.

But, to do an effective job you would really have to give a man his normal sentence and then give him two years' probation added on the tail end of it which, I think, would be resented. It may help us in getting the kind of figures we want, but on the other hand, the figures may be distorted by resentment of the fact that, having served two years, which is what he normally would get for whatever offence he has committed, another two years' probation is tacked on to him.

Probation means that someone would be supervising, or knocking on his door, or calling him up to get this information, and then checking it out to see if it was accurate. It would be a good thing if we could do it; but this is the sort of thing that would happen in order to do the kind of research that would be most valuable.

**Mr. Lawlor:** Yes, of course, it would have to be voluntary. I would think that many men assuredly seek to discard their past.

Nevertheless, there must be a considerable number—in the interests of their former freres, and in the interests of improving condition of the prisons—there must be a fair number that would volunteer this information. It would have to be done with delicacy and diplomacy, probably through sociological study done through one of the universities.

Think about it Mr. Minister, there could be some value in it. It certainly cannot be in any way coercive.

**Hon. Mr. Grossman:** If the hon. member would just excuse me, I should point out that in other years I did mention that we had done this—at Brampton, I think it was, between 1960 and 1965. Anyway, it was a five-year period after the students came out of Brampton.

There was a form letter sent out and it was a volunteer effort, and there was a fairly good return. It was not as accurate as it might be, but that effort showed, I think, that the rate of success for a period of five years was about 65 per cent had not got into further trouble.

We were very happy about that but, again, Brampton Training Centre is the best place where you would get more volunteer response because that is where you take the cream off, you may say, the best of the crop. That is where you send your young first offenders generally and those who appear to be able to operate in a completely open setting and so on. I think there is some reference to it which is shown on page 10. But that is not really what the hon. member asked about.

**Mr. Lawlor:** Mr. Minister, I want to go on to another subject. That is as to the internal controls in some of the jails.

I am thinking specifically of a prisoner whom I visited at Guelph reformatory. He had been moved—I think you probably know this prisoner; I think he had been moved from Millbrook. He had been engaged in some kind of riotous affair.

I will not seek to judge at this stage the pros and cons of that, as to whether or not he was dead in the wrong. But whether or not he was, he was sprayed with tear gas, he claims, or sprayed with some kind of chemical which had a most injurious effect upon him to say the least. When I saw him in Guelph he was in bed, swaddled in bandages, complaining bitterly of the pain that was causing him. The guards had put some kind of hose up to the door and brought them into submission.

He subsequently wanted legal advice to sue the department, which I would not blame him a bit for, considering his condition. He obtained legal aid, I know, through lawyers in Windsor because he was subsequently moved to the county jail there. As things stand at the moment I think he feels, and has been advised by the legal people, that he probably has not got a case.

This thing being internal to your department, how is he going to produce adequate evidence, you know, if the guards stand together? If an air of obtuseness obtains, it is extremely difficult to ferret out enough evidence to make a case stick, however valid it may be.

I want to know your opinion as to the use of such weapons inside institutions, particularly when they have burned the skin and might very well have affected their eyes. Certainly, he had large skin burns over his body.

**Hon. Mr. Grossman:** Mr. Chairman, I want to disabuse the hon. member of the idea that, as he suggested, there would be a closing of the ranks and there would not be enough information, that the facts of the case would not come out if the man took it to court. I tell you right now, there is no doubt about it; if it is the inmate the hon. member is talking about—I am sure it is the same one—he was burned by tear gas, and it was an error.

This concerned us a great deal. He was burned. He was a part, I think, of a group of three or four. I have the file here; we had it ready because we figured this would be brought up, probably. As a matter of fact, we thought that there may be a legal action. There could very well be and if there is, perhaps it had better not be discussed here, although I have no objection at all in saying right here that the man was burned.

When we had an investigation into this, we were very much concerned about it. It appears that no one on staff had ever heard of such a case happening, in at least 30 years, of an inmate being burned by tear gas. We were so concerned about it that the administrator of the jails actually tested some of the gas on himself and as a matter of fact, in this particular instance, I think he was burned.

He was and we carried out a very extensive investigation. It appeared that because of a combination of circumstances the application of the tear gas, I think it was at too close quarter—no, it was not at too close a quarter. The combination of the circumstances, the

weather, the temperature, the closeness—the fact that decontamination procedures not put into effect immediately resulted in the man having some burns, which I understand were not permanent. Perhaps that is the reason there is no lawsuit.

But this did happen and, as I say, something that members of the staff had heard of happening, as far as they could recall, in 30 years. We had an extensive investigation. We wrote to the manufacturer. We contacted the health department and the Ontario Research Foundation in; we sent people to Europe to find out how they had found out that particular brand.

We wrote to the company which manufactured it. We stopped any further purchase or any further use of this tear gas for a long time being. It just turned out that it was a very strange combination of circumstances which had caused this and probably will happen again for another 30 years.

**Mr. Lawlor:** Is there any substitute for tear gas?

**Hon. Mr. Grossman:** There is not any kind of tear gas with which this freak accident would be any less likely to occur than that is effective. We are still awaiting a sample of a tear gas which is presently used, I believe, in Germany to find out whether or not the fact it is less likely to be dangerous under any circumstances. It is very difficult to find out what formula is used in these elements, some of them will not give you the information, because it is patented. They give you the results of their tests, but of course that was done by the company which had provided the tear gas for the system for the last 25 or 30 years. I am advised at the moment by my deputy that every jurisdiction in Canada, including the federal government, uses the same tear gas purchased from the same company.

**Mr. Lawlor:** Well what it comes to is if there was a disturbance at one of the jails tomorrow of a similar kind, you would have nothing to measure the susceptibility of individuals involved to the burn effect. It is possible that people could get burned at any time.

**Hon. Mr. Grossman:** The hon. member is exaggerating. I told the hon. member that there has not been an occurrence like this in 30 years and tear gas has been used on many occasions when there has been a riot of kind of behaviour that could cause a riot. This has happened on nume-



occasions—I should not say numerous, I do not know how many—and it has never caused this trouble. Now if the hon. member wants to take it from that that we are just being careless and that we should stop using tear gas altogether, if that is the import of his words, I would like him to tell me what my staff is supposed to do when they have an obstreperous prisoner who will not behave himself. You have a good six or seven footer, a big, bulky fellow and he is in a cell. I wonder if the hon. member would like to go in there and try to contain this man who is carrying on in such a fashion as to put the whole place in danger of a riot.

Tear gas really is the most merciful thing to use to quieten a man down. Otherwise, you have to get two or three correctional officers to go in there and try to restrain the man. And the man will wind up getting physically hurt, because a fight will ensue. That also endangers my staff, and I do not intend that my staff shall be so endangered. There is no reason why tear gas, which has proven to be safe over three decades, should not continue to be used unless there is a very good reason. The fact that circumstances in one particular instance were such that some person happened to be burned and, incidentally, not permanently injured, I do not think that is any reason why we should remove the use of tear gas.

As I say, the only alternative is to use physical force. What would the hon. member do if he had 25 inmates act up at a particular time? Would he like to go in and try to subdue them physically? After all, our correctional officers are not armed, and I could bring to this House some pretty good samples of some weapons that are made in some of these institutions—stilettos, knives, made right on the premises in secret.

As I say, the staff is doing all they possibly can to carry out their functions in as humane a fashion as they can, but sometimes it gets to the stage where you have to use these kinds of repressive measures. I do not know what the hon. member suggests as an alternative. If he has any alternative to suggest, I would be very glad to hear it.

**Mr. Lawlor:** My alternative is that I am now going to turn to the Don Jail. Apart from that, I just wonder, though, as to this field of gases. Surely there are tranquilizer gases available on the market that would have the same effect without the side effects or the burn possibilities. Does the minister look into alternative sources of quietude?

**Hon. Mr. Grossman:** Well, I would be very glad to look into it, but the hon. member is again referring to some sort of gas, whether you call it gas or whatever substance, chemical, that will not have these side effects. Tear gas does not usually have that side effect. In this one instance, it had. We would be glad to find out if there are any other tranquilizers—

**Mr. Lawlor:** It did in the case of an officer who tried it; you said so.

**Hon. Mr. Grossman:** Pardon?

**Mr. Lawlor:** You said one of your staff tried it—

**Hon. Mr. Grossman:** That is right. I tried it very closely. He put it on his arm. Now it is not usual that it is applied that way, at that close quarters. However, it will go into it and find out if there are any other tranquilizers, but there is nothing to guarantee that that tranquilizer does not have some chemical in it which, 10 years from today, a year from today, under a certain combination of circumstances, weather and so on, may cause some other kind of damage. Of course, we are constantly looking for something that would be safer. If there is anything safer, we would be glad to look into it.

**Mr. Lawlor:** If the minister is still the same at that time, I shall turn the opportunity over to castigate him in that way too.

May I hearken a pleasant note? You have done a good job at the Don Jail. Due to the presence of the member for High Park (Mr. Shulman) and my presence, to which I attribute the whole reformation taking place in that institution, it is becoming quite human. As a matter of fact, that cell, that large bin you had there when we first visited the institution, in which people who were mentally deranged, or suspected to be, were caged—I use the word advisedly—and were given overseership by men who were placed in there for drinking offences—fellows sobering up were put outside the cage. That—and it was a kind of snake pit, you know; most inhumane—has been changed.

As a matter of fact, now there is the pleasantest young lady immediately outside the bars of the cells looking after the prisoners who are in this condition, the disturbed men. The one I ran into seems to be enormous, competent, as these young ladies tend to be. They are all like heroines from Bernard Shaw—ininitely smarter than men or than any man could ever hope to be. This g

living in the midst of some of these fairly difficult men, knows how to handle every ticklish situation. Not only that, but the psychiatric staff has been added to; no longer are the prisoners left to the judicial mercies, such as they were, of the physician. I mean no harm to the man, but I did not feel he was qualified to make judgements of the kind he was seeking to make. Now all that has been obviated, and you bring men in part-time; I think you have two or three on call. In addition to these things, you have moved the room to another part of the building, and I understand you even introduced air-conditioning, or are going to shortly.

Well, it is all to the good when ministers move in this direction; ministers ought to be accorded a measure of praise. So I thank you for moving in on that area.

What are your plans for the Don Jail with respect to the old wing? Is there anything on the drawing boards? No doubt the new wing is intended to be retained, but have you anything in mind with respect to razing that crematorium to the ground? You know, it was framed on the principles of Jeremy Bentham, with his—

**Mr. Pitman:** It was Charles Dickens.

**Mr. Lawlor:** Oh no! He drew pictures of it. As a matter of fact, he was going to erect one for the British government and rent it out to the government for prisoner space. It was the one where you could see all parts of the cell from a central location in the building, so men, like animals, were under constant surveillance day and night, with no privacy whatsoever. Are there any plans to alter the old Don Jail?

**Hon. Mr. Grossman:** First, Mr. Chairman, the hon. member and his colleague would like to take credit for the changes in Don Jail, and they are quite at liberty to do so. However, as I would point out to him, it may have something to do with the fact that we took over the jails just less than a year and a half ago.

If he goes through the whole province he will find renovations have taken place in practically all of the jails and, as he knows, there is a programme for replacing all of them. This was all discussed yesterday. There is a new regional detention centre being built in Quinte, replacing four old county jails.

The next one on the priority list is Ottawa, and that should be going to tender any day, just as soon as the National Capital Commission gives us the go-ahead. And Toronto is one of the five next in priority—

whether it comes after Ottawa, I am not in a position to say at this time.

All I can tell the hon. member is what I said yesterday, and that is that everybody feels that the jail in their community—the exception of Sarnia, as was pointed out to me yesterday, and Whitby, which are relatively new jails—all the others feel theirs is the worst jail in the province. They are all right. Every one of them.

But I can pretty well take you to any jail and there is a good reason for replacing it, and there has to be a programme. At the least, for doing so in consonance with the ability of the taxpayer to absorb all the costs—we cannot do it all as of yesterday.

The Don Jail at least has half of its population in new quarters. We are hoping, in any case, that with a new programme for handling of—I do not like to use the word "recidivists"—but I do not know what else you can say about a common drunk, who we hope, will not have to go through the toils of the law and be sentenced into a durance vile, that this will help reduce the population at Don Jail while we are waiting for the rebuilding of the old portion, which will eventually be rebuilt.

**Mr. Lawlor:** If I may turn for a moment to Guelph. The fact that you are reducing the population there is excellent, of course. I am wondering what the minister thinks about getting down to units of about 100 men. What I am suggesting is that while this is all to the good and must be encouraged to the hilt, that is not any sort of elixir by itself.

A place like Guelph, even if it were reduced to 200 or 250 men, just as the institution stands, still would seem to me to be a breeding ground for future criminal recidivists. This is your institution for first offenders, for young adults mostly, in this institution. This must be the breeding ground in which the recidivism occurs and, over this area, partially, no doubt, because of the enlarged prison population of that kind of mixing that takes place, the kind of rub-off of information and general criminal intent, is able to operate on a scale that is not true elsewhere in your prison system.

On the other hand, I do not know what the answer is. The training of guards is a part of the situation which was mentioned and must have some kind of programme. I wonder, in the way, in passing, would you permit the member to, on some occasion—not take the full course, but to attend a seminar or lecture that are being given—to get the curricu-

for the lectures? Go on up to Guelph and sit in with the officers who are being instructed, so that one can find out—

**Hon. Mr. Grossman:** No question about it at all, as far as I am concerned, without even inquiring. If an hon. member wants to go and see what the staff training course is like and participate in it, fine.

**Mr. Lawlor:** Good!

**Hon. Mr. Grossman:** If he finds anything which he thinks could be corrected, we would be very pleased to hear about it. There is nothing in our system which is closed to the members of this Legislature.

There are many improvements to be made and I am not afraid of any criticism, so long as it is legitimate and constructive. Because lots of criticism can be made and I accept that criticism, even if I cannot do anything about it at the time.

I am satisfied that the public and this Legislature, by and large, are satisfied that the department has been moving ahead very rapidly, and we can only do so many things in a given day. I should tell the hon. member that the classification system is also now under review.

It does concern us that there are first offenders and certain age groups going to Guelph—which is the most difficult institution we have. We are having the classification procedures reviewed.

Again, I want, for the benefit of the staff, to say that they are well overworked now with a number of programmes that have been thrown at them in the last four or five years. They are overworked; they are doing a tremendous job and it is very, very difficult. They cannot keep up with all the things we think about and still maintain the organization at the pace at which it has to go.

I have just talked about three reports, I think, which already they are working on and I have not even finished reading another one. What is in that report which we think should be put into effect, will be put into effect. I did want to mention that there is a review of the classification system which is already underway by the minister's advisory committee on the treatment of the offender. Even that has started and had to be postponed for another review which I thought was more urgent—to go through the searching procedures at the Don Jail and other institutions.

They had postponed that and now we have a report on that and as a result of that there were many changes made. We are moving along as quickly as humanly possible to get people moving and we are doing a different job every day.

**Mr. Lawlor:** There are one or two areas I want to explore a little bit today. One has to do with bonding. Last year I had a considerable discussion on the area of the prisoners in terms of aftercare, of being able to get employment and not being able to emigrate, not being able to get insurance, not being able to do 100 different things because they could not get bonded. The minister, again, was moving into the area. I understand that the All-Canada Insurance Federation set the matter up on a trial basis last year. I would like to know how it is working, to what extent, therefore, men are employable who previously could not be employed because of this bonding provision. Generally what work the minister's department is doing in this field.

**Hon. Mr. Grossman:** There recently has been a crash programme by the province of the federal department which has resulted in the Insurance Bureau of Canada, through member companies, agreeing to participate in the kind of a programme that we have set up over the past 10 years with some degree of success, not quite the degree we would like.

The system is that representation now can be made to the company by the agent or their serviceman who is working with the ex-prisoner. With his permission certain relevant background information will be sent to the company. This should help alleviate the problem of the ex-prisoner obtaining a bond.

I think we have to accept, however, because of several factors some ex-prisoners will not be bondable or not be bondable in certain types of employment. I think the problem is now fairly well resolved and resolved as it can be at this stage. By and large, any well-motivated ex-inmate will be able to be bonded and that should not be a hurdle for him to have to overcome, if he is well-motivated and prepared to take work.

**Mr. Lawlor:** Have you any idea how many men who have made application have not been bonded in the past year?

**Hon. Mr. Grossman:** I do not have the figures handy, Mr. Chairman. I am advised by the head of the aftercare services that the problem is now all being funnelled through the fe

department. They will have these figures and be able to see how it is working out.

There has been—I think I mentioned this yesterday—a greater degree of co-operation from the federal government now that it has a minister whose responsibilities are corrections. We are trying as much as possible to have an overall programme for many of these things, so that there will be a central source and it should be the federal government. I do not have those figures; I can get them.

**Mr. Lawlor:** Tied in with the bonding, of course, is the complaint that when men, having paid the price, having paid their penalty, have come out and are supposedly and in theory washed clean, so to speak, and entering society, society itself has in the past brought all its most punitive measures to bear in terms of conventional wisdom in order to drive them right back in again. Because it would not seek in any way to adapt itself to their needs and recognize the various vicissitudes and difficulties under which they operated. It is still true to a substantial extent and a big job has to be done on the most self-defeating circular dog-chasing-its-tail kind of business that could afflict the human mind. I am told, you know, that it would cost as much to keep a man in most of your reformatories at it would in a room at the Royal York Hotel.

**Hon. Mr. Grossman:** That depends on what kind of room at the Royal York Hotel.

**Mr. Lawlor:** Well, all right! What I am coming to is I do not know precisely what is the demarcation of the work that the minister does with The Department of Justice. We discussed it for a few moments earlier tonight but I would refer the minister to the report of the Canadian committee on corrections where they are dealing with the annulment of convictions—now if you could get that annulled!

Looking in the Queen's University professor's report to the Attorney General on privacy, there are pages, from page 78 to 90, in which he makes all kinds of recommendations as to the questions that should or should not be asked on application forms. Somewhere along the line we must get to it and the sooner we get to it the better it will be for us all. Legislation must be introduced making it an offence to ask certain questions about a man's criminal record or other personal facts in his life. Or, if that is susceptible, then the mode of the question, the way in which it is put, would fall under some degree of censure.

You know, Mr. Kirkpatrick's article thought I had it here but it is not immediately at hand—Mr. Kirkpatrick of the John Howard Society wrote an article not so long ago on this very head in which he says of the kind of question about a previous conviction is a frequent type of question, shown by a survey of employment application forms made by the John Howard Society of Toronto in 1962.

Out of 68 forms, 18 asked about a criminal record; 13 asked if the applicant could be bonded, and 12 asked if the applicant had ever been refused a bond. In all, 43 out of 67 were designed to reveal the presence of a criminal record.

This Canadian report on corrections recommends on page 409 that criminal records resulting from summary conviction offences be annulled automatically after a crime-free period of two years from the end of the sentence and in the case of the individual with more serious and more frequent offences, after five years, which is the next recommendation in this report.

So I am putting forward a plea to the minister rather than asking him a question: would he use his good offices, would he use every ounce of his persuasive powers in order to bring this to pass? I very often have met men who have been convicted, and I am convinced of their desire to lead decent lives and become rehabilitated, saying that they cannot find employment; that they are constantly being rebuffed and—I will not use the word "dehumanized"—constantly being dehumanized.

They are made to feel small and less than what they would want to be by the fact that they are always up against the disclosure of their criminal record. It never seems to end but follows you from the time you commit a crime. Even if you are a young man, you go through your lifetime and it is forever likely to crop up.

Will the minister please use his considerable power, and I would ask the Minister of Justice to join in this. I am sure you have a good deal of goodwill with Turner up in Ottawa. Why do they not move ahead; why is it not done? The minister says there is a bill there. Does the bill go to the full length of the recommendations of the committee?

**Hon. Mr. Grossman:** Bill C5 provides for the granting of pardons under certain conditions. It means that a releasee will still be faced with this question, but he is going to be able to say he has been pardoned. This is now the extent of the federal bill.

**Mr. Lawlor:** What does the minister think of that?

**Hon. Mr. Grossman:** Oh, I think it is a step in the right direction. I have already discussed this matter, as a matter of fact, with the Solicitor General. He knows our views on this and I am sure that now there is a Solicitor General in charge of corrections, you will find a great deal more progress made in this area.

**Mr. Lawlor:** If the Solicitor General knows the minister's views, I would be very pleased to be let in on the secret. What are his views on this?

**Hon. Mr. Grossman:** My views are that where a man has served his time and has been free of any crime for a period of time, his record should either be sealed or, as they are doing in this case, a pardon should be granted.

I am not in a position to say which would be best. There are many complications to this. We could have a full-dress debate just on this particular problem alone, because, for example, those who are convicted of non-indictable offences are not fingerprinted. There are many cases where inmates or people who have served sentences have the same name. There are a lot of John Jones and William Smiths and all that sort of thing. Because you do not fingerprint them, there would be no way of knowing which John Jones and William Smith you are talking about, unless he has committed an indict-offence and has been fingerprinted. There are all of these problems.

All I can say is that the federal government appears to be moving in the right direction. It gets all of our support and it knows it has our support.

**Mr. Chairman:** Vote 302?

The member for Beaches-Woodbine.

**Mr. Brown:** I would like to make some general remarks before I get down to specific areas. I think it is easy to become confused in a discussion on the estimates of this department about exactly what is the role of the corrections department in society. I think it should be clearly understood and remembered in all the debates and discussions that, in the first instance, the individual becomes deviant in society and his original deviance, his original problem, is not in any way connected to the correctional institutions established by society to do something about the problem.

I think that there are times when this confusion tends to place on the institution—established to provide some corrective measure the deviants—assignments and duties responsibilities which it neither has ability, nor the jurisdiction, to carry out.

That area—that is, how does the individual become deviant in society; why does the problem arise?—obviously is something that must be studied and be the concern, certainly, of some department of government. But I do not see it as necessarily under the jurisdiction of this department at this particular time. If it is to become a part of the jurisdiction of this department then I think the department would need a reoriented

There are some questions that naturally arise, once we think this way and one of them is: how is the deviant discovered? How is he processed and evaluated, categorized and slotted into some kind of rehabilitative or corrective service? I think this, too, at present time, is outside the jurisdiction of the department. I am concerned about each of these areas. I am concerned about what society can do to reduce the number of deviants? I want it understood, as I am talking about these things, that I am not putting this task, or this responsibility,

We do, then, come down to what happens to the individual once he has been discovered and once he has been categorized and slotted into a corrective service; in this instance, correctional institutions established by government, under this department.

At that time we have to raise a question which I think has been fundamental to many of the questions that have been raised—that is: Indeed does this deviance that the individual brings with him modify under the influence of the correctional institution? Are there ways of increasing the effectiveness of this modification in an adjustment direction? Are there errors in organization, in concept, in philosophy, in method, in practice, that indeed do not modify the deviance in a corrective direction but increase the deviance?

If we find that is true, and I think there is some evidence to indicate that it is true, then obviously we cannot look to society, we cannot look to the problem of the individual. We must first re-examine the correctional institution itself to see whether or not there is something in the way we are organized that could be modified or altered that would decrease the impact that encourages the deviance—that would help minimize the number of deviants by helping the person to readjust

I take the minister's word, as I have listened to it over the years, that this is the intent of this department. I take that at its face value. I do not argue with it. The evidence of whether or not it is effective, whether the intent of being carried out, can only be tested by whether or not there are more successes today than there were before.

What can be done within the institution to make sure that deviance does not become a life style? While it may be true that we have conflicting evidence from the professional groups, from experimental efforts and so on, I think there is one area that seems to run true in all work with deviant people. That is that techniques by themselves, the apparatus, the environment, these things tend not to modify the deviant; if you want to modify deviance in a human being, it requires another human being.

So when I come to look at the estimates of the department, I am not so interested in all the fine detail, of which there is not a great deal in the estimates anyway. I am more concerned whether or not moneys are being spent on human resources, or whether they are being spent on gimmicks, on institutions, on security, on tear gas, on what have you. Because my hunch, my feeling and my intuition, out of my own work, is that if we are going to ultimately succeed in correcting the deviance and rehabilitating people, it will be through the use of individuals, through the use of humans. How we prepare those humans, how we administer them and how we select them—all these things are problems that we obviously have to work on, and I am sure the department is working on it.

Nevertheless, we must come back to the fundamental issue, that it takes human beings to modify the deviances that other human beings have. Then, if we go to the estimates under treatment and training of adult offenders and we look at the items in that budget, we see salaries of \$2,199,000 and maintenance of \$3,644,000. I am left simply with an obvious question: if it requires humans to modify deviance, why do we have this discrepancy? What is the maintenance that requires \$3,644,000? Why is it so much higher? Could there be a breakdown? Could you tell me how the dollars in the maintenance item contribute to the rehabilitation of the people who are in this section under the treatment and training of adult offenders? Why is there that disparity? Is it something you are concerned about? Is it a part of your philosophy? Have you discovered out of your experience that it takes roughly a ratio of \$3 million in maintenance to \$2 million in salaries to effect

a good programme? Are you trying to that balance in any way? What has been your experience? I would like to hear from the minister just what these figures mean.

**Hon. Mr. Grossman:** Mr. Chairman, not quite follow the hon. member. Is he asking what relationship the \$3,644,000 bears to the \$2,199,000? I do not follow him.

**Mr. Brown:** Well, when it comes to treatment and rehabilitation of people generally have some sort of a formula that works out over the years of experience and practice. In the medical field, in hospital treatment, in psychiatric treatment, you find that in order for treatment to meet a minimal level of effectiveness the ratio between maintenance, or non-salary, and salary items would be roughly 75 to 25, or 33 to something like that, with the largest proportion of each dollar spent going on human resources, and the smaller amount being spent on the physical and environmental resources. Here it seems to be reversed, and I would like to hear some discussion on it. Is that a pattern? Can we, in programmes for adult offenders, count on the ratio of maintenance being spent will be the larger proportion of each dollar going to maintenance, and a smaller proportion going to the human resources? Because if that is the case, there will be some questions about whether or not it will be effective. Have you got some kind of a mechanical gimmick maybe that is being used here, that is costing a great deal of money?

**Hon. Mr. Grossman:** Mr. Chairman, I am afraid that the hon. member is mistaken. I think we can reduce the expenditures in corrections to such a fine formula. It is impossible to do it. I think if you go into a hospital or a treatment centre for certain types of people where there is a definite method of treatment and it is known that you can cure people, you know that you can get proportions of your money in certain ways.

This is not inherent in corrections at all. There is no way you could possibly do it. For example, in this last year we put into effect the temporary absence programme which cost some extra funds for salaries and extra work. It costs us a fair amount of money just for the incentive allowance. We have just put into effect. There are various facets that go to work which just cannot be divided that way.

In aftercare there may be more required in one year than in another in relationship to the amount spent on maintenance. There are certain things go into maintenance v

certainly are part and parcel of the treatment. Certainly, you have to feed people. Certainly, you have to do some other things which could not be specifically related to treatment as such.

We hope that everything we do in the institution is related to treatment. We may have a programme in one institution which requires a much higher staff-to-inmate ratio, for instance, the programme at the Vanier centre has a much higher staff-student-inmate ratio, as have the programmes in the training schools at Hagersville, White Oaks and Sprucedale, where the staff-student ratio is tremendously high. Taking all the total figures for a particular programme, or even for the department as a whole, and saying you are spending x percentage on maintenance and x percentage on things which cannot be specifically named as treatment, is really meaningless. I am afraid I cannot give him an answer to that because I just do not know what the answer is.

**Mr. Brown:** You have, in a sense, shed some light on it, whether you realize it or not.

I think, if what you say is true, you are making the very point that I am making myself—that there are certain programmes; and I am talking about a specific one here, the training and treatment of adult offenders. I am raising the question about the ratio of money spent in terms of that which is allocated to maintenance and that which is allocated to the human resources which you bring to bear on those individuals.

You say, in reply, it is very difficult to establish that kind of ratio but that there are special programmes you have where the ratio of salaries or the ratio of each dollar that is spent for human resources exceeds the amount of money that you spend on maintenance. Now this is precisely my point.

I would assume that you do have programmes where the largest amount of each dollar spent is spent on human resources because you believe, in those programmes, that the human resources will be more effective than if you spent that money on maintenance, or buildings or something that was not on salary. I raise the question with you, Mr. Minister, through the Chairman, of why, in the training and treatment of adult offenders, is the ratio at this level? Why does it not follow that pattern? Let me take one more swing at it, historically. If you went down historically through the history of a development of correctional services generally, you would find that there was a time when the

ratio of maintenance cost was much higher than that for personnel. That is one of the indices that you might look at to see the degree to which societies improved their correctional services. That index is the ratio of money spent on personnel as compared to money spent on maintenance.

I would suggest that your own department over the years, has tended to increase the amount of each dollar spent on human resources over that which was spent on upkeep and maintenance and so forth. It is with the history of your own department that the tendency to improve the service is reflected in the ratio of the cost for personnel and cost for maintenance.

I am asking the question here, specifically in the section on adult offenders, why is the ratio in inverse proportion, with the large amount of the money spent on maintenance and the lesser amount spent on human resource?

**Hon. Mr. Grossman:** I am afraid, Chairman, it is another one of those situations where the method of programming required by The Department of Treasury confuses the issue a bit. If the hon. member will look at page 23, at the beginning of estimate 3, he will find that the total on salaries alone is \$23 million—somewhat over \$23 million—and maintenance is just under \$10 million—\$9,900,000. Under maintenance are included things like the incentive allowance. That is part of the treatment and training contracts with professional staff, and so forth. So it does not really give a true picture. On a matter of fact, further down, the total number is \$80,000 for grants to after-care agencies. That could be considered as the same thing. Assistance to inmates, \$73,000. If this is the criterion the hon. member uses to find out what proportion is used for services to inmates—treatment rather than maintenance—I think he would probably find that out of a \$33 million estimate, probably pretty close to \$25 million would come under that category.

**Mr. Brown:** About two-thirds?

**Hon. Mr. Grossman:** Yes, perhaps more than that. Perhaps four-fifths. I do not know. My mathematics are not that good.

**Mr. Brown:** That is precisely my point, of course, since in the general overall pattern of the department you have what is considered to be approaching the traditional ratio between salary and maintenance costs, which would speak well for the department.

**Hon. Mr. Grossman:** What is traditional? Is it two-thirds?

**Mr. Brown:** Yes, it is two-thirds to three-quarters. Then I raise the question again: why is the ratio so out of proportion in this one department? Why do the treatment and training of adult offenders have a different emphasis, a maintenance emphasis, rather than a use of human resources?

Maybe someone will begin to look at it and see that this accounts for some of the problems in rehabilitation of this particular section. What is the recidivism rate and what kind of success are you having? Is there a proper allocation of money under this section? I raise the question with you, I am not trying to criticize you but I would like an explanation. I do not know why \$3,644,000 gets spent on maintenance in the treatment and training of adult offenders and \$2,199,000 gets spent on salaries. Why is that? How can you explain that to me?

**Hon. Mr. Grossman:** Mr. Chairman, I do not know whether I am obtuse or whether the hon. member has this confused. If he has then he can join the club. I mean, this programming method has been confusing me ever since it was put into effect.

The fact remains that he has picked out those figures under the heading, treatment and training of adult offenders, but he has ignored the one previous to that, care of adult offenders and the one beneath that, aftercare of adult offenders.

That is why I refer him to the previous page, where you get a truer picture of it because these are the totals which are actually spent in respect of these different programmes. They all could come under the same heading, but for reasons best known, as I say, to the Treasury department and the auditor, he prefers to have them this way. Page 23 will give the member the proper allotment because this is only the detail of the figure on the previous page. It is divided up, as I say, care of adult offenders, treatment and training of adult offenders, aftercare of adult offenders. Really it is all the same. As the hon. member opposite, from Owen Sound, usually says: "It is all the same ball of wax."

**Mr. Brown:** I again come back to it, because treatment and training of adult offenders is, I assume, a category that contains within it the substance of what the department is trying to do to rehabilitate and correct the problem. I assume that the care

mentioned earlier by the minister is something, perhaps we could say in terms of rehabilitation, less significant than the treatment and training in terms of the offender's return to society and ultimate adjustment.

If I were to use logic—and it may be all of this is just a bookkeeping problem—does not really exist—if I were to use logic I would say precisely in that section of the programme that concerned itself with treatment and training, I would expect to find the largest proportion of each dollar spent on human resources, and the least amount on maintenance.

Under care, I would expect it to be somewhere 50-50, and there would be a deal of money spent on maintenance and a smaller amount spent on salaries, proportionately again. Because, first of all, people who do the caring are not as high paid as they are not the professional type of people. This sort of suggests to me that in the section under which those therapeutic and corrective influences are supposed to be effected, we may be having a very large amount of money spent on precisely the professional resources we need to do the job—that is what it means. Does it mean that we do not hire professional people in the treatment and training? I do not know, I am going to find out. It is a peculiar switch that cannot be explained by logic. If there is a bookkeeping error, then I would like to know the detail of it.

**Hon. Mr. Grossman:** All I can tell the hon. member is repeat to him that the professional staff he is talking about, those who are hired under contract, and there are others of them, also come under the maintenance figure.

**Mr. Brown:** Under the maintenance figure.

**Hon. Mr. Grossman:** Under maintenance. And, incidentally, included in that, I have just been advised, is the purchase of industrial raw materials.

So you cannot really get a true picture of this. This was supposed to bring out the detail of detail which the hon. member is referring to and I think in most departments it is because they deal with something that is more easily divided. It is most difficult

For instance, you would move over to juvenile offenders and you could ask the question, whereas we have aftercare of juveniles who are dealing with both juveniles and adults. There is an overlap here and that is what makes this type of programme so difficult. What irksome to the minister himself be



it is most difficult to answer that kind of question. But it is fairly obvious I think to the hon. members, even from the explanation that I have given him, that the vast majority, the vast percentage of the money is actually spent on treatment and training and the care of the offender; particularly treatment and training.

**Mr. Brown:** Yes. I would suggest to the minister, through the Chairman, that if that is indeed true there should be something done about the reporting of these figures, because they are confusing to someone who does not know the programme and is not in a position to evaluate how the moneys are being spent. There is going to be the distinct and clear impression that in precisely that area which rehabilitates adult offenders, the treatment and training of such offenders, the ratio of money spent for treatment is infinitely less than the ratio spent for maintenance.

That leads one to suspect that the physical facilities of retention, of holding and keeping the prisoner, the adult offender, captive, is the preoccupation and the focus of the department. If that is not the case, I think it behoves you in your reports and in the government statement here to alter that and to make it clear.

In the meantime, I would request of the minister, through the Chairman, that there be some detail of breakdown of this and that it can be shared in due course with myself, if that is agreeable to the minister. I would be pleased to receive that at his convenience, as long as it is sometime in the time that I am here. And that is not too often.

I want for a moment to go back to the issue that was raised by my colleague from Lakeshore, the issue of tear. It just left me with many questions unanswered. I wonder, you know, when is it used? I got the impression from something the minister said that it was used sometimes when a prisoner was in a cell, to quieten him, and that it was sometimes used against an individual who was unmanageable.

I wonder if this was the intent of the minister or, whether in the excitement of answering that fierce legal mind from the Lakeshore, he got rattled and said something that he did not mean to say. I can understand the use of tear gas in cases of riot, of group unrest. I do not sanction it, and I do not go along with it. I do not approve of it, but I can understand it. But I find it difficult to understand using tear gas on a man in a cell to quiet him. And I wonder if that is actually what happens?

**Hon. Mr. Grossman:** It depends on what the hon. member means by quieting. Just means that we want a man to sleep, of course not. If you have a man who has been acting up, creating a great disturbance and, when he is put in his cell, still creates a disturbance, or he is in a position to create a disturbance—I think you would have to know something about the correctional institutions to know how that happens. He makes a loud noise and so on. He upsets other inmates; they soon become hysterical, and it becomes apparent that unless this is stopped, you will in fact have a riot on your hands. And you do everything possible to get the man to stop. He pays no attention; he starts banging on the walls, screaming.

What do you do with a man like that? You eventually have to make some effort to contain him, to quiet him down. If that is the term within the context of which the hon. member uses the term, he is correct. In any case, how or other, you have got to stop this before you do have a riot on your hands.

There are a number of ways of doing it. You can send two or three correctional officers in and physically restrain him and tie him up or something of that nature. He is usually very hysterical at that stage. He will fling out; he will fight; a fight will ensue. Somebody will get hurt; somebody will get somebody's jaw and then there will be a great to-do about it if it happens to be a serious inmate, and certainly we are concerned about it as the correctional officer.

It seems to me that the staff was not quite justified, but it is quite reasonable to expect that they would use every possible means consistent with good common sense to quiet the man down. Tear gas is considered to be a humane way of doing it, properly applied. And this is precisely what happened.

**Mr. Brown:** I wonder if the minister could share with the House exactly how this tear gas operation works?

We have a prisoner who is creating a disturbance which tends to excite other prisoners. He is isolated in a cell, the sounds of his pain and anguish carries out and is heard by other inmates nearby and tear gas is brought in somehow put into the cell. What happens? How does this work? Does this subdue him? Does he say, "Stop, stop. I will not fight any more. I will not make any more disturbance. Please stop"? How does it work? What is the intent of it? How long does it take?

**Hon. Mr. Grossman:** It is injected under the door of the cell and he will either quieten down or say something like "I have had enough. I will quieten down." I presume that is what happens. I do not know what the hon. member is driving at. Presumably this is the natural result of having tear gas applied. Is not this what tear gas usually does?

**Mr. Brown:** I think tear gas usually disperses, and I think it is intended generally—certainly in the military when I had experience with it—not to subdue someone who was captive and incapable of escaping from it. It was intended to disperse people as quickly and as effectively as possible.

I simply raise the issue that it may be a common practice, but it is one that I was not aware of in the reformatories, the jails or the prisons of Ontario.

**Hon. Mr. Grossman:** It is not a common practice.

**Mr. Brown:** That is precisely my point, Mr. Minister. I would like to know the degree to which it is used and the kinds of controls it comes under. I would like to submit to you, in all due respect of the kinds of problems that you have with the prisoner who becomes difficult, and someone that you cannot tolerate a continuance of this disturbance because it may incite riot and disturbance that would affect other prisoners and ultimately threaten the institution, the structure of the correctional institution itself, and maybe the safety and lives of the inmates, as well as of the staff. I am not suggesting that you do not have that very real problem. You do.

I simply submit that to use a gas of this type on someone who is confined to a cell seems to me to be particularly unnecessary and particularly cruel, whether it is commonly used or whether it is not. I would certainly suggest to the minister that perhaps you could lead the field in creating some kind of a more enlightened approach so they can handle the prisoners who become that difficult. I know that this is a problem. In other areas of human endeavours there have been certain solutions found which strike me as more humane. A zoo keeper does not use tear gas on a wild beast. He will use a tranquilizer drug and—

**Hon. Mr. Grossman:** Is the hon. member suggesting that we use a tranquilizer?

**Mr. Brown:** I think it would be better than forcing someone to quieten down or trying to escape. I am not suggesting—

**Hon. Mr. Grossman:** Would the hon. member tell us how we are going to get to the tranquilizer drug?

**Mr. Brown:** I would like to. If the Minister would like to have my suggestions I would be pleased to give them to him, at this point I am raising questions about this practice and—

**Hon. Mr. Grossman:** But I would like an alternative.

**Mr. Brown:** —I think—well, if you would like an alternative, consult me.

**Hon. Mr. Grossman:** Well, I am consulting the hon. member now.

**Mr. Brown:** I am in the field, this is my specialty.

**Hon. Mr. Grossman:** I would like to consult the hon. member—

**Mr. Brown:** I do that kind of work. It is one way of making a living, as a matter of fact, before I got into politics.

**Hon. Mr. Grossman:** May I ask the hon. member a question?

**Mr. Brown:** If you want me to give you suggestions on alternative ways of handling prisoners I am prepared to do that. But tonight, in my role as the member for Beaches-Woodbine I am questioning you about your practice. As I say to you, could the minister make efforts to lead the reform institutions in the correctional field out of this kind of practice and into a different method?

Not as a suggestion for you, but simply drawing a parallel between what other people do in extreme circumstances when they must exercise a control, reluctantly, against a force which they cannot control without extreme measures. In the case of wild animals—I think, when listening to the minister, that the individual in the cell resembles in some measure this kind of behaviour; he cannot be approached by normal human means; he cannot communicate in the normal human way obviously, in other areas they find other ways of doing it. Is this possible? Has it been tried? Are we here once again tied to a traditional use?

I have the dreadful feeling that it is an inhuman act to the individual who is locked within his cell. It bothers me, as it m

both the minister and members of the department when they stop and think about it in the cold light of humanity; if they can separate themselves for a moment from their task of having to contain and deal with this human being separate from that job, that assignment must appeal them as it does me.

Secondly, I think in my understanding of the impact of one human being's behaviour on another, what happens to the other people in that institution, staff and inmate alike? What happens to the other prisoners who are the recipients of this man's protest or violence or incitement to rebellion and riot, those who would have responded if you had not stopped him?

How do they respond when you stop him this way? What is the kind of experience they have with the thing and being part of it? Perhaps I make too much of a point about it but I think there is a human quality here that would find that kind of thing reprehensible, however much they may want the noise to stop; however much it may bother them; however much it may incite them to lose control; however much they are trying to maintain their control in resisting the stimulation of this man.

Nevertheless, the fact that he is in a locked cell and tear gas is being applied to him to subdue him when he is confined, I think, has a brutalizing and dehumanizing impact on the other inmates. I simply raise it. It may not happen. Perhaps in your experience, in the experience of the people within the department, this is a very good solution. Perhaps you are satisfied with it; perhaps you feel that this is the kind of solution that will help rehabilitate the man. You would like to continue using it; you defend it 100 per cent. There is no point in questioning it or looking at it.

But I, from my position outside the department, not charged with that difficult responsibility of dealing with these difficult people, must say to you, as a human being, that I find this an extreme situation and one that I would certainly appreciate hearing the minister say he wanted to do something about altering it.

**Hon. Mr. Grossman:** Perhaps, before the hon. member proceeds we can deal with that. I do not appreciate, of course, the hon. member getting up and talking about something which is inhumane—that does not appeal to him. It does not appeal to anybody.

Interjection by an hon. member.

**Hon. Mr. Grossman:** I know, but there is no point in getting up in the House and saying something about us dealing with a man in an inhumane fashion, and, when I challenge the hon. member to give us a solution to the problem, he says if I talk to him privately he will give me a solution. He is not making the criticism privately; the hon. member is making the criticism publicly. I know what the hon. member is talking about.

In the first place, I would like to make it quite clear that when I say we have to use this, remember it is very rarely used. My staff tells me that in the last few years, it has been used only at Millbrook, which is the last remaining place for those who have the most difficult behavioural problems in all the institutions. It has been used only at Millbrook; and perhaps one exception, at Wash, on one occasion. It is very rarely used.

We do not think it is good. We are not satisfied with it. It is used as a last resort when we say, "what else?"

I know one of the systems the hon. member used at Browndale. They use holding; they take a youngster who happens to be kicked up, and two or three of the staff pin him to the ground.

If the hon. member thinks this is going to work with a burly 25- or 30-year-old prisoner who is intent upon tearing the walls of the place to pieces, he is mistaken. I would not want my staff to do that, because some of them would not have any staff. The fact remains that this is the only known method and the only humane method that we can think of to contain the man.

The member asks what the other inmates think of it. The other inmates think that if they do not damn well stop this soon, they will all get involved, and this is what happens. Now, if he has any other solutions, better than the holding system, I would be pleased to hear it in public.

**Mr. Brown:** Mr. Chairman, I certainly have not suggested it tonight, although on other occasions and other places I may have suggested that there is a utility in some of the techniques that we use with our troubled children. I never consider applying the holding system to the older people. Precisely the reason they are used on children is so you do not have the problem of the inmate at Millbrook, who cannot be contained in any other way. I am not suggesting that is a solution, as the minister well knows.

I do not know why he brings it up. I have your answer in a certain measure.

think I can tell you that I am satisfied with your response to the fact that I would like—and I have been saying it for the three years that I have been here—the civil service and the minister of the department involved to say when their back is against the wall and when they do not know—

**Hon. Mr. Grossman:** I just said that.

**Mr. Brown:** —to say, “we do not know. The practice is bad and we want to do something about it—”

**Hon. Mr. Grossman:** I just said that and you know it.

**Mr. Brown:** —and not continually defend it.

I say to you I accept the degree to which you say it. But I would like it better, Mr. Minister, if you could stand on your feet in front of the whole House and the whole of society and say: “This is bad, we have to do something about it. We are putting money into studying it. We are trying to find ways to solve it and we will find ways to solve it. It is not an insoluble problem. We have not come to the end of our rope yet. We are working on it. We want to do something about it.”

To the extent that you have said that, I am pleased to hear it. Do you want the floor?

**Mr. Chairman:** Vote 302?

**Mr. M. Makarchuk (Brantford):** On the same point, Mr. Chairman, I think anybody who has been in the service, as part of their training, did have to go through a gas orientation course. One of the aspects of the course involved being in a building or in a room with a gas mask. You were in there with the gas mask on your face and tear gas was introduced. After a period of time, you pulled aside the gas mask and took a whiff. If this is what you do to your prisoners, I would like to see the minister and his staff in a room where tear gas is introduced and in no position to get out. Because that is one of the most criminal things that you can possibly do. It brings on a violent reaction of the people involved. There is a mass exodus for the door; if any individual falls down, he gets trampled automatically. There is a general panic—

**Hon. Mr. Grossman:** Oh, we do not use gas to that extent. Do not exaggerate.

**Mr. Makarchuk:** I am not exaggerating.

**Hon. Mr. Grossman:** Of course the member is exaggerating. My staff would use that much gas. They put a whiff under the door.

**Mr. Makarchuk:** Mr. Minister, if you—

**Hon. Mr. Grossman:** Oh, stop exaggerating. You make it look as if my staff is bringing—

**Mr. Makarchuk:** Will you sit down until I finish?

**Hon. Mr. Grossman:** Well, I am not paying any attention from here on in.

**Mr. Makarchuk:** All right. I will continue despite that, just to get this on the record.

The amount of gas that is introduced is in any large quantity, and the people who are taking the course only get a whiff of gas. They just snap the mask to take a whiff and they put the masks back on, but it does introduce a very violent reaction.

On the other point you mentioned, I said that you do not know of any method by which you can control the burly 26-27-year-old, six foot six inches, or six seven inches tall, without getting your shoulder hurt. I suggest to you that if you open your eyes and looked at what is being done in some of the Ontario hospitals which occasionally they have to handle people this who are just as frantic and as annoyed and as violent as any of the ones that you have in your institution, and you would know that they have 90-pound weaklings possibly 90- to 105-pound nurses and so on who get together and manage to quell an individual without the use of tear gas.

They do not use tranquilizers, they do give injections and so on, but the point is that they manage to handle him in a much more humane manner than what you are doing.

**Hon. Mr. Grossman:** Who applies the tranquilizer at the hospital? It would be the doctor or a nurse, would it not?

**Mr. Makarchuk:** Right.

**Hon. Mr. Grossman:** Well, I will tell you the next time there is an incipient riot at Millbrook we will just say “Hold it, boys. We are going to call for a doctor or a nurse to get into the cell and inject some tranquilizer.” Is that not ridiculous?

**Mr. Makarchuk:** Surely you do not need a doctor or a nurse? Surely you could handle somebody on your staff trained to handle situations of this particular case?

**Hon. Mr. Grossman:** You would not be allowed to by law.

**Mr. Makarchuk:** They are allowed to give it out to everybody else by law, and the Indians are getting it all the time without any prescriptions. I am sure that arrangements can be made. Have you investigated—

**Hon. Mr. Grossman:** I would not want to investigate it.

**Mr. Makarchuk:** Have you looked into it?

**Hon. Mr. Grossman:** No.

**Mr. Makarchuk:** How do you know it would not work then?

**Hon. Mr. Grossman:** How are they going to get into the cell to inject the tranquilizer?

**Mr. Makarchuk:** The same way.

**Hon. Mr. Grossman:** They are going to open the door and go into the cell and inject a tranquilizer in this man they are afraid to touch because a fight will ensue! It is great for the hon. member to be a hero here, but let him go out and deal with some of these very dangerous people in the institution when they are just about to start a riot.

**Mr. D. C. MacDonald (York South):** Are you sure he is not aware of alternative methods?

**Hon. Mr. Grossman:** I am sure he is not, if he is making the statement that they should go in and give him a tranquilizer. That is ridiculous.

**Mr. Makarchuk:** Well, Mr. Chairman, getting back to my point. You have people in single rooms in the Ontario hospitals who act in a similar manner, and they are being dealt with. You know this happens once or twice a month in every OH in Ontario, and if they can do it there, surely the least you can do is look into it and see how they are doing it. After all, you are the same government—this is the province of Ontario.

Examine it, instead of being so vociferously violent against the idea. I suggest you look into it and find out what is happening there.

**Mr. Chairman:** Vote 302?

**Mr. Brown:** I would like to pick up on just one aspect of that and then go on to another point that I would like to raise.

I simply say that if the problem comes as a buildup to what the staff feels will be an incipient riot and the intervention is taken to prevent that riot, then, in the post-mortems

that are done to evaluate to what degree is the inmate who is at fault? Is it the handling of the inmate? To what degree? Is it the structure of the institution, the purpose of the institution, the administration of the institution, the daily routines of the people there? I would say, in short, that if you have a problem of incipient riots in one of your organizations, it may require a full evaluation and study of that institution.

It may be that Millbrook should have a tear gas treatment and not the individual. I do not know, because I do not know too much about it. I am simply asking, as someone who works in the field and who has to evaluate constantly, can we slough off the problem as the total responsibility of the individual who becomes the victim, or must we also in the process evaluate how we approach that person with his problem, with all the difficulties?

Believe me, Mr. Minister, I do not minimize the problems that you outline of having to deal with the extreme behaviour of strong out of control men, without the normal safeguards to inhibit the behaviour of someone who goes berserk in this kind of situation. I do not suggest to you that you risk your staff. I do not suggest to you that you allow the behaviour to continue to the point of a riot.

I simply say that one of the things that must be done is to evaluate, in the long course of the handling of this individual, what could be done to intervene at an earlier stage. Could it be handled if people were more perceptive of what triggers these kinds of things? How much is the institution itself triggering them off, and so on? How can the total problem be managed in a more effective way?

That is simply a comment that I wanted to make, but I want to get back to another question, Mr. Minister, through the Chairman: there at present an economy drive within the correctional institutions department?

**Hon. Mr. Grossman:** There is an attempt to keep costs down in every department of government.

**Mr. Brown:** Where is this being done? The Department of Correctional Services? Where are the cuts being made?

**Hon. Mr. Grossman:** There are programmes which we may have proceeded with this year, new programmes, which we did not proceed with. Fortunately we had started some programmes and got approval of them previous to the inception of the new fiscal year and had our money for that.

We have not hired extra staff where we thought we might be able to use extra staff. There are some institutions where we would like to have more staff. We feel that there should be more staff there. We are not hiring them because of this and this is part of the problem which every department of government has to struggle with. I could spend another \$50 million if the Treasury Board said yes and they could find the \$50 million. I could spend \$100 million. I could build all new institutions and bring in all sorts of staff without any difficulty.

**Mr. Brown:** I realize that. I admire your ambitions. I would think that in corrections you would be aspiring to reduce them. I wondered if we could get down to some more specifics about it.

**Hon. Mr. Grossman:** Somebody said yesterday I could not lose, but I just cannot win.

**Mr. Brown:** You win all right, otherwise you would not be sitting there.

**Hon. J. R. Simonett (Minister of Public Works):** How true that is.

Interjections by hon. members.

**Mr. Brown:** What kind of economies do you anticipate in your department? Let us get down to the nitty-gritty of it: how many bucks are you going to save? How much of that will come from salaries and how much of that will come from cut-backs in other specific services, say, psychiatric services, psychological services, social work services, child care service, aftercare services?

**Hon. Mr. Grossman:** All I can tell the hon. member is just what I said a moment ago. We are consolidating all the programmes which we have already started and not proceeding on some new programmes, which normally we would be doing at this time. If the hon. member takes a look at the budget of this department, he just has to look over the past five years.

I think the budget in this department in the last five years must have been almost tripled because of the progress that has been made. We have a pretty big job ahead; we never spent an additional dime on new programmes, just consolidating our existing ones. However, we have an ambitious staff and we would have proceeded with other programmes, if we were not in a position that the government was trying hard to hold down cost.

**Mr. Brown:** I would assume that this is a haphazard adventure in which you are going, "if we all tighten our belts a little you do it here, Charlie, and I will do it there, Charlie, somehow we will come up with some kind of a saving." You must have a little bit of a plan by which you will be able to reduce the overall expenditures by an approximate amount of money.

**Hon. Mr. Grossman:** As I just mentioned, Mr. Chairman, by not engaging in new programmes and by not hiring staff which we would like to hire for the further management of some of our institutions. That is it.

**Mr. Brown:** Does that include replacement of staff?

**Hon. Mr. Grossman:** Actually, there has been an increase in my department of \$5 million this year. If we had proceeded with other plans that we had, it might have been \$5 million. But this is generally the amount which we have kept our costs down, as mentioned previously.

**Mr. Brown:** But there is an economy and it must represent a certain amount of savings in dollars. Otherwise, why have you an economy drive? All I would like to know is what is your goal? What are you shooting for? You want to save \$100,000, you want to save \$200,000?

**Mr. Chairman:** Order, please!

**Mr. Brown:** Mr. Chairman, I am trying to find out if a certain amount of money—

**Mr. Chairman:** Order, please!

The hon. member will please resume his seat when the Chairman calls for order. The hon. member is becoming quite repetitious in his comments at this particular time. The hon. minister has answered his question.

**Mr. Brown:** I have no exact figure, Mr. Chairman, and I would like to have some kind of an idea of what the goal and the plan of this department is. I do not think that is an unreasonable question.

**Hon. Mr. Grossman:** The goals and the plan of this department for the coming year.

**Mr. Brown:** Yes.

**Hon. Mr. Grossman:** This is exemplified by the amount of money I am asking the Legislature to approve in these estimates for the coming year. That is the goal.

**Mr. Brown:** I do not see, with all due respect to your judgement, Mr. Chairman, that this answers a legitimate question of what is the goal in economy in this department and where will it come from. Now, surely, this is a legitimate question. Surely, that should be possible, if you can say in this House that you are engaged in an economy programme.

I do not care how you got to it. I do not care about all the little nitty-gritty details of where it is going to come from. I would like to know how many dollars you expect to save in the economy drive that you have instituted in your programme. How many dollars? What does it mean in dollars and cents?

**Mr. Chairman:** The hon. minister has answered the question to the best of his ability. And the hon. member for Beaches-Woodbine is being quite repetitious in repeating the same question.

**Mr. Brown:** It is a good question.

**Hon. Mr. Grossman:** In any case, that is the only answer I can give.

**Mr. Chairman:** Vote 302? The hon. member for Parkdale.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, I would like to ask the minister a question that affects his department insofar as the number of people he must look after is concerned. I believe in the course of the last year you had approximately 6,500 people who were in our institutions. That included in jail, people standing trial, and so forth.

I think a large proportion of those people, or at least a good percentage of them, would be the ordinary drunks. In other words, there would be people on that list who would have been charged two or three times a year. I was wondering if the minister would be in favour of changing government policy?

It would involve the Attorney General's department and it would involve the federal government, but it would cut down on the number of people you would have to look after. If they changed the policy so that people who are charged as drunks were not treated in our criminal courts, but were treated as sick people.

I know that this has been discussed on various occasions. We had a former Attorney General, Mr. Kelso Roberts—

**Hon. Mr. Grossman:** I discussed this yesterday.

**Mr. Trotter:** Yes. I must say that I miss a part of it, but honestly, I do not intend to take up too much time on it. But I would like to know if the minister has actually made recommendations to the federal government that the Criminal Code be changed.

**Hon. Mr. Grossman:** In the first place, just to get the record straight; the number of people who actually received sentences of imprisonment, the hon. member will note there were 34,000 of them. All of these are those who were released on bail and that sort of thing. I suppose that one could say that at some stage they are in for a day or two.

**Mr. Trotter:** At some stage, they would be arrested.

**Hon. Mr. Grossman:** All right, but that is not the important thing. I do not really think the solution to the question the hon. member asked requires federal legislation. I do not think it does at all.

In this province, we now have pilot projects in detoxification centres. We are hoping that this will eventually be expanded to such an extent that a method will be found legal to pick up people who are drunk in a public place and not put them through the judicial system—through the courts and through the institutions.

This is the ambition of my colleague, the hon. Attorney General and myself and the Department of Health. It is a combined programme. This pilot project is now being studied and there are some other programmes in conjunction with it.

Hopefully, we will be able to get to this a little faster than we have in the past. I agree wholeheartedly with the philosophy.

**Mr. Chairman:** Vote 302?

**Hon. A. F. Lawrence (Minister of Mines):** Carried.

**Mr. Chairman:** Vote 302? The member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, I wanted to ask the minister what happens to the industrial revenue? Is it reported separately?

**Hon. Mr. Grossman:** No. It is shown as revenue. The industrial revenue goes into the consolidated fund. It does not show here at all. You will find that in the public account book.

**Mr. B. Newman:** What is the estimate of industrial revenue for the coming year?

**Hon. Mr. Grossman:** I do not think we have an estimate. You can see what last year's was, and I think it will be just about the same, give or take a few thousand dollars. It will be around \$3 million.

**Mr. B. Newman:** In other words, you over-budgeted by \$3 million, because you are going to show a \$3 million surplus at the end of the year?

**Hon. Mr. Grossman:** You can call it that, but government policy is never to show revenue as against expenditures—you get the money you need for the operation of your department and the moneys that come in as revenues go into the consolidated revenue fund.

**Mr. B. Newman:** Actually, you are really overbudgeting though. I think you should—

**Hon. Mr. Grossman:** You cannot call it that.

**Mr. B. Newman:** May I ask the minister if he has evaluated the programmes conducted by the three various organizations in the city of Windsor, that is, St. Leonard's House, The Inn and the Leone Residence, and if he thinks that type of programme is worthwhile and should be repeated or duplicated in other parts of the province?

**Hon. Mr. Grossman:** Is the hon. member talking about halfway houses?

**Mr. B. Newman:** That is right.

**Hon. Mr. Grossman:** No; there is a study being done now by a research branch. The results of it have not been completed but they are included.

**Mr. B. Newman:** But they are including the three Windsor programmes?

**Hon. Mr. Grossman:** Oh, yes!

**Mr. B. Newman:** Right. Thank you.

**Mr. Chairman:** Vote 302?

**Mr. Lawlor:** Mr. Chairman, the minister—

**Mr. Chairman:** The member for Middlesex South was on his feet first.

**Mr. Bolton:** Mr. Chairman, I want to hear some comments about the—

**Mr. Lawlor:** It is a good thing you are my colleague, or I would not have sat down.

**Mr. Bolton:** Thank you. I appreciate that. Mr. Chairman, I want to continue some comments about the aftercare programme. It is

supremely important that we enlist the understanding of the community about the value of the persons who are being released into the community.

One quite understands the fear that is expressed by some people about those who are coming into their midst again. An example of that was reported in the *Globe and Mail* this morning. You may have noticed that the Elizabeth Fry Society has now opened a halfway house for prisoners. These are former prisoners, of course, on a day-parole system, and it is interesting that the address of the house is being made public at the moment. Miss Donald said it is the first private halfway house set up under the new day-parole system, and the penitentiary service put into effect a year ago for both male and female prisoners. She says the purpose is to help inmates get back into the community after their sentence.

We are keeping the location a secret because I do not want to see pickets lined up out front. We are telling the neighbours privately about it, hoping for the cooperation of the community at large.

One understands the problem. And I do not want to say how much I appreciate the fact that the correctional service in this province is trying to reach out into the community to inform them, to get them prepared to receive the inmate on his release.

I want to recommend the work that is being done by the Elizabeth Fry Society and the John Howard Society. I am a little hesitant about commending the St. Leonard's House because I am on the board of directors myself, but I believe it is a very valuable institution.

I want to refer to one that is not quite so well known, Mr. Chairman, that I think deserves the attention of the community because it is manned principally by ex-inmates. Early this evening some members asked how could they find out about the reasons prisoners do not go back. I would suggest that they may have a way of making this sort of information available because there is a group called the Fellowship Society, all the branch directors of which, and their assistants, are former inmates who have gone straight. The same is true of the regional directors, their assistant executive directors and the executive director himself.

They have branches in Toronto, Vancouver, Charlottetown and Kitchener. Here you have a group of people who are experienced with the system, who are able to reach out to those who are leaving and help them to get their way back into society.



As I said, it is splendid evidence of the fact that there are those who are prepared to share with others who leave; prepared to share with them the experience that they have had on the outside. They are prepared to drop this anonymity and run the risk of being identified as ex-inmates to help those who are coming out. I think this is a group that bears our examination and should be supported as thoroughly as possible. It is a splendid indication of what can happen.

I have my eye on the clock, Mr. Chairman. I do not want to run the risk of this debate closing off, but if we all want to go home at half past ten, what is my procedure? Do I move the adjournment of the debate?

**Mr. Chairman:** No, you will keep on talking until we get a motion to adjourn.

**Mr. Bolton:** I keep on talking, do I? I can do that quite easily.

**Mr. Chairman:** I think the House leader wants to call a halt.

Hon. A. F. Lawrence moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply reports progress and asks for leave to sit again.

Report agreed to.

**Hon. A. F. Lawrence** (Minister of Militia and Defence): Mr. Speaker, surely tomorrow we shall finish the estimates of the department. We are now on and go on to Public Works. On Monday there will be any legislation is on the order paper, a continuation of estimates and private members' hour from five until six; and there will be an evening session.

**Mr. D. C. MacDonald** (York South): I clarify a point here? Earlier in the day it was suggested we were going to go into committee on the fisheries loans bill. Is the order changed?

**Hon. A. Grossman** (Minister of National Services): Monday!

**Mr. MacDonald:** Monday! Fine, thank you!

Hon. A. F. Lawrence moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Friday, May 1, 1970

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 1, 1970

The House met at 10 o'clock, a.m.

Prayers.

**Mr. Speaker:** Today we have visitors in the east gallery from the Dryden District High School of Dryden; and from the Sheridan Technical School of Sudbury. In the west gallery, we will soon be having visitors from the Woodbine Junior High School of Don Mills.

A little later on in the morning we will have students also from the Garson-Falconbridge Secondary School of Garson, Ontario, from the Brighton Public School of Brighton, and from the Wheable Secondary School of London.

Statements by the ministry. The hon. Minister of Lands and Forests.

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, during the last month, as you will be aware, there has been a continual increase day by day in the volume of information available on mercury levels in fish in Ontario.

On the basis of this information, and after consulting with my colleagues, I have initiated action which will close certain fisheries today. They are as follows:

1. Commercial fishing for yellow pickerel in the waters of Lake Huron fronting on Lambton county.

2. Commercial fishing for yellow pickerel in the waters of Lake Erie fronting on Essex and Kent counties.

3. Commercial fishing for white bass in the waters of Lake Erie fronting on Essex and Kent counties.

4. All commercial fishing in the Ontario waters of the Ottawa River from Chaudiere Falls and bridge at Ottawa to the Quebec boundary.

5. All commercial fishing in the Ontario waters of the St. Lawrence River and Lake St. Francis from the Robert L. Saunders dam at Cornwall to the Quebec boundary.

6. All commercial fishing in the following lakes in the territorial district of Kenora: Ball, Indian, Grassy Narrows, Lount, Separat-

tion, Umfreville, Tetu, Swan and Eagle. Commercially caught fish from these waters would not be accepted in export markets because of levels of mercury in the flesh.

Insofar as sport fishing is concerned action is being withheld pending consultation by the Department of Health with health authorities across Canada on the nature of the hazard involved. It is recognized that occasional consumption of fish containing mercury levels found in these waters may pose a hazard, though, pending further advice, anglers are cautioned to keep levels of consumption low, and to refrain from eating fish from the lakes named in the Kenora district.

Future action either to close sport fisheries in some of these waters or to open the Lake St. Clair sport fishery could result from the consultations. Action on sport fishing in various jurisdictions has been conflicting. We are seeking a consensus based on some mercury level, which can be agreed upon for protecting our people and, at the same time, interfering as little as possible with recreation and recreation-based industries.

Mr. Speaker, these are all the areas known to be affected by mercury and this action reflects the realities of the market for commercial fish and the best advice of our health authorities pending the consultation mentioned.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, further to the very serious announcement made by the Minister of Lands and Forests, can he inform us how high are the mercury pollution levels in the investigations he has carried out in the rivers and lakes in the Kenora district, which would persuade him that he should announce that even fish caught by sport fishing should not be consumed?

**Hon. Mr. Brunelle:** I have not these figures with me, Mr. Speaker.

**Mr. Nixon:** Is there an indication, however, that the mercury pollution levels are higher than the other mercury pollution levels in other areas, that is, in Kenora?

**Hon. Mr. Brunelle:** As I indicated on April 17 in the House, we have banned Clay Lake and parts of the Wabigoon River in that area, because the levels of mercury from fish taken were higher than the tolerated levels. As mentioned in my statement, we are looking at the levels of all the fish in the various areas, and there is a possibility that sports fishing may be allowed in certain waters. But I have not got it at my disposal and I could not tell you, because we are receiving tests continually. Testing has been intensified considerably and we are getting tests from all over the province.

**Mr. Nixon:** A further supplementary. Is there any indication that the pollution that the government of Manitoba has found in some of its waters actually has its source in Ontario, as a result of draining into Manitoba through the Wabigoon?

**Hon. Mr. Brunelle:** Mr. Speaker, it could be. It could be that the source of the pollution comes from Ontario because the waters flow in a westerly direction.

**Mr. Nixon:** Has the minister investigated the possibilities, then, that we might face an interprovincial suit if in fact, pollution coming entirely from Ontario has disrupted fishing in Manitoba?

**Hon. Mr. Brunelle:** I do not believe so, Mr. Speaker. The whole legal aspect is presently being looked into. We are also co-operating—as I mentioned here—with the federal Department of Health and Welfare and our sister provinces and also with health authorities in the adjoining states of Ohio and Michigan.

**Mr. Nixon:** I wonder if the minister can tell us if the bill he presented yesterday will be amended before the committee stage, so that the bans associated with this announcement will definitely be covered?

**Hon. Mr. Brunelle:** I would hope, Mr. Speaker, that the bill that I introduced a few days ago will cover those areas in my announcement this morning. The bill reads that loans are available to those areas that have been banned, so, therefore—

**Mr. Nixon:** That have been banned as of April 20?

**Hon. Mr. Brunelle:** No, no.

**Mr. Nixon:** That is what it says.

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** And subsequently.

**Hon. Mr. Brunelle:** Yes. I informed the member for Sarnia (Mr. Bullbrook) that I would change the wording of that. We did this yesterday, so it is being looked after.

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

**Mr. L. Bernier (Kenora):** A supplementary question to the Minister of Lands and Forests. Could the minister tell us how long it will take to complete the discussions with the health authorities in order to make a final decision with regard to sport fishing?

**Hon. Mr. Brunelle:** Mr. Speaker, we had a meeting late last night at 11 o'clock on a very important subject. This morning the Ontario health authorities are getting in touch with the federal ones and they will also be in touch with other provinces. I would expect that some time in the near future we will have the consensus of the various health authorities and that we should be in a position to make a decision.

**Mr. Speaker:** The hon. member for Windsor West.

**Mr. H. Peacock (Windsor West):** What is the reason for the uncertainty in the measurement of the mercury level in the fish in the waters to which the minister has extended the prohibition this morning?

**Hon. Mr. Brunelle:** Mr. Speaker, there are various conflicting views among health authorities. We have used 0.5 parts per million. The way I understand it, a person could eat fish that contains, say, one or even two parts per million as long as he does not eat it as a steady diet three times a day seven days a week.

This 0.5 is sort of a very safe one and the one we have been using. The reason for this consultation with various health authorities is to see if they can come to some consensus and some agreement. It will be very helpful in making a decision as to whether sport fishing should be allowed. At the present time, commercial fish are exported. This is the reason why the health authorities at Ottawa have requested a ban on commercial fishing.

**Mr. Peacock:** May I have a further supplementary? Is it the case then that there is doubt about the accuracy of the measurement of the mercury level?

**Hon. Mr. Brunelle:** I am sorry, Mr. Speaker. I missed the question.

**Mr. Peacock:** Is there, then, no doubt about the accuracy of the measurement of the mercury level found in the fish? That is not in question?

**Hon. Mr. Brunelle:** It could be. As I said, Mr. Speaker, up until now we have been using 0.5 parts per million, but there is a divided opinion among health authorities as to whether it should be 0.2, 0.5—

**Mr. T. P. Reid (Rainy River):** Is the testing accurate?

**Hon. Mr. Brunelle:** Is the testing accurate? Well, I would hope so.

**Mr. T. P. Reid:** That is what he is asking.

**Hon. Mr. Brunelle:** The testing is done at three places. It is done by the federal fisheries laboratory at Winnipeg, by the Ontario Water Resources Commission here in Toronto, and at Guelph. Some places use an atomic absorption process; others use a neutron process.

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

**Mr. D. A. Paterson (Essex South):** In the minister's remarks, he made no mention of Lake Erie perch and smelt. Is he satisfied that the contamination of those fish is at such a low level that commercial fishing may continue? Secondly, is there any indication that possibly through the testing of the waters and the mud samples at the bottom, he may reopen the Detroit River and, possibly, Lake St. Clair at an early date for sport fishing?

**Hon. Mr. Brunelle:** With reference to the perch and the smelt, it is quite true, the levels are so low they are certainly very fit for human consumption. With reference to the second question, this is being investigated. They are making tests and at this time I think it is very difficult to give any information.

**Mr. Speaker:** A supplementary?

**Mr. J. Renwick (Riverdale):** A supplementary question.

**Mr. Speaker:** The hon. member for Sarnia was on his feet with a supplementary earlier.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, in connection with the ban on commercial fishing of yellow pickerel in the part of Lake Huron fronting on Lambton county, I wonder if the minister could give the foundation for that geographical restriction?

**Hon. Mr. Brunelle:** The commercial fish for yellow pickerel in the waters of Lake Huron fronting on Lambton county—is it the area?

**Mr. Bullbrook:** Yes. I am wondering if it just extends to the frontage on Lambton county. One would presume that it relates to fish swimming upstream past the polluted area and I am wondering why they would be in the part of the lake fronting on Lambton county.

**Hon. W. D. McKeough (Minister of Municipal Affairs):** You would think they would want to go on to Huron, would you not?

**Mr. Bullbrook:** You would.

**Hon. Mr. Brunelle:** As the hon. member knows, fish do migrate several miles, so sampling and testing was done for quite a large area. It was found that it was the fish in this area adjoining Lambton county that had a high mercury level and that is why the commercial ban is imposed, but far to the north the contamination is at a tolerable level.

**Mr. Speaker:** The hon. member for Riverdale, a supplementary?

**Mr. J. Renwick:** Yes. Does the minister anticipate that he will be making further statements about additional prohibitions of fishing in the province of Ontario as the result of other studies which he has under consideration at the present time?

**Hon. Mr. Brunelle:** Mr. Speaker, I would hope not. However, we are, as I mentioned previously, testing the entire Ontario waters in those areas where we suspect there could be contamination. We are sampling and have intensified our analysis process. From the information we have to date, and we have been doing this now for several weeks, I am optimistic, Mr. Speaker—I hope anyway—this is about the total amount of the areas that are to be banned.

**Mr. J. Renwick:** A further supplementary question, Mr. Speaker. Would the minister switch his policy to the positive statements providing announcements of those lakes in the province of Ontario where fishing is permitted?

**Hon. Mr. Brunelle:** Mr. Speaker, we have in this province 250,000 lakes. I announced two lakes 10 days ago and this morning I am announcing maybe about seven or eight. There are only about 10 bodies of water out of 250,000.

**Mr. J. Renwick:** The minister said he was testing them all.

**Mr. Speaker:** Order! Any further supplementaries? The hon. member for Kent.

**Mr. J. P. Spence (Kent):** Mr. Speaker, would the minister know if the United States has taken the same action as his department by banning certain commercial fishing on its side of Lake Erie in the southern part?

**Hon. Mr. Brunelle:** My understanding is—my colleague can correct me—that Michigan and Ohio also have banned fishing, but we are helping them this morning and we will be doing this, of course, next week on this whole question of sport fishing.

**Mr. Speaker:** Does the hon. Leader of the Opposition have further questions?

**Mr. Nixon:** Yes, Mr. Speaker.

**Mr. Speaker:** Are there any further supplementaries on this particular question? If not, the hon. Leader of the Opposition.

**Mr. Nixon:** I have a question of the Minister of Energy and Resources Management. Has he been informed of conferences undertaken on the American borders or shores of Lake Erie and the Great Lakes in general which have been referred to as “enforcement conferences”? Is he going to take part in such conferences, and does he plan similar conferences on this side?

**Hon. Mr. Kerr:** Mr. Speaker, there have been conferences involving some of the Great Lakes states at which Ontario has attended, dealing mainly with drilling in the Great Lakes. This was, of course, as a result of the initial IJC report which was released some time last year.

There is another conference, I believe, early this month at which I would expect Ontario will be represented. These are conferences that are being called by a group of state representatives. I believe this particular conference is chaired by a senator from Pennsylvania. We expect that we will have someone at all these conferences, although they are dealing with rather particular items rather than the overall problem of the quality of water in these lakes.

**Mr. Nixon:** A supplementary question. Is it now taken as definite that Ontario is convening an interstate, interprovincial conference in June, and if so would the minister give some consideration to moving that date ahead because of the growing emergency associated with mercury pollution?

**Hon. Mr. Kerr:** Yes, as I have indicated, Mr. Speaker, invitations have gone out to various state governors.

**Mr. Nixon:** Has a date been fixed?

**Hon. Mr. Kerr:** No, a date will not be until we have some idea as to the time which would be convenient to the governors. We are suggesting dates in June and we are hoping that this will be convenient for at least some of the invitees. We will, of course, now be inviting the new Premier of Quebec, but to my knowledge as of yesterday we have not received one reply to our invitations and we have one of acceptance from the governor of Ohio.

**Mr. Speaker:** The hon. member for York Centre.

**Mr. D. M. Deacon (York Centre):** I was wondering if telephone conversations with these various representatives might be a feasible way of arranging a date?

**Mon. Mr. Kerr:** Mr. Speaker: what was being done, and this was done with the Confederation of Tomorrow conference, is to send out letters of invitation outlining the purpose of the conference. There will be two people representing the government who will attend each of these state capitals to discuss it and to tie down a date.

**Mr. Speaker:** The hon. member for York River.

**Mr. T. P. Reid:** In regard to this problem, has the minister made any attempt to make himself aware of the confidential documents presented to the federal governments of the United States and Canada by the International Joint Commission?

**Hon. Mr. Kerr:** Yes, Mr. Speaker, I have a copy of that document and it will be released simultaneously by the two federal governments.

**Mr. T. P. Reid:** Do you have a date for that?

**Hon. Mr. Kerr:** According to Mr. Shindler's letter to me, it will be some time within the first week of this month. It could be Monday.

**Mr. Nixon:** A question of the Premier, Mr. Speaker. Is he aware that in a state letter before the committee on commissions yesterday, the chairman of the OWRC, Mr. Conroy, referred to the Dow Chemical Company property as an armed camp, and described the difficulties that the inspectors of the OWRC have in gaining entrance on



notice, or without notice, to examine the efforts to control the effluent. If he is aware of this, what does he propose to do to bring companies of this type under direct inspection without notice so that we can achieve some modicum of control, particularly of mercury effluent?

**Hon. J. P. Robarts (Prime Minister):** I have read the report in the morning paper, of course, of what evidence was adduced before the committee yesterday, and I noted that the man who made the statement made it very clear that he did not think—and I believe he used the term “cheating”—there was any cheating on the part of Dow Chemical. Now, I know lots of plants in this province have chain link fences around their plants for their own security reasons, and you need a permit to get in—

**Mr. Nixon:** He used the phrase “armed camp”.

**Hon. Mr. Robarts:** Well, that is a mode of expression. I do not suppose the people carry rifles, which is the immediate thought that comes to mind when you see the term “armed camp”. I am not aware that it is an armed camp in that sense. As I understand it, as I read the story about Dow Chemical, we have all had experience of this in our campaigning days when there were certain plants that will not allow you, as a candidate for office, to go on their property, and this sort of thing.

**Mr. Nixon:** What has that got to do with it?

**Hon. Mr. Robarts:** The real point is here: Is Dow Chemical, or any other plant in this province, using this as an excuse to cover up polluting activities? Now, if they are doing that—

**Mr. Nixon:** Well, if they are treating the inspectors—

**Hon. Mr. Robarts:** Now, just a minute. If the member wants me to answer the question—

**Mr. Nixon:** The answer is fatuous.

**Hon. Mr. Robarts:** Mr. Speaker, I do not think it is the least bit fatuous. That has to be about as fatuous a comment as I have heard in this House for a long time.

**Mr. Nixon:** What has it got to do with a political candidate?

**Mr. Speaker:** Order.

**Hon. Mr. Robarts:** I am tempted to point out that if the hon. Leader of the Opposition would listen and stop talking, he would be able perhaps to make some intelligent comment upon what I am saying.

**Mr. Nixon:** If the Premier would stop talking and say something.

**Hon. Mr. Robarts:** He has not yet heard what I am going to say, so I do not know how he can comment on it.

Interjections by hon. members.

**Mr. Speaker:** Order.

**Hon. Mr. Robarts:** The point I am making is that it is not unusual for plants in this province, for their own security purposes, to have chain link fences around their property and sometimes to require that people have passes before they enter. Perhaps the choice of the term “armed camp” was unfortunate here. I am not aware of anybody is patrolling this property with arms, which would be the automatic conclusion when you see the term “armed camp”.

The point that I am trying to make is that if any plant in Ontario is using security as a means of covering up its polluting activities, then of course that is a very serious matter indeed, and we will have to make sure that our inspectors are able to inspect these places when and if they want to in order to ensure—

**Mr. Nixon:** And without notice.

**Hon. Mr. Robarts:** Oh, Mr. Speaker, that is very difficult. I cannot hear the member's interjections.

**Mr. Nixon:** What is so difficult about it?

**Hon. Mr. Robarts:** I cannot hear the member's interjections. So, if he wants to ask a supplementary question, it is perfectly right. But would he just wait until I have finished.

**Mr. Nixon:** As a supplementary question. Would the Premier agree that such inspections should be allowed without notice, including the effluent from the plant which is included in the chain-link guard?

**Hon. Mr. Robarts:** That is precisely what I said, Mr. Speaker.

**Mr. Nixon:** The Premier said nothing about inspection without notice.

**Hon. Mr. Robarts:** I said that if this is being used to prevent us from inspecting and if it is being used as a device to conceal pollution, then, of course, we must do something about it, and we must have the right to inspect without notice whenever we feel like it, to make sure that we have a true picture of what is going on.

**Mr. Nixon:** A supplementary question. Would the Premier agree that the efforts of the OWRC and particularly The Department of Energy and Resources Management under the attitude expressed by the Prime Minister have been ineffectual to date?

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

**Mr. Nixon:** There is a difference of opinion there. Is it not true that any inspector with the Ontario Water Resources Commission has a perfect right to enter any piece of property in order to carry out inspections, at the present time?

**Hon. Mr. Robarts:** I am quite certain they have that power under the Act, yes.

**Mr. Peacock:** New question, Mr. Speaker.

**Mr. Nixon:** Mr. Speaker, a further question of the Premier. With regard to his comments in Ottawa last night, what steps is he prepared to take to hasten the discussion of constitutional amendment in this country and in this province, and would it include a resolution in this House to constitute the committee on Confederation or constitutional matters that was predicted in the Speech from the Throne?

**Hon. Mr. Robarts:** There are two parts to the question. Yes, I would like that committee to be constituted and certainly there is lots of material we could put before them for examination. At the moment I have not any specific plans to reconvene. I was speaking in a general way as to what I see as some of the shifts and changes that have taken place in this process and I have not any specific plans to take the initiative in re-starting, if that is the term, because I do not honestly think our constitutional discussions have ceased. It is just simply a question that there are only so many occasions in the year when it is possible to gather the 11 governments of Canada together for these discussions, and so in answer to the member's proposition concerning initiatives from here, I do not plan any.

**Mr. Nixon:** Supplementary question. Would it be correct to say that the impression was

conveyed in the speech last night, that speed of constitutional reform has been disappointingly slow, or just slow?

**Hon. Mr. Robarts:** What I was really trying to express last night—and I was speaking the cuff from notes and not a prepared speech—was the thought that people in Canada should not draw too much complacency from what happened in Quebec. I think as regards the urgency of settling these problems, we bought some time. If we waste it, then it is gone.

**Mr. W. G. Pitman (Peterborough):** I would like to hear.

**Hon. Mr. Robarts:** This was the point I was trying to make, and I was also making the point that it seemed to me another conclusion that could be drawn from the situation in Quebec is that there is a real interest by the people of this country in some of the bread and butter issues, rather than the esoteric issues—this is the term I used last night about constitutional reform. In other words, while we have unemployment and while we have economic disparity and so on, perhaps we should address ourselves to those matters in the immediate future, and take a long-range view of such matters, such as an entrenched Bill of Rights, and so on.

**Mr. Bullbrook:** Exactly what we said last year.

**Mr. Nixon:** A further supplementary question. The meaning we are to take from the Premier's remarks is, not to hasten with constitutional review but to deal with the bread and butter matters between the—

**Hon. Mr. Robarts:** No, no, I will now try to give my whole speech of last night, as it was in the House. There are various areas of constitutional change. I used as an example and just as an example last night, the question of securities legislation. For instance, I was pointing out the regional differences in Canada, where a national approach to securities legislation might not necessarily suit all sections of the country, i.e., Quebec and Ontario, and possibly British Columbia certainly need securities legislation badly. But I rather doubt the need for securities legislation in Prince Edward Island. It may be possible to adjust our constitution so that some parts of the province could give their exchange powers with the federal government to suit the needs of that region. You go back and study the Fulton-Faville formula, which unfortunately perished,

concept was developed to rather a high degree and, based on some of the proposals this province thought it was a pretty good formula. Now this is the type of thing I was talking about.

**Mr. Nixon:** It was Diefenbaker who shot that down.

**Hon. Mr. Robarts:** It was the province of Quebec that refused to accept it.

**Mr. Speaker:** Does the deputy leader of the New Democratic Party have any questions? The hon. member for Riverdale.

**Mr. J. Renwick:** Mr. Speaker, could I ask the Minister of Labour if he could report at this point on what success he has had either alone or in conjunction with the federal government in the relocation or retraining programmes of the workers at the Dunlop plant which will be substantially closed down as of tonight?

**Hon. D. A. Bales (Minister of Labour):** I would be glad to make a detailed statement to the House. I asked for the latest figures from Canada Manpower this week and they gave me some figures over the telephone to amplify what they wrote to me last week. In summary, I would say this: Initially, it appeared there were just under 600 employees in that plant at the notice of the closedown. In actual fact, we have found that there were a fewer number than that because some had transferred to other places. In essence, there were about 530. In the last count, 441 were registered with Canada Manpower as seeking employment through their offices, and the difference of 90 obtained employment themselves through other means. Of those 440 who were registered with Canada Manpower, as of last week—and the number has increased this week—177 had been offered employment opportunities. Now, we can understand that each employment opportunity may not suit the individual, but just over 100 were accepted and others are seeking employment.

From our standpoint within The Department of Labour, we are endeavouring to locate short-term training opportunities, and of course that means that they are employed in a plant first before they take the training. In that connection, we have now in excess of 230-odd training opportunities available. The employees have largely stayed at the Dunlop plant until it is closed, and I am advised by the people that a number of them wish to take a little time to consider their future and where they wish to go, also

to assess the opportunities open to them. I think next week we will have a better assessment as to their plans in the immediate future. But I would point out that we are naturally very concerned as to the relocation of those men in new positions, and I am pleased that as of this date a substantial number have found alternative employment either on their own or through Canada Manpower, and also that there is a substantial number of training opportunities with positions that will be available to them. I think it perhaps amplifies what has been taking place in this province in this last month. It showed up in the figures that there were 25,000 more people employed in March than there were in February.

**Mr. J. Renwick:** Mr. Speaker, by way of supplementary question. Would the minister accept the proposal which we made at the time of the announcement that he conducted this as a followup project over a period of several months—indeed, anywhere up to two years—so that we will know exactly what happened to the men who have been displaced as a result of the shutdown of the plant? And the next time he is asked to comment about this proposal, will the minister please indicate whether the men who have been relocated in employment have been relocated at reduced rates of wages or higher rates of wages?

**Mr. Speaker:** Does the hon. minister have any reply to the supplementary?

**Hon. Mr. Bales:** You will understand that when people obtain employment on their own, then that is their own personal business. We do not have that kind of information. Where it is feasible, we will certainly be looking into it.

**Mr. Speaker:** Supplementaries on this one. The hon. member for Rainy River.

**Mr. T. P. Reid:** Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Is the minister aware of the fact that Canadian Petrofina oil company may be setting up a plant in Toronto, and, if so, what rules and regulations does the plant have to follow in regard especially to location of the plant?

**Hon. Mr. Kerr:** Mr. Speaker, maybe the hon. member will tell me what kind of plant.

**Mr. T. P. Reid:** It is an oil refinery.

**Hon. Mr. Kerr:** Yes, Mr. Speaker, a refinery that is established in the province

not only has to meet certain municipal by-laws and zoning requirements but has to satisfy both my air management branch and the Ontario Water Resources Commission that they will install the necessary abatement equipment which will meet our regulations.

**Mr. T. P. Reid:** May I ask, by way of supplementary, will the minister provide me with a list of those oil refineries in the province that are now under ministerial order?

**Hon. Mr. Kerr:** Yes, Mr. Speaker, it can be done.

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

**Mr. B. Newman (Windsor-Walkerville):** I think you want to alternate, Mr. Speaker.

**Mr. Speaker:** I am sorry, I could not hear what was being said.

**Mr. Peacock:** Mr. Speaker, I raised the point about the routine of question period. Is it no longer the practice of the Speaker to alternate questions?

**Mr. Speaker:** Well, let me point out to the hon. member that we do try to alternate. I believe that the Liberal Party has more members than the New Democratic Party and therefore it would be quite in order to have one extra speaker. The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Thank you, Mr. Speaker. I have a question of the Minister of Social and Family Services.

**Mr. Nixon:** Our questions are better.

**Mr. B. Newman:** Is the minister aware that many recipients on welfare in the city of Windsor are housed in motels and is he also aware that the Prince Edward Hotel is vacant? Would the minister consider sending staff down to study the feasibility of the use of this vacant hotel to house welfare recipients?

**Hon. J. Yaremko (Minister of Social and Family Services):** I assume, Mr. Speaker, that when the hon. member talks about recipients, he is referring to municipal welfare recipients, or is he talking about family benefits recipients?

**Mr. B. Newman:** Both, Mr. Speaker.

**Hon. Mr. Yaremko:** Mr. Speaker, I will check into the matter.

**Mr. Speaker:** The hon. member for Windsor West.

**Mr. Peacock:** Mr. Speaker, I have a question of the Minister of Labour. Would the minister investigate and report under the statute of the province the employees of the Ontario Canada Limited from outside Ontario who are employed as strikebreakers in the plant of the company in Windsor?

**Hon. Mr. Bales:** I will take it under consideration and look into it.

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

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I have a question of the Minister of Agriculture and Food. Is the minister taking any steps through his department to assure farmers of Ontario that they will be able to continue using commercial fertilizers, pesticides and herbicides, due to the conflicting reports on some areas as to runoffs from agricultural land?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, the question involves pesticides and herbicides. As you know, some action has been taken to restrict the use of some pesticides, and DDT, being—

**Mr. Ruston:** Let us qualify that: apply to pesticides and herbicides.

**Hon. Mr. Stewart:** Approved? Oh yes. Certainly approved pesticides will continue to be used, provided they are used discriminately and in accordance with directions of the manufacturer but of good cultural practices, and to avoid any unnecessary pollution of any kind.

With regard to the use of commercial fertilizers, this is a very complex question. There are 16 plant nutrients that are required for the growth and development of a plant. Many of these, of course, are found in the soil, particularly the trace elements—and farmers understand, nitrogen, phosphate and potassium are added through the use of commercial fertilizers to what is found in the soil for economic production of crops. I think we have to recognize the fact that the indiscriminate use of these commodities can contribute to runoffs that might add to the pollution of water bodies. Now, I want to point out emphatically that our department has emphasized for many years that no farmer should use these chemicals without a soil test. Indeed, that is why a free soil testing service has been provided at the Ontario Agricultural College, University of Guelph, for a number of years where some 60,000 individual samples are run off each year.

We have found that where nitrogen is used at the proper time and in the proper quantity, that it is readily absorbed by the crop. This is one of the reasons why the use of anhydrous ammonia has become so very popular in the last few years, because it is used at a time of the year when the corn plant has started and it can readily absorb nitrogen without giving it a chance to leach away and dissipate in the soil. So I think we have that source of pollution reasonably well under control.

The same thing applies to potash, which is not used greatly in Ontario. There is a certain amount used, as members will recall and *Hansard* will reveal in answer to previous questions. As far as the use of phosphate is concerned here is the problem that can develop: Because phosphate is a product that, when applied to the soil, becomes almost water insoluble—I was going to say hours, but certainly within a very few days—within about 10 per cent of what is applied to the soil could be used in the plant; the rest of it becomes water insoluble in the soil.

Mr. Speaker, I would like to suggest this: Tests that have been run by very eminent people at the Woodsley station of the Canada Department of Agriculture, Dr. John Aylesworth and Dr. Bolton, over the last nine years, in Essex, Kent, Elgin and Middlesex counties, indicate that there has been a very infinitesimal amount of those fertilizers that I have mentioned which has dissipated through the soil into the tile drainage systems and off into the water bodies, the rivers, the lakes, of Ontario.

As a matter of fact, the studies going back over these nine years indicate that it is 0.008 pounds of phosphate per acre, which is virtually nothing. Where it could happen, and perhaps what has happened, in some instances—but I do not think in those particular counties, because it is generally level land and there is a very high degree of tile drainage because of the flatness of the land—is that where there are steep slopes, phosphates and nitrogen to some degree could run off in the topsoil if a heavy rain came on crops where there was no sufficient ground coverage.

But I want to assure the hon. members of the House that, through proper conservation practices and proper farming practices, with strip farming, with grass strips, with grass waterways this problem of runoff has been greatly reduced. We have, through a series of meetings that are held annually with farmers, and through our extension branch service working with The Canada Department of Agriculture—

Well, it is a very complex question. My hon. friends from the urban community like to stand up and say "the farmers of Ontario are polluting Ontario." I am going to say they are not!

**Hon. A. Grossman** (Minister of Constitutional Services): We are all doing our share.

Interjections by hon. members.

**Hon. Mr. Stewart:** Let me say, Mr. Speaker, there is no problem as far as the agricultural community is concerned.

**Mr. Speaker:** The hon. member for Scarborough Centre.

**Mrs. M. Renwick** (Scarborough Centre): I have a question of the Minister of Social and Family Services.

Would the minister elaborate on his statement of April 8 regarding the new increase effective today?

In the area of the \$10 a month increase in basic housing allowance, how many families under FBA and GWA will benefit in the first month of operation from that increase?

How many families will not be able to benefit because they are paying below the basic shelter allowance now, or equal to it?

How many families fall under the ten per cent of the Ontario Housing Corporation, and how many of those, of course, will be able to benefit by how many families under FBA and GWA?

**Mr. Speaker:** I would think that the question is of such a nature that it should be properly placed upon the order paper for an answer. It will require considerable research to provide the figures.

**Mrs. M. Renwick:** Mr. Speaker on a point of order, this was work that had to be done away before these—

**Mr. Speaker:** There is no point of order.

**Mrs. M. Renwick:** The second part of the question, Mr. Speaker—

**Mr. Speaker:** Perhaps the hon. member will place the question on the order paper. The hon. member for Ottawa Centre.

**Mr. H. MacKenzie** (Ottawa Centre): I have a question of the Minister of Lands and Forests. Does the minister have any figures on mercury content in the fish caught in the Ottawa River below the city of Ottawa? What level of mercury in the fish? Does he have any figures on it?

**Hon. Mr. Brunelle:** My colleague tells me that the average is about one per cent.

**Mr. MacKenzie:** One per cent?

**Hon. Mr. Brunelle:** One part per million.

**Mr. MacKenzie:** A supplementary question: the average is one part per million, would that mean that the limits are 0.005—

**Hon. Mr. Brunelle:** No, 0.5 parts.

**Mr. MacKenzie:** So it is double the safety, but what is the upper limit of the mercury content?

**Hon. Mr. Grossman:** Point five.

**An hon. member:** The World Health Organization's is 0.5.

**Hon. Mr. Brunelle:** I am sorry, Mr. Speaker.

**Mr. Speaker:** If the hon. member had a supplementary question, perhaps he would state it again.

**Mr. MacKenzie:** What I am saying, Mr. Speaker—

**Mr. Speaker:** No, the hon. member may ask a question.

**Mr. MacKenzie:** The average does not have much meaning in that sense. What I am asking the minister, through the Speaker, is what are the limits of the mercury content level? Do they extend from 0.05 parts per million up to 10 parts per million, or what are the limits?

**Hon. Mr. Brunelle:** No. They extend from zero to about one part, two parts per million. We are getting samples continually and we must have a large enough number of samples in order to come to a conclusion. There is only one commercial fisherman, I think, who is affected in the Ottawa River.

**Mr. Nixon:** A supplementary question, Mr. Speaker. Would the minister consider making public the statistical evidence upon which he has based the ban today? When he says it was maybe one part, maybe two parts per million, we would like to know how many parts per million there are in those fish, because I think it is higher than that.

**Hon. Mr. Brunelle:** Mr. Speaker, we are getting figures continually and it is very, very difficult. I will take the question under advisement, but I would say that it is very difficult and very confusing because we are getting reports from various areas, from

various laboratories. The member can be assured that The Department of Health is looking at this under very close scrutiny.

**Mr. Nixon:** After it strains through the filters, it is even more difficult.

**Mr. Speaker:** The hon. member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** A question of the Minister of Labour concerning lift trucks with gasoline motors. Why are these machines permitted to pollute the factories where there are lift trucks with electrically powered batteries available?

**Hon Mr. Bales:** Sorry, Mr. Speaker, I really could not hear the whole question.

**Mr. Burr:** Why are gasoline powered lift trucks permitted to operate in the close vicinity of factories when lift trucks with electric batteries are available?

**Hon. Mr. Bales:** Mr. Speaker, I will try to obtain information for the hon. member about that. There is a report which is coming to my desk about this matter shortly. I am sure that there has been some correspondence between you or one of your fellow members.

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

**Mr. Spence:** Mr. Speaker, I would like to ask the Minister of Agriculture and Food a question in regard to an agency set up in Quebec for marketing of all eggs. The producers in the province of Ontario are concerned that it will have a telling effect to reduce the prices to the egg producers in the province. Will that affect, in your opinion, prices to the farmers in the province?

**Hon. Mr. Stewart:** Mr. Speaker, I am sure of what the hon. member is referring to. A week or so ago, the egg marketing agency in Quebec apprised Ontario producers that there would be some very drastic regulations introduced affecting eggs moving from Ontario to Quebec. Two or three meetings have been held between producers shipping into Quebec and wholesalers, that is the chain store people shipping into Quebec. I believe an extension of time has been given to these shippers to work out the intricacies of the plan. Certainly the implications in the original plan and the regulations were very severe. I hope that they will be modified in the interests of Ontario producers. I want to point out emphatically that the Quebec broiler situation has had a very deteriorative effect on broiler production in the province of Ontario. Trade is a

way street. I would hope that we would be able to sit down and work this thing out satisfactorily between producers in both provinces.

**Mr. Speaker:** The oral question period has now expired.

Petitions.

**Mr. L. C. Henderson (Lambton):** May I take the opportunity this morning to remind the House that we have the hon. member for Dufferin-Simcoe with us. I would like to read this little message that I am presenting to him this morning:

To Mr. A. W. Downer, MPP Dufferin-Simcoe, who first saw the light of day some years ago on May 1, we extend greetings as he celebrates his 66th birthday and we wish him a successful pursuit of happiness.

Shakespeare has said, "When we are born, we cry that we are come to this great stage of fools." He also said, "The play's the thing" and we know you enjoy your part in the presentation.

As I said, this is dated this morning, May 1, 1970. I am sure the whole House would join me in wishing the hon. member much happiness and continued health.

**Mr. Nixon:** Mr. Speaker, just before the hon. member gets up to say a few words, I certainly do not want to let this occasion go by without joining in the congratulations extended to him. Certainly his friendship is as strong on this side of the House as it is on that, maybe stronger. Certainly as the dean of the House, we all owe him great respect and I hope that we show this suitably, not only on an occasion such as this but more frequently.

I was delighted to see the page present to the hon. member a scroll signed by the Prime Minister himself or at least, signed by the Provincial Secretary. This is appropriate. I was just thinking that with this birthday, the hon. member would be in receipt of old age security, so I know that the roof of the church up there in Duntroon will not be leaking for long.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I have always been puzzled as to what was the secret of his effervescent personality, and now I discover that he is a May Day child.

**Mr. Nixon:** He was around before the revolutionaries.

**Mr. MacDonald:** Seriously, though, I would like to join with others in the House in ex-

pressing our best wishes to the hon. member. As the Leader of the Opposition has indicated, he is a friend of all on both sides of the House, and we would like to add our wishes for many more years of the good health he seems to always enjoy.

**Mr. A. W. Downer (Dufferin-Simcoe):** Speaker, I appreciate the kind remarks of the hon. member for Lambton, the Leader of the Opposition and the leader of the New Democrats. I would like to say that I have enjoyed the friendships of members from all parts of the House. That is something I appreciate very much.

I have a philosophy of life and I know it is the philosophy of most of you. It is a simple one; it comes from Edgar Guest:

I'd like to think when life is o'er  
That I had filled a needed post;  
That here or there I'd paid my fare  
With more than idle tale or boast;  
That I had taken gifts divine,  
The breath of life and manhood fine,  
And tried to use them now and then  
In service of my fellow men.

That is my philosophy in life and I know it is the philosophy of most of you.

It has been a great privilege to have a member of this most exclusive club in the House of Commons, the hon. member for Lambton, with its very limited membership without any discrimination of any kind. It has been more than a privilege to have him here for so many years.

Again I say, it has been a great privilege to enjoy the friendship of so many. Thank you very much.

**Mr. Speaker:** If I might add my wishes to the last four speakers were all out of order.

Petitions.

Presenting reports.

**Hon. Mr. Robarts:** Mr. Speaker, there is a report here that I would like to table. The Treasurer (Mr. MacNaughton) was going to do this but he has gone elsewhere. I might give you an explanatory note of what the report is about. It is a report on intergovernmental policy co-ordination and finance. We are tabling it for the information of the members of the House. This contains three working papers which have been prepared and presented by the Ontario officials to various federal-provincial conferences in recent years. As such, the report contains contributions were in direct support of intergovernmental discussions conducted at the ministerial level.

As the members are aware, the federal and provincial governments of Canada have been engaged in discussions on the improvement in intergovernmental fiscal and financial relations. The Ontario government believes this process is critically important in assuring the responsiveness of the federal system to changing conditions. The three papers contained in this booklet represent a sample of the series of constructive proposals advanced by Ontario on the problems of intergovernmental fiscal policy co-ordination, tax reform and tax sharing.

The first of these papers is entitled, "The Purposes and Objectives of the Tax Structure Committee". It presents Ontario's ideas on the development of the tax structure committee as an effective vehicle for achieving greater economic policy co-ordination between federal and provincial governments. Our main point is that the volume of spending by all levels of government makes it imperative that new methods of co-ordination be developed to ensure that total governmental resources are used to maximize the achievement of common goals and objectives. The paper discusses the need to establish such objectives, together with operational guidelines to harmonize governmental action. This is particularly important with respect to taxation.

The second paper is entitled, "Intergovernmental Finance and Ontario's White Paper on Provincial-Municipal Taxation Reform." It explains the Ontario government's reform programme in a federal setting. It deals with two basic principles and our approach to tax reform.

Firstly, tax reform must proceed on an integrated basis across the broadest range of federal, provincial and municipal taxes. Secondly, the growth of the government sector must be contained if meaningful tax reform is to be achieved. To this end, several proposals are advanced for improved fiscal and tax policy co-ordination.

The third paper is entitled, "Alternative Methods of Transferring Federal Tax Revenues to the Provinces." It deals directly with the problem of achieving a better balance of tax sharing between federal and provincial governments. The paper draws an important distinction between the federal government's occupancy of the personal income tax field for fiscal policy and expenditure financing purposes. In this connection, the paper indicates the present federal share is not necessarily to ensure the federal government's ability to use the tax for economic

stabilization. It suggests, therefore, federal occupancy be determined by financing requirements along with those of the provinces.

The point is that unless governments are to co-ordinate the use of this and other fields there is a distinct danger of unco-ordinated expenditure demands leading to higher absolute tax levels and tax competition among the provinces.

The three papers presented in this booklet were written to meet the agenda requirements of particular conferences and should therefore be taken as partial contributions only to the development of new federal-provincial arrangements. In fact, many of the ideas in the papers have since been further developed and refined in the budget papers which accompanied the budget statements of 1969 and 1970.

They are reprinted, however, at this point for two main reasons.

The first reason is that the government intends to offer the 1970 budget papers for discussion in forthcoming federal-provincial conferences at both ministerial and advisory levels. In this case, it was thought that the papers in this booklet will provide useful support and elaboration to the budget papers. The government has instructed its official printer to present this material to the meeting of the continuing committee on fiscal and economic matters, which is meeting in Ottawa on Monday, May 4.

Secondly, the government believes that reprinting these papers in a convenient form in the Legislature and the general public will be provided with a useful insight into the development of Ontario's approach to intergovernmental fiscal co-ordination and to the government's contribution that Ontario is making on the staff side of federal-provincial discussions. Thank you.

**Mr. Speaker:** Motions.

Introduction of bills.

THE HUMAN TISSUE ACT, 1962-1963

Mr. Burr moves first reading of a bill intitled, An Act to amend The Human Tissue Act, 1962-1963.

Motion agreed to; first reading of the bill.

**Mr. Burr:** My Speaker, the purpose of this bill is to make it easier for a person to donate his body or parts of his body :



death for the benefit of someone who needs a transplant of some kind.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 18th order, House in committee of supply; Mr. R. D. Rowe in the chair.

## ESTIMATES, THE DEPARTMENT OF CORRECTIONAL SERVICES (concluded)

On vote 302:

**Mr. W. G. Pitman (Peterborough):** Mr. Chairman, I would like to come back again on this item and discuss a number of other items with the minister.

I will be commenting rather specifically about one institution for which he is responsible, namely, Millbrook reformatory, but I want to discuss this reformatory in the light and in the broader canvas of the work of the department and the policies which the department follows.

I know the minister would agree when I say that this is probably one of the most unfortunate developments in penology in the province of Ontario. I suspect this institution was initiated before he came into his role as the Minister of Correctional Services (Mr. Grossman), because it appears to me that the building, the architecture, the purpose, the whole thrust of this particular institution is in direct opposition to what the minister has been trying to do over the last number of years. I am willing to suggest that the minister has a problem on his hands, that he has a legacy with which somehow he has to deal.

I was pleased to hear the other day that there are very real plans for changing this institution, although I must say with some very real reservations that this kind of institution is going to be very difficult to transpose into the kind of regional detention centre which the minister is suggesting will replace some of the other institutions.

Perhaps he might indicate some time in his reply when he expects to have all the revisions made to this institution, which will re-create a detention centre, a Karwartha detention centre, in place of many other institutions which are in the area.

I ask the minister to consider the fantastic problems that this institution represents to anyone who is involved in penal reform. Here you have the most mixed bag of in-

mates one could scarcely imagine in what is essentially, a maximum security institution.

You have the behavioural problems of all the other institutions. When they can fit into that kind of a setting, they are brought to Millbrook. In other words, you have the hardest, most difficult cases in Ontario system concentrated in that institution at Millbrook. You have escapees—who have found their way out of the institutions the minister is responsible for. You have sex offenders, and you have a tremendous spectrum of different kinds of sex offenders, pedophiles, homosexuals and so on. You have arsonists; you have drug addicts. Here in this mixed bag, those who are on the staff at this reformatory are expected to do something for all these people.

Once again, if the minister is sending *Hansard* copies, I hope he will include them. I do not know of any group of people in Ontario who have a more difficult job than those who are the staff and administrators of the Millbrook reformatory. It is a major problem, an impossible problem. I do not know how you can expect any kind of resolution other than the complete break-up of that whole idea of a maximum security institution in which you throw such an incredible collection of problem prisoners.

I want to take up several areas today. The first thing I would like to suggest to the minister is that this is the last kind of an institution into which one should attempt to put young men who are 17 or 18 years old.

First, they end up very often in cohabitation with those who are going to have a very real way, make more difficult the rehabilitation. I think you raise the recidivism rate by putting these younger men into contact with older men, who, in many cases, are very much repeaters who have been around a long time and who are the most difficult cases the minister has to handle.

As well as that the number of homosexuals who are concentrated there adds another problem in dealing with young men who are 17 to 18 years of age. This is a totally inadequate response to what I think is a very difficult problem. Surely what the minister should be doing in dealing with 17- or 18-year-olds is finding out how we can get them in and get them out as quickly as possible, so that they are not spoiled in some way or other; they do not become the hard-rock cases which, I am sure, are the height of frustration for the minister himself in his efforts to try to change this system.

Secondly, I would question the basis of the classification system which the minister has out there. For one thing, it seems to be a unilateral decision on how this classification is arrived at. There does not seem to be a great deal of give and take. There does not seem to be a great deal of effort to classify very accurately in some cases. For example, one is classified as a marijuana user, a drug addict, but in many cases there may be other reasons why he is using drugs. If a person burns down a barn when he is drunk, is he an arsonist?

The minister should take a very close look at the classification system, because I think there is very real cause to question some of the classifications in that particular institution.

The thing which I find the most disconcerting—and here I suggest it is not the fault of those who are attempting to provide services out at Millbrook—is how do you deal with this kind of a spectrum of people in any kind of an institutional setting, where they are all dealt with in virtually the same way? There is a very limited amount of difference in the way you deal with the hard-rock cases, the behavioural problems from all the other institutions that you put there, in some cases I imagine, for the best interests of those institutions and their proper operation, and to stop these people in those institutions from corrupting 10, 15 or 20 others.

**Hon. A. Grossman** (Minister of Correctional Services): Precisely.

**Mr. Pitman:** Yes, but I say to the minister: How do you provide any kind of a setting for those men, who, in many cases I think, are the closest thing to being hopeless—which the minister has to deal with—and still provide any kind of realistic therapy or treatment for the sex offender, for the escapist, for the arsonist, for the drug addict, who, I suspect, in the years ahead may not even come within the operations of this minister at all? They will probably be regarded as in the purview of the Minister of Health (Mr. Wells) or the Minister of Education (Mr. Davis) or some kind of operation involving all of these ministers.

The point is, that at this point in time, I would suggest to you the penal system or the reformatory system is probably just that much further behind what might be called public opinion outside.

For example, I think it is rather interesting that if two prisoners carry on any kind of a homosexual relationship in a prison, it is regarded as an act in opposition to the institu-

tion they are in. That is, they are charged with carrying out an act which is not within your walls. Yet, at the same time, inside that prison, under the new federal legislation which allows relationships between consenting male adults, it is not regarded as an illegal act against the laws of this country. I am suggesting this is a very real problem.

**Hon. Mr. Grossman:** Mr. Chairman, I do not want to interrupt, except he is probably going on to another subject. Could we deal with that particular one? I do not know whether the hon. member has been through all my estimates. I rather imagine so. If he were, I am rather surprised that he is repeating this particular problem, because I have explained what our plans are for moving the sex deviates and the addicts out of Millbrook.

**Mr. Pitman:** Where are they going?

**Hon. Mr. Grossman:** They are going to new Brampton clinics that are going to be built, and we will not have that problem there. I appreciate that he appreciates the problem we have at Millbrook. Precisely the reason he gave is the reason they are there, because we have got to be able to run viable practical programmes at the other institutions which are being destroyed by the presence of a very few. So they are moved to Millbrook which is a maximum-security institution; is that it is. I appreciate very much his concern for the staff and the problems they have there. If the hon. member will forgive me, I almost come to the conclusion that he is striving in some way or other to rectify what was said last night by his colleague Beaches-Woodbine (Mr. Brown), who has a concern for the staff's problems at all times. We were discussing the matter of the very use of tear gas. Precisely, what we have in mind—

**Mr. P. D. Lawlor** (Lakeshore): Boy, you twist the facts.

**Hon. Mr. Grossman:** —is the need for the staff to have some method of controlling normally uncontrollable inmates. The hon. member knows he is quite right; I have said publicly what is going on over there.

**Mr. Lawlor:** It is impossible to get through to you sometimes. An incredible minister grinds his axes in public. I am saying to you you are misstating—

**Mr. Chairman:** Order, please.

**Hon. Mr. Grossman:** Well, that is a matter of opinion. I am giving my opinion, if

hon. member does not mind. There is very rarely anyone there under 18, and when there are, we try to keep them segregated. That in itself is a problem, too; of course it is. But his last statement rather intrigues me. Is the hon. member suggesting—I do not think he is, but one might get the impression that because homosexual activities between two consenting adults are legal, we permit it within the institution? Surely, he is not suggesting that?

**Mr. Pitman:** No, I was not. What I am suggesting is that the treatment of those who are such offenders is going to become more and more difficult and more complicated, and we should try to get these sex offenders out of any kind of setting of this nature as quickly as possible. Incidentally, I might just state in passing that I was in the House—as I mentioned at the beginning of my comments—when the minister said there were going to be some changes to take place, but he did not say how quickly they were going to take place or how soon he will be able to get all of those people out. At least I do not remember that being said. The point is I was not in the House last night when the member for Beaches-Woodbine made his comments, and nothing of what I have to say this morning has any relationship to anything that was said at that time.

But I do want to point out the difficulties, that by just removing a few sex deviates may not solve all the problems of this kind of an institution, because I think, to some extent, this may be true to a lesser degree in every kind of institution. The problem of transferring from what could be called the punishment concept to the treatment concept creates problems that revolve around your staff. How do you get around this? For example, how do you make it very clear to a staff which requires a tremendous amount of support, much more support, much more educational background in psychology and psychiatry and all the other social service fields—how do you get across to those who are working in your institutions, that trying to loosen up is not just appeasement? In some cases, they may very well feel that it is a form of appeasement. For example, in many cases you get reports of the sick parade becoming very heavy in some of these institutions. Now, if you are going to treat these men as human beings, you have to recognize that they may very well have many physical disabilities, and the problem of determining when physical disabilities have become simply a form of avoiding work and avoiding activity is a very thin line.

I think there has been a very great difficulty in an institution in keeping prisoners cleaning up their cells. Simple cause, in some cases, they are trying to get them more freedom. But, where do you draw the line? How do you get that line drawn? I think that you have to provide a heck of a lot more support for your staffs, who are trying to make this kind of transition. At the same time, particularly in an institution like this, some of these guards are scared. They are scared because at the same time that you are trying to loosen up, you take away some of their opportunities to protect themselves from some of those hard-rock cases who are in that kind of an institution.

It seems to me that this is a perfect example of how not to do it, when you have that kind of a spectrum of different groups of people in that kind of an institution. In other words, do these people have any feeling about whether they are going to survive the day, when you put in very hard-rock cases and then you try to loosen up because you have such a wide spectrum of people, and obviously you should be providing that kind of opportunity for the 17- and 18-year-olds, and others who are not in the hard-havioural cases at all?

This provides, also, I think, a very clear difference between what could be called the administration and the staff member. I suppose you might say, the ordinary correctional officer. The ordinary correctional officer has got all kinds of hang-ups, because he is out there. In many cases he is out on the playing field without any kind of protection, because the administration feels they are trying to loosen up. He does not quite understand how he has to face the dangers of the cause in the administration in many cases. There simply has been not enough effort to provide a philosophy of corrections for the total staff.

In other words, I think in many cases you are trying to go through a transition period and you are simply not able to get the line drawn. In other words, the philosophy all the way down. For example, it is very hard for correctional officers when they come across a particular problem and they take the inmate to the administration, and they say they want to talk to him, they counselled him, but will not do this at all. The correctional officer feels that this is the point of his reporting any kind of a misdemeanour? He cannot perhaps understand that this is a part of the work that you are trying to do. But for him, you have got to provide a philosophic hang-up right through your work with the administration, right down to the level

correctional officer so you can provide the support opportunities for the lowest correctional officer.

I come back again and again to more educational opportunities, more training opportunities. I think the minister mentioned \$283,000. How much is that per correctional officer? How much is that even per institution? Something like, what would it be, \$4,000 when you have got 80 to 81 institutions. That is scarcely \$5,000 per institution. That is the cost of one inmate is it not? Or is it a fraction of the cost of keeping one inmate in that institution?

In other words, the cost of keeping one inmate in that institution is a total response, educationally, for the correctional officers you have got in that institution. That simply is not good enough. It does not comply, for example, with the amount of money which is spent by an industry in re-educating, even sending its executives out for group therapy, or reality therapy which goes on in industry today, to say nothing of educational institutions, or areas which are involved in social services of different kinds. I suggested that this is the kind of pressure which you set up.

The problems of dress go on in these institutions and where the minister, and perhaps his administration staff, feel they should provide a greater degree of opportunities for longer hair or for more individualistic hair styles. Insofar as the correctional officer is concerned, you know, the short hair represents something to him. It represents the realization that that is a prisoner and he knows his place. This goes on and on again and you have very harsh regulations—

**Hon. Mr. Grossman:** Mr. Chairman, excuse me if I may, I was just talking with my staff momentarily. Did you say something with respect to the length of the hair of inmates? Would you mind repeating that? I am not too sure what you said.

**Mr. Pitman:** I think that there has been a greater degree of relaxation in the specific kinds of haircuts which inmates are allowed to have.

**Hon. Mr. Grossman:** That is a new policy of the department which was delineated three years ago.

**Mr. Pitman:** You see, it may have been delineated three years ago but that is the kind of thing that provides an ever greater pressure on your correctional officer at the bottom—

**Hon. Mr. Grossman:** Of course.

**Mr. Pitman:** —who does not understand that kind of a situation. What I am making a plea for here is that you have this problem and you, as a minister should recognize it. You stated it here. We are not at any point here on that point, but you have got this philosophic hang-up of treatment versus punishment. If you are going to move the department toward treatment you have got to bring the whole department toward treatment and that means that you have got to put massive educational support into the institutions to provide that kind of a philosophy right down the line.

It is impossible to have the administration rob you of their role as a treatment officer and to have the correctional officer, as I said, in particular I say it is exacerbated, there is a much higher-priced situation at Millbrook where you have this great collection and this great spectrum of different kinds of people. But I am sure, at any institution, the correctional officer has his own personal fears of being out in the field and being in a very difficult position, possibly liable to be injured or lose his life in trying to protect society. It is very hard, with a limited background and perhaps his limited educational opportunities at that point, to have him feel that he is not put at a disadvantage by the minister.

I think he should check into the amount of sick time off, for example, for correctional officers, particularly at Millbrook; the amount of sick time which is the result of the pressure which those men are under. I would suggest that you look at the turnover rate at Millbrook because of the pressure which those men are under in that particular institution.

I think it is very real and what the minister may look upon as efforts to be humiliated in terms of a correctional officer is to have something simply termed appeasement. I think there is something which the minister really has to come to grips with if he wants his philosophy to go all the way down. You see, this is what happens so often.

The minister expands his philosophy in the Legislature and we sit back and we nod our head, is that not just fine? But as far as the correctional officer is concerned, when you are on the front line, you know, it is like saying to the people in the Second World War, think if we just throw away our guns, maybe those fellows over there on the other side of the line will throw away their guns, too.

**Hon. Mr. Grossman:** Is that what your fellows are saying now?

**Mr. Pitman:** I am sorry?

**Hon. Mr. Grossman:** Is that not what some of your supporters are saying now? Throw away our guns and Russia will throw away theirs—

**Mr. Pitman:** I think—

**Mr. Lawlor:** You should have got a good night's sleep. You are as obtuse as you can be this morning, really.

**Mr. Pitman:** I am not going to get into this exchange in any case. What I am suggesting to you is a massive programme of education for those who are part of your system. I would suggest as well, and I think you have an opportunity now, at this point in time, to secure a great many more people who have better educational opportunities and educational backgrounds than you have had before.

Your colleges of applied arts and technology are turning out a great many social work assistants, I think they would be termed. We can even get our colleague at the end of the line there, the Minister of Social and Family Services (Mr. Yaremko), to realize what particular roles they could play in his operation. Surely, this minister can see what roles these people could very well play in his operation.

There are a great many more people who are being brought out of our colleges of applied arts and technology with skills which could be used in the minister's operation very easily. He has an opportunity now to get people with a broader educational experience in the social services. For heaven's sake, take this opportunity to get these people into your operation. Make use of them.

I want to take a look at what could be called two areas in his institutions. One, the educational, which goes on in institutions—

**Hon. Mr. Grossman:** You mean Millbrook?

**Mr. Pitman:** Well, particularly—no, but I would like to take a look at all of it. I—

**Hon. Mr. Grossman:** On the same subject matter?

**Mr. Pitman:** Pardon?

**Hon. Mr. Grossman:** On the same subject matter?

**Mr. Pitman:** It is on the same area. I want to talk about the minister's institutions in general. I know more about Millbrook simply

because I happen to go past it so often, this is of a general nature.

I think that the minister's efforts to the educational levels of those in his institutions is well thought out so often, I think do not tend to look at the whole spectrum. Education is isolated in a classroom, when I am not sure, for example, whether the enough thought on how you could bring a wider world into the institutions.

For example, is television used in any creative way as part of a rehabilitation program? Are as many newspapers brought in? Particularly want to know about that. It does happen. There is much opportunity for television viewing and newspapers. I think would be necessary, it would be useful. This is the whole question of censorship. How much censorship really takes place in material that goes into these operations?

I wonder if there is sufficient effort to motivate people educationally in institutions I know the minister has a problem, because he only has these young people for a short period of time. He has no one in his institutions for over two years, and, therefore, you have to think in terms of short-term activities. I wonder if there has been any thought of bringing curriculum people into the institutions to solve that problem of short-term training; to provide them with term skills; to provide intensity of educational activity; to provide the proper text books; to provide the proper materials for that special group of people.

I am sure it is not being used. I am sure that there are educational materials to which are really, in some cases, for adults and even for children being used in a prison setting because you have not had enough support for those who are working in that educational area. I suggest to the minister that this is another area that he should be considering and doing something about.

I would like to talk about the minister's experience, once again at Millbrook, but I don't know, why limit it? Is the minister, really providing work experience, providing real essential relative work experience or is it really a façade? Is it a token? Is it sort of a minimum effort because I doubt if the work experience is the kind which is going to be too much use to these people outside.

You can only make licence plates at Millbrook and I suspect that the machinery that is not really that helpful in training young men to work in other forms of work activity. One sometimes even gets the feeling that work experience could distort the educational

experience. We get the impression sometimes, I heard it expressed, that suddenly, when the licence plates become very important to the province of Ontario, inmates either get transferred to Millbrook or they get transfers from educational areas, for these other things, into Millbrook.

**Hon. Mr. Grossman:** That is not true.

**Mr. Pitman:** That is not true? I am pleased to hear that but I think, in some cases, you might say, the needs of the province of Ontario in getting licence plates may be very important, but surely the more important thing is the rehabilitation through work. I would suggest to you, that some of the work that is being done—I wonder about some of the rehabilitation. I did visit an institution and in a most courteous way I was taken around, and I saw the sewing shop. I asked someone who was accompanying me, "Who goes into the sewing shop?" He said, "People who are homosexuals, who have fetishes, who put on female clothing and so on. These people are very happy down here."

I could not help thinking, is not that kind of work experience going to shore up, going to support the very behavioural problem which brought them into the institution in the first place? It just seemed to me that was a strange way of trying to disassociate these people from that kind of thinking. I just could not help thinking that that particular work experience was one which would actually give greater support to the very deviation that they were already incarcerated for.

I ask the minister to take a look at that work experience; to see whether it really is rehabilitative, rather than providing a service, and whether it has any relevance to what is going on in the working world outside. I recognize the problems of the minister in dealing with people for less than two years, but take a look at that. I think there are some very real problem areas there which are frustrating the minister's own efforts in this region. Why not take a look at transfers to—

**Hon. Mr. Grossman:** You mean at Millbrook?

**Mr. Pitman:** Millbrook particularly? I get the feeling that there are too many transfers for very minor purposes. It should be a very serious decision to send any person to a maximum security institution like Millbrook, which really has—I am sure the minister would agree with this—minimum rehabilitative opportunities. I think that every transfer

to Millbrook from another institution should be thought out very carefully.

I turn to another point. There is a shortage of psychologists and social workers. I think there is only about one fulltime and part-time in a good part of eastern Ontario. I do not think you have got enough support in this area. The minister is going to say these people cost money, they are hard to get, we cannot find them.

I wonder if the minister would perhaps in his reply say—maybe he has already done so when I was not in the House—why it is that so many were brought from Great Britain. Why was the minister over in Great Britain recently; why did he feel he had to be there so many over from Great Britain? Are we not providing the courses here in Ontario for the kind of people he wants in his institutions? Was he trying to get people with a particular philosophy or point of view? Perhaps he could say how many were hired from Great Britain and at what levels and why. Why did he think it necessary to go to Great Britain to get these people?

**Hon. Mr. Grossman:** These were social workers?

**Mr. Pitman:** No, I think people in the upper echelons of his institutions, but that is a different matter altogether. I just want to suggest to him that he has a tremendous opportunity to get people for aftercare in Ontario as well as for his institutions. I would think that what we need in a place like Millbrook is a far greater opportunity for recreation. In a huge institution like that there is no gymnasium and, surely, there should be some thing.

I would hope that if you are going to change this into a detention centre you do some very real thinking. I know the minister will be shocked, but the first thing I would like to see him do is tear the walls down and put the walls at the bottom of the hill. It seems to me that you are sitting on a beautiful hill looking out at all of southern and eastern Ontario. A magnificent view! Yet you put a wall round the view. It seems to me that this kind of experience might very well be rehabilitative rather than negative in relation to these people.

I am going to stop now. Perhaps the minister would like to react to what I have said. I would like to bring up one particular case, and ask him what he would do in that case.

**Hon. Mr. Grossman:** Mr. Chairman, with all due respect, the hon. member has exhibited a great deal of knowledge of some of the problems we have. I want to compliment him on that. I wish more people knew, even more members of this House, knew some of the problems with which we are struggling. He has really gone over what I said yesterday in one or two instances. As a matter of fact, this is what usually goes on during my estimates. Everybody delineates the problem. We know the problems and we would like to get a few recommendations—

**Mr. Pitman:** I have made a few.

**Hon. Mr. Grossman:** —practical, recommendations. We would like to get some solutions to some of these problems. That is why the job is difficult. I know a member of the opposition can quite legitimately say this is in your jurisdiction, you solve the problem, we are pointing out the mistakes. I suppose there is a certain validity to that. But there are problems—

**Mr. Pitman:** I have tried to make some suggestions.

**Hon. Mr. Grossman:** —and I would like some suggestions. Of course, I would. I want to assure the hon. member that we are particularly aware of the problems that the staff has, particularly, in a place like Millbrook. It is not just Millbrook. As a matter of fact, you can go to the other end of the spectrum. There are problems created when you have a much larger degree of security, because of the very security measures you have to take and the tension that is built up. You go to the other end of the spectrum, and in a place like Vanier, some of our training centres, the open institutions, there is a certain tension created because you are giving inmates more freedom. The freedom itself creates problems for the inmates because they have to make their own decisions which is part of the training. When they have to make their own decisions, quite often they are wrong ones, and this creates a certain amount of tension among the staff, too.

We are concerned about the acceptance of our philosophy over the last few years, the changing philosophies, on the part of the staff. It is very difficult, and the hon. member used the word, some members of the staff considered it appeasement. That, of course, is quite true. I have talked to staff myself on numerous occasions because this concerns me.

Now, my staff are just like the staff of any other department of any government or in any

institution or even, I suppose, in private business. You have people who are more amenable to changing conditions, and others who are more attached to the old traditions. It is a very difficult test. By and large, staff of my department have accepted the new philosophies and have done whatever they can to put them into effect. There are some with whom it is not that easy to deal in making changes and some staff, in a very small proportion, I hope, consider that we are appeasing inmates at their expense.

This is, of course, what I was referring to. I do not want to get involved in a controversy over that, but if the hon. member had been here when his colleague from Beaches-Vanier was here last night, this is the situation. The thing which the hon. member for Lakeshore claims makes me over-sensitive. You listen to a harangue for half an hour or an hour and someone who says, you know, you are not using more of your staff and thinking more about your system than you are thinking of the rehabilitation of the inmates. And if that is not what I am saying, that is the intention of the remarks.

**Mr. Lawlor:** Nobody subjected you to this year.

**Hon. Mr. Grossman:** We are trying to deal with the inmate but we have to keep in mind the welfare of the staff. The hon. member himself has said that at Millbrook there seems to be a fairly high rate of sick leave among members of staff going on sick parade. Of course, that is quite true, I can understand that, too. It is a very difficult institution in which to work. We are doing everything we can to change it.

I have mentioned to the hon. member that I referred him to the statement that we have already made publicly that these two categories—the sex deviate and the addict, are going to be moved out of Millbrook. They are going to be moved out to the Brampton clinic. I should remind him, of course, that for the past, I guess, four years at least, we have had an experimental programme going on in the co-operation of The Department of Health which appears to show some signs of success. I am going to keep my fingers crossed over that because it is a very difficult problem.

It is an experiment in attempting to deal with pedophiles. They come out of Millbrook after the last portion of their sentence—the last six months of their sentence. We take those who appear to be suited for this experiment and are prepared to participate in it. They come down to Mimico, where the staff at Lakeshore Hospital and our staff are ca-

out this experiment. We are doing what we can.

Now the facilities are, of course, a stumbling block. We have already resolved that by making plans and getting approval for the new complex which is going to be built.

**Mr. Pitman:** When will it be built? Do you have a timetable on that?

**Hon. Mr. Grossman:** We can only hope that it will be up in about two years. You know, it is not the only part of our programme. If the hon. member will look at the capital projects in Public Works, I think I referred to this earlier, there are a tremendous number of programmes for Correctional Services. It is a problem and the classification is a problem, too. We have become aware of the fact that the classification system that has been in effect for the last 10 years or so is not necessarily the one that should be in effect now. I mentioned last night too that the minister's advisory committee, MACTO, is now studying the classification system because we are beginning to see a great number of flaws in it, and this will be reorganized. What the answer is in respect of the staff—we do everything we can. The hon. member suggests we should just spend more money. Spending a little more money is not going to give staff greater encouragement; I do not think so.

**Mr. Pitman:** There is a great deal more that could be done.

**Hon. Mr. Grossman:** Well, we also have other problems. I mentioned this yesterday—I am repeating myself, but the hon. member raised the question. I know he is concerned, and I would like to assure him of the fact that I do not think it is just money, although you can do a lot with money. We have a problem in that we have such a huge province with so many institutions, 82. To get as many into the staff training scheme as often as we would like and to give them the kind of training we like would make it very difficult to man the institutions. You have to bring people out of the institutions or find sufficient staff to send them into the institutions.

**Mr. Pitman:** More staff!

**Hon. Mr. Grossman:** We are doing both. All I can say is that we are moving as quickly as it is possible to move, having regard for all of the other problems we have to contend with. We are concerned with that aspect of it. As the hon. members says, quite correctly, it is on thing to adopt a philosophy, a statement of purpose, as we have, and it is another

thing to put it into effect and get sufficient numbers of your staff to go along with it. We are satisfied that we are getting a very large portion of the staff who are "with it", as you were, and they are coming along very well. Of course, we have people who have been in the system a very long time; they take a little longer. It takes a little longer to change their attitudes. I have made some public statements about the attitudes, if the hon. member will recall. If we want to change the attitudes of inmates, we quite often have to change the attitudes of the staff.

He talked about licence plate manufacturing. That is an old chestnut really.

**Mr. Pitman:** I know, but it is still there.

**Hon. Mr. Grossman:** The plate manufacturing is not designed to teach them a trade at all. As a matter of fact, even transferring some inmates to Millbrook is treatment in itself. Some people need this treatment. As we should remember that only about five per cent of the total system winds up in Millbrook, and that includes the sex deviates and the addicts who are going to be removed from that institution when the new clinic is built. That would result in an even smaller proportion.

We have a small proportion with behavioural problems who just cannot function in any other kind of setting, and I suppose if you discussed this with our psychologist or any psychologist he would tell you that is a form of treatment. You may disagree whether it is a good one or a bad one. Sometimes people need a certain amount of punishment; it depends on what you mean by punishment. If you mean by that putting a man on bread and water, if you mean that corporal punishment, that is not the kind of punishment I am referring to. He is segregated sometimes; his privileges are taken away from him—this is good arduous treatment for some people. I am sure it is.

Plate manufacturing—and I have mentioned this before—is a method of attempting to teach some of the inmates good work habits. Some of them do not know what it is to get up in the morning and go and do a day's work, to knock off for so much time for lunch, to go back to work. You are tired after a day's work and therefore you cannot enjoy your dinner, you can enjoy a good night's sleep and you get up every morning and you go to work again. If they are not going to function in the outside society, that is the kind of life generally speaking that they are going to have to contend with. It may



be monotonous to some of us, but by and large most people have to do that. It is very difficult for some of these people, because they have never lived this way.

Now, what kind of work can you have them do? You could teach them a trade, but you have to be motivated to be taught a trade to begin with. You cannot force a man to learn anything. At least this is a way of bringing the man into a structure where he is going to have regular work habits. Generally speaking they are not going to be office workers. They are going to be working in industrial plants. They are going to have to put up with machinery and all this sort of thing. At the same time, they have been doing useful work for society, because the taxpayers are keeping this whole structure going and it costs the taxpayer a lot of money.

He referred to the tailor shop. The tailor shop is for the sex deviates. It is because we really have nothing else for them to do out at Millbrook, and it is a way of segregating them from the balance of the population and it is the kind of work they seem to enjoy. They seem to enjoy that better than any other kind of work but it is not really teaching them any kind of a trade at all. The fact is we do not know what to do with sex deviates.

**Mr. Pitman:** I am very glad to hear you say that.

**Hon. Mr. Grossman:** We hope when we have the clinics that something will develop out of the experimentation which is taking place now, and that out of the clinics some method will finally come out of all of the experimentation which will do something for the sex deviates. But I do not know whether anyone could really say that somewhere in the world there is a treatment that would cure sex deviates. We do not know what to do with them. I have not got the answer. In the meantime, we keep them busy at something which they seem to enjoy and we have to keep them in security—the reasons are pretty obvious for that—and that is really the only answer. I am not apologizing for it. I am not saying we are happy with it. That is all that we can conceive to do for these people at the moment.

As the hon. member mentioned, and I have mentioned before, if we were building a Millbrook now, we would not build it there. On the other hand, as I think I mentioned last year or the year before, that place was built out there almost as a direct result, if

not as a direct result, of a unanimous report of the committee of this Legislature, I think in 1954. If you read that report, that is the import of it—"get rid of them"—and I think the figure they used was 25 per cent "get them out of the mainstream of the system; put them away." In fact, I think they said 75 per cent. "Get them away from the mainstream, put them out some place, just keep them under lock and key and not necessarily in an inhumane fashion, and concentrate your efforts on," I think they said "the 25 per cent which you might be able to do something with." So, philosophy changed. It may very well be that 10 years from today somebody is going to decide we are what they consider to be too expensive and will say that has not worked either, so we had better try it the other way again. I mean, this is the way society actually moves. I do not have any solution for it, and I think the hon. member has agreed that the building of the clinics, keeping them out to put them in the clinics for clinical observation and treatment, appears to be a progressive move—and I am sure only that it appears to be, because no one can say for sure that it will be.

The hon. member made reference to the need for more social workers. That also is an old story. You never can get enough, certainly most social workers—

**Mr. Pitman:** But there are more available now.

**Hon. Mr. Grossman:**—do not want to put them into the correctional system to the extent we would like them to. They just will not do it. You know it is not the most glamorous work in the world. The members of the staff at Millbrook will tell you that. It is very difficult. It is not just Millbrook; correctional institutions are a very difficult field in which to work. For one thing, anyone in this work who wants to make a career of it has got to keep up his mind that he is going to come in a field where he cannot get the satisfaction of saying after five or six years, "Look, so many people we have cured." You know there is a tendency to become cynical and pessimistic because you really do not see many successes. You see all your failures—of course, they are large enough.

This has a tendency to discourage people from this field, in addition to which, when institutions are away from the built-up areas as is Millbrook, that does not encourage people in this field to take jobs there. It is almost impossible. That is why all our

institutions are being built in builtup areas and, as I say, I agree with the hon. member that if we were building today, we would not build in Millbrook. I can only remind him that we not only believe in this but we carry it out. As a perfect example, it was five years ago, I think, when we closed up an institution at Elliot Lake, which was built there to help the economy of Elliot Lake at one particular time when the government asked every department to put an institution or something at Elliot Lake.

**Mr. MacDonald:** I remember that debate.

**Hon. Mr. Grossman:** Yes, I remember it, too, as a private member, and the Minister of Reform Institutions at the time felt this could be his contribution. Well, you can look back on it now and say it was a mistake, but at that time it did not look like a mistake. Somebody is going to look back on what we are doing today, as I said earlier, and say, "Look at the foolish things they did," even though they may appear to be progressive today. When we went up to Elliot Lake and took a look at that and saw what was going on there, it was not really the place. I think they had to travel miles to get an inmate's tooth attended to when he had a toothache.

**Mr. J. B. Trotter (Parkdale):** Do not try to excuse the government for that mess.

**Hon. Mr. Grossman:** I am not trying to excuse anybody for anything. I am giving the hon. member of the House the facts, and those are the facts. So we closed it up, and that, I should tell the hon. member for Parkdale, was not without a great deal of pressure against that action from one of his colleagues who did not like us moving that institution. But it was moved. So we really believe in this and we are doing it. If the hon. member takes a look at all of the plans we have for all of the new institutions, he will find they are in builtup areas close to schools, universities, hospitals—places from which we can draw students who will take an interest in our work, places where we can get professional staff a lot easier than we can get them now at some locations.

**Mr. Pitman:** If I might just comment on your remarks of moving sex deviates out of—

**Hon. Mr. Grossman:** Incidentally, if the hon. member will excuse me. I have just been handed a note, and I am very pleased to be able to state that a staff training officer has been selected for Millbrook and will be reporting there soon—

**Mr. Pitman:** I am very pleased to hear t

**Hon. Mr. Grossman:** —whose sole du will be staff training.

**Mr. Pitman:** Very good. Well, just to m a short point. I would say that my most sh tering experiences as a member of this Ho in relation to the minister's department, been in regard to one prisoner who was Millbrook and whom I met on one of occasional visits there. He left Millbrook; was a sex deviate, his problem was homose ality, and unfortunately it involved yo men in their late teens. He finally came and I tried to find him a job, and that i know, a problem that the minister really c not do anything about, although I think t other areas might be looked at.

The point is that within this kind of a ting he ended up right back with a cha the same as the one he had previously Millbrook. I am sufficiently interested in man because he is tremendously intellig tremendously able. I can give the minister name, but I will not do it, obviously, at point. But I appeared in court for him, sim because I felt that that somebody should he has had a number of charges of nature. At the court hearing he was gi another six months on the basis that the ju said he was to receive psychiatric care. A turned out, he was placed back at Millbr to await being properly looked after by psychologists at the Brown clinic. His c was reviewed, and I received a phone yesterday morning—at least, I made a ph call to find out what had happened to h because nothing had taken place. He is sim not going to receive any help at all.

I can understand that one has to m priorities; there are only a certain number places. I must say that at the court hear a psychologist did appear and stated, on basis of his analysis, that this man could given treatment of a certain kind which wo help him and, one would hope, would end type of behaviour. As it turns out now he back in Millbrook; there is no hope. A four months he will be released again, lik to face the same problem of getting work being unable to find any career commensur with both his ability and his intelligence behind his background. What we have re done is to write off a human being.

I would hope that the minister consid that if he is transferring sex offenders out Millbrook, that in a sense they will be tra ferred to some kind of a setting where at le something will be done; where you just

not write the person off; you just do not keep him in a maximum-security prison—

**Hon. Mr. Grossman:** Is the hon. member referring to being transferred to the new clinics, when they are built?

**Mr. Pitman:** That is what I am talking about.

**Hon. Mr. Grossman:** Oh well, these are going to be clinics in every sense of the word.

**Mr. Pitman:** And every sex deviate will be in those clinics; he will no longer be in any prison in this province?

**Hon. Mr. Grossman:** I hope I am not giving the hon. member the impression that everyone who is going to be transferred will not necessarily be kept under security. The hon. member must remember that, by and large, most of the sex deviates are not necessarily there because they have been charged with a sex offence. They may be there because we have knowledge in our files that they are sex deviates; but they are not necessarily there just for that. Some may be there for having committed serious offences and so on. There may be arsonists; in fact, sometimes there is a close connection, as the hon. member knows. They will be kept in a clinical setting, purely and simply, with that added precaution for those who need security.

**Mr. Pitman:** Well, will conclude my comments by saying I am very pleased to hear that, because, as I say in relation to this one person, in spite of the judge's sentence and the way it was suggested that he should be treated, he has simply been written off. I know that psychological tests taken on him by your department indicated that he is beyond hope; they cannot do anything for him. Well, that is not the full story so far as all those who have contacted this man are concerned. I just say to the minister it is a very sad, tragic situation. This man has been expecting to receive some kind of treatment, and he receives no help whatsoever; he is simply told, "Well, it is too bad you are beyond our help. There is nothing for you."

**Hon. Mr. Grossman:** Well, every case is reviewed. If the hon. member has a particular case in mind, if he would let me know, I would be glad to give a report as to why, if that in fact has happened, he is not getting the kind of treatment which the judge or someone in the court said he should.

**Mr. Pitman:** Well, the judge said he should, and your office was very helpful to me; your

men were very helpful in telling me why. I simply state that what you have done is you have written the person off, and I am trying to determine whether all those who are involved with the minister's department are going into that kind of a clinical setting rather than being put into a prison and written off, as it stands now?

**Hon. Mr. Grossman:** I do not like the expression "written off." If we do not know what to do with a person to help with his particular problem, what shall we do?

**Mr. Pitman:** Millbrook is about the best you could do.

**Hon. Mr. Grossman:** Well, it is because of the reasons I have given.

**Mr. Chairman:** Vote 302. The hon. member for Humber.

**Mr. G. Ben (Humber):** Mr. Chairman, get back to a little bit of the philosophy of this place called Millbrook. Millbrook was originally intended to take the hard-core behavioural problems and the escapees because there were not enough in that category to fill the cells in Millbrook, the system of the Department of Reform Institutions, now the Department of Correctional Services, started to send the deviates, the alcoholics and the drug addicts to this prison.

**Hon. Mr. Grossman:** Not the alcoholics. They go to Mimico.

**Mr. Ben:** Not the alcoholics? They are going to Mimico. Well, there were some alcoholics there when I was there.

**Hon. Mr. Grossman:** Well, the man may be an alcoholic; he may be a combination of many things. He may be a sex deviate and an alcoholic.

**Mr. Ben:** Then that may be the cause of it. At any rate, at the time I paid a visit to that place, one-third of the prisoners were what you might call in the hard-core category the behavioural problems. The other two-thirds were of a category that you would call the sex deviates and the drug addicts.

In his opening address, Mr. Chairman, the minister pointed out how the number of escapees from Burwash and dropped as a result of the change in the remissions programme. An 80 per cent drop. The minister also informed this House, in answer to a question of mine, that the deviates and the drug addicts are going to be removed from Millbrook and are going to be transferred

Brampton. This is going to leave in Millbrook only the hard-core prisoners and the behavioural problems and the escapees. My investigation—and I am sure the minister will confirm this—revealed that most of the people who were the so-called hard-core problems were behavioural problems or hard-core problems because they were trying to be sent to another institution where they could get better remission time.

**Hon. Mr. Grossman:** No, I would not agree with that.

**Mr. Ben:** Oh yes, you will have to agree, because it is a fact; a lot of them were. I am not saying all of them, but a lot of them were. Some went so far as to try to escape, and others just did not have the courage for that—

**Hon. Mr. Grossman:** I was not thinking of the escapees.

**Mr. Ben:** —but they would give a hard time to the custodial officers. Now, with the number of escapees cut drastically by the change in the remissions programme, where are you going to get sufficient inmates to warrant the maintenance of Millbrook as it is designed to be, a maximum-security institution? The place is so vivid to my mind, Mr. Chairman, I can hear those clanging doors—clang, clang clang. It is almost like the “Get Smart” programme where they start off with all those doors clanging, clanging, clanging. You are not going to have a sufficient number even to keep one section going.

**Hon. Mr. Grossman:** Well, I hope so.

**Mr. Ben:** Fine. Then I ask the minister again, why keep it there at all? I know it is pretty difficult to raze because it has been built so strongly of cement and steel, but outside of the fact it is providing employment for some people around Peterborough and Millbrook, is it actually serving a function now that you are removing such a large number of people from it? That is one point perhaps the minister might give consideration to.

**Hon. Mr. Grossman:** We are not moving them yet; it will be a couple of years before we have to make that decision. If it is not necessary to keep a place like that going, of course we will not. We would be glad to close all of them up.

**Mr. Ben:** What frightens me is that politicians sometimes are apt to tailor their suits to fit the cloth, and I fear that we might find in Millbrook youngsters whose be-

havioural problems today would never re-appear in them being transferred to Millbrook. Because the place is going to be empty, that code of conduct in the rest of the institution might become different, so that a breach of that code of conduct will then give you a sort of a justification—if I may use the minister's phrase, “justification”—to transfer those people to a place like Millbrook. That is what I fear.

I met some people there who, it seems to me, were there for inconsequential behavioural problems. Talk about corporal punishment. I guess what the parents should have done was put them over their lap and given them a paddling. I know the minister cannot do that.

**Hon. Mr. Grossman:** I am just trying to point out that I doubt any parent could do any of those fellows over their knees.

**Mr. Ben:** Well, I do not know. What I am disturbed by also, Mr. Chairman, is that year after year we come here and we have over the same things—I do not mean disrespectfully to the minister. He makes a speech which is almost verbatim the same as the ones for three or four years previous. We, the opposition, ask the same questions. We asked three or four years ago, almost verbatim, with almost the same interjections, but things do not change.

**Hon. Mr. Grossman:** Let us not do it.

**Mr. Ben:** Look, Mr. Chairman, every year we open the minister's report we find that the rate of recidivism has not changed. Could it be that our whole philosophy is wrong?

**Hon. Mr. Grossman:** It probably is.

**Mr. Ben:** Let us try and find out where it is wrong.

**Hon. Mr. Grossman:** That is what we have been doing.

**Mr. Ben:** Has the minister been doing it? Has he been doing it or has he in fact been tailoring his programme to suit the circumstances? Has he been bringing in a lot of psychologists and psychometrists and social workers, because we happen to have a glut on the market of those types—

**Hon. Mr. Grossman:** I do not think we have a glut of them.

**Mr. Ben:** —simply to create employment for more of these people, or are they ac-

plishing anything? The recidivism rate indicates that there is no change generally in the makeup of a prison population, 45 per cent or more of which continues to go to prison year after year. Could it be, Mr. Chairman, that our whole philosophy of treating that segment of our society that refuses to obey our rules is completely wrong? Instead of, as the minister says, trying to teach them new work habits; trying to get them to conform to our way of thinking and to our way of acting and trying to get them to do things our way, perhaps we ought to find ways and means of letting them do their things their way without in any way being injurious to the public good?

Could it be that in the world there will always be a certain given population which has a propensity for abnormal conduct—abnormal in that it is not what the rest of the population accepts as normal. Rather than spending huge sums running these penal systems, we should channel their aptitudes—perhaps I should put that in quotation marks, too—for doing things out of the ordinary into channels that would make those activities useful to society, instead of punishing them.

Mr. Chairman, I do not care which of these places you pick, when you deprive a person of his liberty, it is a punishment.

**Mr. Lawlor:** A very profound statement.

**Mr. Ben:** Obviously, we are not succeeding in changing the course of conduct of this segment of our population and obviously there is little being done by society to change the circumstances. Setting up clinics, as I stated, and all these other institutions, in my view, is more for the benefit of people who are employed there than it is for the people being treated. We should stop to consider if it is worthwhile creating these clinics just to give employment to psychiatrists and psychologists, psychometrists and social workers. Or would it be better to employ them some place else, if we could channel the people we now call inmates into a different course of conduct. It is a philosophical argument, Mr. Chairman, but I would like to hear the minister's comments on this.

**Hon. Mr. Grossman:** Mr. Chairman, with all due respect to the hon. member, all he is asking me to do is make a comment on a philosophy that there must be some other way, but nobody in the world has found out what that other way is.

**Mr. Ben:** Has it been sought?

**Hon. Mr. Grossman:** Correctional people have been seeking this for the last 100 years at least and have not found another way. The hon. member is saying, as I say, is that we should not have correctional institutions; it would be better if we did not. I would heartedly agree with him, except that I cannot find a way of doing without them.

**Mr. Ben:** With all due respect again, I do not agree, Mr. Minister, that correctional people are trying to find solutions. That is the gist of it because, in essence, they would then be breaking up their existence, and that is alien to human beings. They are trying to find more work for more correctional people.

**Hon. Mr. Grossman:** Mr. Chairman, the hon. member tell me whom we should get to do these studies, to do the research, to give us opinions, on how to solve this problem, if not the people in the courts and the field? Shall we go to the shoe manufacturers' association? We obviously get people who are involved in this work, sociologists who are involved in the work, and so on. Whom else should we go to?

**Mr. Ben:** That is the failure of your programme because you are so narrow-minded. You say, "obviously, obviously, obviously." No. If you want commonsense solutions, you go to commonsense people. It might be better, as legislators who are not correctional people, who are not experts in this field, perhaps devote a couple of days to do nothing but debating the state of our society, stressing the weaker points, to find out how to reinforce them and how we could create a better society and have a real good morning, sincere, unprejudiced, unbiased dialogue. That may be where we will get the answers from the common man, without nonsense, not from these so-called obvious sources that the minister keeps mentioning. I do not believe in the obvious sources of being—

**Mr. Lawlor:** Is the hon. member over those men? The hon. member is talking nonsense.

**Mr. Ben:** The hon. member over those who always talks nonsense because he is one of those who believes in the elitist society, the preservation of a little clique which is trying to dominate the world. They know everything. They know the best way to do everything and the only way to do everything. That is the way they operate.

**Mr. Lawlor:** I believe you should not stand up and blather. You should at least know what you are talking about. Groping in the dark without any answers at all!

**Mr. Ben:** The member for Lakeshore always comes out with this thing; if it is anything that in any way casts doubt on the infallibility of the ivy leaguers or the elitists or the academics, he immediately interjects. Well, so be it. That is why, Mr. Chairman, 45 per cent of our prison population continue to go in and out, in and out, like through a barroom door. That is why, Mr. Chairman, last year some 60,000 people passed through this hon. minister's institutions—62,000; that is why 733,374 days were spent in Ontario institutions, thanks to the hon. member for Lakeshore and his ill-begotten ilk.

**Hon. Mr. Grossman:** That is a pretty poor defence for lawyers.

Vote 302 agreed to.

**Mr. Chairman:** On vote 303. The hon. member for Wellington South.

**Mr. H. Worton (Wellington South):** Mr. Chairman, during the course of the debate last night with the member for Beaches-Woodbine, the minister intimated that the ratio of students per teacher was in excess now; in other words, it was at its limits.

In the course of the dinner hour last night at the John Howard Society, I met a person who intimated that the department had indicated by letter that they were going to reduce the number of teachers by one in each of the following schools: one at Galt, one at Guelph, one at Cobourg, one at Bowmanville, one at Lindsay. I am wondering, Mr. Chairman, is this a further economy drive, such as was indicated by the reduction of the overtime pay that was brought into effect at Christmas time?

**Hon. Mr. Grossman:** I do not recall saying yesterday that the staff ratio was at its maximum; I do not recall saying that at all. I think I did point out that the staff-to-inmate, staff-to-pupil ratio differed in various institutions. I think this was the point I was making.

However, insofar as the teacher complement is concerned, as from September, 1970, the complement of the department will be 154, which is numerically the same as for the school year we have just passed, 1969-1970. There will not be any change in it at all.

**Mr. Worton:** There will not be any reduction?

**Hon. Mr. Grossman:** A complete reevaluation of teaching positions has been carried out and adjustments have been made to cater for greater or reduced needs in particular locations, according to the development of the programmes. The Sudbury school which is just being completed, will hopefully be completed in September—I am told not has been delayed again; it probably will be completed until January—and the programme there will, of course, gradually increase with the intake. We are not going to have a full complement of teachers sitting there waiting for the school to fill up.

To avoid having a double complement of teachers in September before the schools open, it is not our intention to appoint teachers to this school initially, but to draw on teachers from the south of the province to fit in temporarily for the balance of the school year. Now this may be what the hon. member is referring to. Maybe somebody told him about this and I think this is a good thing to do for a number of reasons.

First, I think it is a good thing to have teachers experienced in our work go in to a new school even if only on a temporary basis. Secondly, I think from the standpoint of economy, that you just do not fill new schools with teachers before you have sufficient pupils for them. There may be other adjustments. I make no apology for the department attempting to keep down costs so long as it does not affect the standard of education that the youngsters are getting. This I can explain, perhaps, what the hon. member heard.

**Mr. Worton:** This is what I am concerned with but I understood that there was going to be a reduction. I may have made a mistake in my information, but that you were relieving these other schools of one teacher per school?

**Hon. Mr. Grossman:** There may be in one odd school some particular situation, but there is no policy of reducing the number of teachers.

**Mr. Worton:** Perhaps you could get a more full report on that.

**Hon. Mr. Grossman:** I will find out about that but I think this is probably what it was. They probably have heard that they are going to be moved.

**Mr. Chairman:** Vote 303. The hon. member for Kent.

**Mr. J. P. Spence (Kent):** Mr. Chairman, hope I am in order, but I would like to

a few words after listening to the progressive opinions of my colleagues of all parties about the rehabilitation of offenders. Now we come to the point where all delinquency starts, with the very young.

I cannot sit here any longer without giving an airing to the other side of the story. Mr. Chairman, I am old-fashioned enough to believe that the home and early start are all important. I think it is the breakdown of the family values which results in much of the trouble that we are seeing today.

I still believe in early treatment by a strong-handed father; a trip to the woodshed when it is needed. I also think that the devil finds work for idle hands to do and the more chores there are the less chance a boy has of getting into trouble. I cannot help but think about the victims of crime. I realize that all too often, as I listen to the talk in this chamber, that many of the people we are concerned about are the really young punks, and that they will never grow up into anything in general no matter what we do for them.

I believe in the bad seed. I do not think we can save their souls. I think we just have to do the best we can in the circumstances in which we find ourselves, because my sympathy is on the side of the victim, rather than on the side of the offender. A lot of what has been said in the last few days has caused me to rise at this time and to put the other side of the story. I hope there are still a few people in this House who share my views.

I want to say quite briefly that I believe the victims need more consideration than the offender. I believe that the system must not disappear entirely from our correctional system, that there will always be a place for punishment and repentance in any kind of moral society. I believe in law and order and when there is a conflict between law and order and individual right, I tend to come down on the side of the community, even though I realize that in these days this is almost a minority viewpoint. I say we can have no progress without order and respect for the law.

I want to put a word in for our policemen who have to maintain law and order in the face of an increasingly hostile public. I say that public opinion is going too far and that we are headed toward a state of anarchy unless we realize where our actions are leading us. This is why, Mr. Chairman, I had to rise at this point and put the wrench in the works, but I say this in a constructive fashion.

I think much of the progress the mirror has made is commendable, but I do say do not forget the victim, do not forget the process of correction is all about. Chairman, after seeing a number of victims I think we should give them some consideration—that is why I am airing this—because they suffer the rest of their lives after the crimes I have seen that they have to accept.

Mr. Chairman: Vote 303. The hon. member for Middlesex South.

Mr. K. C. Bolton (Middlesex South): Chairman, I was wondering if the minister planned to reply to the last speaker before said anything?

Mr. Chairman: The hon. member for Middlesex South has the floor.

Mr. Bolton: Mr. Chairman, it has not been my intention to prolong this debate further, but I cannot resist comment on the last observation made about the need to consider the victim.

I am not surprised that one should expect the regular expected thing about the value of the trip to the woodshed, sparing the rod spoiling the child. I think we do need to recognize that even those who are seen to receive humane treatment do not minimize the necessity of some kind of punitive action. Let it not be, in any circumstances, based on the retributive idea that because there are victims somebody has got to suffer. This is nothing to help the victim. It is the sort of argument we have in favour of the death penalty. Somebody is murdered and the courts are asked to produce another corpse.

I hope those who are responsible for the penal decisions, our penology, while paying due respect to the need to punish, will also move in the direction of understanding that we are dealing with human beings, not mere categories, and we need to have a different kind of attitude.

Who is the victim? The victim is the whole of society, and the villain is the whole of society as well. We are all involved, we are all together with the other. If the correction is not going to mean anything, we need to recognize the fact that there is no absolute black, no absolute white, no absolute villain, no absolute saint. We should use all our energy to find what is within the man who has been offended. Find what is there, what is positive, and build on that positive thing to help

recreate the person. The mere statement of punishment and woodshed is not sufficient to meet the situation.

I want to pay tribute to those who are trying, against all sorts of odds, to find how they can really reform men. How they can find a way of exercising, without molly-coddling, that kind of loving concern that may make men better than they have been. When we say this, and this is very important, we who hold this view are not in any way denigrating the power and the need of a police force.

We do uphold law and order, but whose law and what order? The law of human concern and the order of our civilization. I am extremely encouraged by the evidence that is shown that we are moving toward a good penal philosophy. I recognize the tremendous problems faced by this minister. He has our assurance that we will do our job of supporting loyally what we believe to be sound philosophy and we also do our duty, as the opposition, of opposing where we feel that the best philosophy is not prevailing. I believe, and it is a personal observation, that the minister himself would appreciate our constant reminder of what yet needs to be done so when he goes to his various boards and asks for further assistance, he would have the additional support of our requests.

**Mr. Chairman:** The member for Lakeshore.

**Mr. Lawlor:** Mr. Chairman, my final observations or comments, as far as I am concerned in these estimates, are a kind of direct personal address to the minister. I heard the minister say during the course of the estimates that he had attended upon the juvenile court and sat in that court, possibly with the judge, listened to the proceedings, got at first hand the department of the court, the feel of the thing.

I would trust that the minister—I would be a bit interested in learning to what extent he does this, particularly in the field of juvenile care, but throughout the whole system. That is, to what extent does he get down and talk to prisoners, face to face and person to person, in the absence of secondary departmental officials in a real human way? This minister has a good well of good will, with deeper insights. How are you going to be able to solve human problems unless through direct rapport with human beings; talking over their problems, finding out what their backgrounds were. If your jurisdiction is in the forward element, as you claim it always to be, of western penology, why does the minister not

take direct action? I think ministers of crown too often rely on secondary sources upon their expertise and their help.

That is all to the good. These people have a special qualification and a role to play which should be explored to the full. I think it is only secondary but very often tertiary. Word-of-mouth coming up. To what extent, therefore, does the minister come into direct relation with prisoners and spend a little talking to them about their personal problems, such as, why they think they have gone through

I know there is a good deal of suffering involved. If you were a prisoner in these institutions—if any of us subjected ourselves to 10 days in detention—I would think we would do a little breast-beating on our side. The very incarceration seems to be a penalty enough without all the other external impositions that are made in the course of things. The incarceration grinds a man down by and large, by the very fact. In other words, you created a tenor and an atmosphere which in future generations at least, I think we should consider hideous as things presently stand.

I do admit that we are doing the best we know how, particularly with the young, especially perhaps with some of your training school programmes. We have inveighed against the system in the past. You know the sentiments. When you send youths there that you or their parents do not know what to do with, on the basis that since they are recalcitrant and defiant, often the training school is the place to harbour them as a kind of throwing up a wall around which to protect society rather than to bring your emphasis upon the rehabilitation of that particular offender.

It is subterfuge and a vicious device on the whole, and we continue to say so, but we despair at this time of getting through on that particular point.

I am more interested in the personal element, which should be the particular concern of all the ministers' departments at there — yours and perhaps the Minister of Social and Family Services too — to the extent that they get right down, eyeball to eyeball to the people they are supposed to be serving and come to some kind of understanding which I think it would rub off with a most beneficial effect.

**Mr. Chairman:** The hon. minister.

**Hon. Mr. Grossman:** Perhaps, the member for York Centre wants to talk on that subject?



Mr. D. M. Deacon (York Centre): Mr. Chairman, I just want to bring up some points that have come to my attention as I meet with young offenders by one means or another through those who are working with them. I feel the minister has a responsibility to work with other departments of this government and with municipal governments to approach these problems that are causing the offenders to be so uptight about society.

The fact is that the government and our whole system seems so anonymous, so remote, so hard to get at. These people are frustrated by the fact that they cannot fight the system.

I noticed an item in yesterday's *Globe and Mail* on volunteers who are providing a distress service for what amounts to, in many cases, youngsters under 20, who are uptight about situations. There is a lot that can be improved in the development of community identity where people can feel as if they belong, where they can feel they have friends who are interested in them as a person.

I notice that the Provincial Secretary (Mr. Welch) has a \$31,000 budget for the development of community programmes. These youngsters that you are correcting do not have a place they can go back to, become merged in and cope with society. I feel that the minister's programme has got to work in with other departments so that there is an identity, a friendship, in the world outside these penal institutions where they must cope with life.

One of the things I hear, time and time again, is the attitude of the police toward them. I happen to have a couple of longhairs in my family and the number of times that they get pulled up and checked and are frisked, because they have long hair, feeling that they must have drugs around them—the full treatment they get really is shameful.

There is no doubt that part of the lack of respect for the law in this country is due to the attitude of our law enforcement officers and the fact that they do not seem to recognize that youngsters today do not judge people as much by their appearances as we do. They try to judge people by the attitudes that are inside them—if they really are friends and their values in life are more than on the surface.

I think that the parole service could be improved by maybe making better utilization of trained volunteers through the Big Brothers and Big Sisters movements and getting youngsters, even of their own age bracket, to provide friendship and a means of them coming back into society.

One of my lads has become very friendly with a paroled youngster in the town where he is going to university. It has been amazing to me to see the change in the attitude of that lad who has been on parole over a period of a year and a half or two years. He has found that maybe people would be a lot more friendly for him, regardless of his weaknesses and past problems.

I think there is so much in this work of rehabilitation of the juvenile that depends on other agencies of this government and their attitude and their work. I ask the minister to tell me what is being done to co-ordinate programmes, such as that of the Provincial Secretary, with community programmes that can help provide these youngsters with a more friendly atmosphere when they are released.

What is being done to improve the attitude toward the police? The police departments themselves I think are frustrated by the police commissions that are the same size group of people year after year after year instead of having a broad representative police commission that can both support the police and also make the police much more aware of the things that are causing a division between the police and the community. There are items that I feel the minister should consider in his whole approach to the rehabilitation of juveniles.

Hon. Mr. Grossman: Mr. Chairman, there is very little with which I could disagree, if anything, in what the hon. member for Kent County and the hon. member for Middlesex South say. It is a matter of where you stress some of these things.

I would only say to the hon. member for Kent—I wish he was here—that we all are concerned concerning ourselves with the victims of crime. There is nothing I can do about it. I get the victims of the result of their crime and we do what we can when we can.

All I can say to him is that what we are doing and do—and I have repeated this before and have repeated this practically in every speech I have made in the last couple of years—what we are trying to do is to give the offender what he deserves, which may be a little, but what he needs, which may be a great deal. I mean that is the only philosophy we can adopt.

I agree wholeheartedly with the hon. member for Middlesex South when he said—and I have said this publicly in stronger terms—happily—that the only punishment that the c

has inflicted is the loss of the person's liberty—nothing else. Nothing else is added—except, of course, the odd time when the judges have ordered corporal punishment. And I might remind the hon. member for Lakeshore that I have publicly stated my objections to it, so that it is not just a matter of sitting quietly and letting these things go by.

I can assure the hon. member too—I do not know if the hon. member for Lakeshore has—he seems to, if he does not mind my saying so—some sort of a hang-up himself with respect to this department.

**An hon. member:** He has a hang-up anyway.

**Hon. Mr. Grossman:** What comes out of his discussions and his criticisms over the past couple of years gives the impression that it is sort of a closed corporation and that the staff keeps everything from the minister and when I go out to the institutions everything is laid on. All of a sudden the menu is changed, and everything is cleaned up.

Surely he does not think first, that I have that kind of staff? And surely he must know this minister better to think that he could be hoodwinked that way?

**Mr. Lawlor:** You have a gift for hyperbole.

**Mr. T. P. Reid (Rainy River):** You are not too bad yourself.

**Hon. Mr. Grossman:** Yes, I was just about to say to the hon. member he is not too bad himself that way.

I can assure him that I have not only been in the juvenile and family courts, I have been in provincial courts and I sat on the bench with the judges. I have talked to people right after they have left the dock, or just before they came into the dock.

I have discussed certain matters with provincial judges; we have disagreed on certain matters. I have had discussions with the children in juvenile and family courts and in the training schools. I have had discussions with inmates at adult institutions by the hundreds, I suppose, and without staff breathing over my neck, although that would not bother me either.

And I can tell the hon. member—and this may be of some interest to the hon. member for Kent—that when you ask them and you go over their record and you say, “Now look, you have been in and out of institutions for the past 10 years; you have had nine months,

you have had six months, you have had a year.”

I particularly think of the chap who was for stealing a bicycle and he had had a previous record and he had been in and out of the time I saw his file, I think he had been in and out of the institutions for about three or a half of the last five years. They were petty crimes, really petty crimes. You ask him, “Well, why do you do this, why did you steal a bicycle, what did you think you would get out of it?” He said, “Well, I thought I could sell it for \$10.”

I said, “Do you think there is any percentage to that? You are stealing a bicycle and you might have got \$10 for it, although \$10 is not hard to come by if you are honest. But was it worthwhile? You have been in for nine months; you have been in for a year; you have been in for six months; you have been in for three months. At the very least you would have got another three months.” It turned out at that time, I think that he got nine. “Was it worth the chance of getting back here for stealing something worth \$10?”

He said what invariably comes out when you talk to the inmates. They say, “I will never come back here again.” When you ask them why they do it, they say, “I thought I could get away with it.” You know, it is difficult for a minister to go into an institution, really, and get the kind of picture you would like to get because he just cannot. The grapevine works pretty quickly. They know the minister is here and they try to manipulate him and try to tell him all sorts of things.

Some tell me what they think I was hearing and all that sort of thing. But there is one message that comes out clear and loud. That is, they thought they could get away with it, and that is why I do, in fact, thought the hon. member for Middlesex was going to mention that yesterday when I was referring to my ad libbing in that speech I made at the jaycees—because I always mention that fact. I say the first line of prevention is a good, strong, well-respected police force, so that they will not think they can always get away with it. That is the main thing and I have no hesitation in saying that to the hon. member.

I discuss this with all of these people and go beyond that. I have been in the office of psychiatrists who are dealing with drug addicts where we were able to talk on a one-to-one basis. I have been in places that have quite often been involved in, places

Digger House and Project Ossington and many of those places. These are things that you do not get to talk about too often, but I have been in and out of these places. I usually take my weekends that way when I am in the city. I drop into Don Jail. I just drop by and get out of the car and walk in and I have a discussion with the staff. I discuss things with the inmates. I guess this has become, practically, the only kind of work I do and I can assure him that I know what is going on.

The hon. member for York Centre mentioned—of course, you know, it is an easy thing to say—that society is at fault. There is no use telling me that society is at fault. I cannot take society within my system and correct it. We have to deal with those people who cannot function in society as it exists, and there is no use hammering away at that. Quite frankly, with all due respect to the good intentions of the hon. members, I may agree with them privately but I have to keep repeating this publicly and I appeal to them in this respect. The inmates read this; they hear it on the radio; see it on television quite often. This is the thing they want to hear. It is pretty difficult to do a correctional job, a rehabilitation job on an inmate who starts off on the assumption that it is not his fault; that he is not responsible, that society is responsible. That is his hang-up. And so long as you keep confirming him in this opinion, it is very difficult to break the pattern because everybody on the outside is agreeing with him. It is not his fault; it is society's fault. As I say, while it may be true, I would just as soon it were not repeated that often because they use this as a reason. I can assure the hon. member—

Mr. Ben: Do they have radio and television and newspapers?

Hon. Mr. Grossman: This is one of the problems we have. They read what is going on. I could tell the hon. member other problems we have. How do you talk to a young man and tell him that he cannot break the law when he feels like it, when he picks up the papers and finds out that 2,000 students have burned down a building? Why are not they here? Why are we here? This sort of thing. This is only making our job more difficult.

I am not going to talk—I do not want to get involved—Lord knows I have enough difficulty with the news media sometimes. I am just saying, because we need their support in our work, I do not want to get in-

involved in that. I am merely stating it. The fact that makes our job more difficult. A little happens in society today that makes our job any easier. It is making it more difficult by enlarging on it. I can assure the hon. member for York Centre that I have discussed with my colleague, the Provincial Secretary, the matter of the problems with the police in relation to the various things that are going on in the community, particularly in my own constituency which is a metropolitan constituency. I have discussed with them the matter of hiring policemen of a different origin and so on, and by and large I have found a great change in the last couple of years.

Go down to some of the areas in my constituency, for example, and you will find that there is a plainclothesman from the youth bureau and a uniformed officer participating in community programmes with young people. I am sure you would be glad to hear that policemen participate in many of the social programmes in our training schools because of course it has got to be a two-way street. It has got to be a co-operative measure. One of the problems that we are suffering from today is the fact that people think, as the hon. member says, they cannot fight back; they cannot fight the establishment and so on. One of the problems is to get people to communicate. Get them to communicate with those in authority, so that they will be aware that those in authority are aware of their problems.

While it is not directly related to my department, I appreciate the fact that indirect results spill over into my department, and it is my responsibility as the head of this department to give the other departments the benefit of the experience I have in this field. They know what is happening as a result of some of the things that are going on in society with which they are dealing in their departments and we get the fullest cooperation and we are in constant consultation with them. Insofar as the hon. member's suggestion that we get citizen participation is concerned, I mentioned it the other day—I do not know whether he was here; I mentioned it in my opening remarks as a matter of fact. But I am now reading a report on citizen participation which was written by an *ad hoc* committee of distinguished citizens from the business community and from the correctional community and I have no doubt that many of the recommendations, if not all of them, will be adopted. I have not finished the report,

cannot say what will be adopted. Although we do have citizen participation now, we felt it could be done on a more organized basis. Thousands of citizens participate, particularly with our aftercare services in this department.

**Mr. Deacon:** Mr. Chairman.

**Mr. Chairman:** The hon. member for York Centre.

**Mr. Deacon:** I just wanted to say I do not think I have made any statement that these people can blame society for their getting into difficulty.

**Hon. Mr. Grossman:** No, it was not the hon. member's comment.

**Mr. Deacon:** What I am getting after, in asking the minister to do this, is to start correcting some of the things that we are doing which are causing the hangups, including the lack of any meaningful community programmes. By the way, the whole approach to our educational system has removed authority from communities where they can have real community participation and involvement and direction as to the way they improve their education and lot. Our approach to the police commissions is one of keeping the power in a small group and one that has never changed and which does not provide a proper communication between the community and the law enforcement people of our province.

These are areas that are causing the hangups which are preventing their recovery. I am suggesting to the minister this is an area that I hope he will bring to the attention of his fellow ministers so that they can work together to eliminate these causes of frustration to these youngsters as they go back out into the world.

**Mr. Chairman:** The hon. member for Parkdale.

**Mr. Trotter:** Mr. Chairman, I was going to ask, in view of the fact that from time to time we hear a family court judge complain, when sentencing a young boy or girl to a training school, "You should not be going there, but it is the only place that we have to send you," has the minister made any assessment of how many emotionally disturbed children are in the training schools?

**Hon. Mr. Grossman:** Mr. Chairman, we are back again at the old philosophical argument of what is an emotionally disturbed child. I would consider that by and large most of the children in the training schools or most of the adults in the adult institutions are emotionally

disturbed. It is a matter of degree. We have gone into this before. If I say to my staff or the director of research, "Will you tell me how many emotionally disturbed people we have in the training schools or in the adult training institutions?" he will give me the same answer. I am sure that I have just given here. It is impossible to decide what is an emotionally disturbed child.

As the hon. member knows, we also have a reception and diagnostic centre that is going to be built in Oakville. Hopefully, out of this will come a better assessment so that perhaps there would be a larger range of institutional programmes where perhaps the youngsters would be better off than in a training school but you know, so what is new?

A judge says, "I wish I had some place to send you." I am sure that practically every judge in the adult court also feels he wishes he had some place else to send someone other than a correctional institution. I am sure he would not like to sentence anyone to prison.

You know, everybody thinks it would be nice if there were some other kind of a group foster home, a type of group foster home of this, a type of that. The fact remains that in most cases the judges decide that a training school is best and we do the best we can after receiving them.

**Mr. Trotter:** Of course, the difference between children and adults is that most people who have dealt in the field of mental health say the sooner you get at an individual the more you can do for him. This is why I think it is unfortunate that the government as a whole simply does not have the proper approach of looking after the young offenders.

In fact, it has always been my personal belief that even though your department's name has been changed to Correctional Services, many of the children should really be looked after by The Department of Social and Family Services. I do not think the stigma is there. This is where I feel that, insofar as dealing with the juvenile is concerned, the government policy really has a tremendous void, because there does not really seem to be a policy which attacks the problem with what knowledge is available today.

There is no question—you can argue the point and cons. I admit that people in the mental health field are disagreed among themselves as to what can be done, but certainly there is a basic agreement that something can be done if the facilities are made available.

One other question that I was interested in would not the minister think that the age

16 is too low an age in which to treat a juvenile? I realize this may be in contradiction because we talk now of giving the individual the right to vote at 18. Some say they should be able to drink at 18. But there are many people who are immature and your department is more apt to come into contact with a 17-year-old or an 18-year-old who is immature. I think it is unfortunate that they are treated as adults, insofar as the Criminal Code is concerned.

I was wondering if the minister believed that, either through his own department, or in some cases it would affect federal legislation, that there should be a type of court set up where an individual from 17 to 18 is treated, not as an adult, but as a juvenile so they would not have a criminal record?

**Hon. Mr. Grossman:** All I can say in respect to that, Mr. Chairman, is that there is some discussion going on at the federal level. I have discussed certain aspects of what the hon. member has mentioned with the minister involved and there are some very tremendous problems in this.

I do not think that we have the time, really to go into a philosophical detailed discussion on this. In any case, I think I would rather not discuss it publicly at this time because of the conversations that are going on between the federal government and ourselves. There is some validity in this although, again, it is another one of those areas where you can argue both sides.

Perhaps I can close just on this note, Mr. Chairman. The argument where the training schools should be will go on forever; I would hope that we have the training school system. Because we have a training school system here—the most sophisticated training school system in the country, if not in North America—let us try to make this as successful as we can, without constantly arguing back and forth as to where they should go, because they have been in these other departments over a period of years.

**Mr. Trotter:** Your own judges complain.

**Hon. Mr. Grossman:** Of course they complain. The judges do not like to send a child to a training school most of the time. You do not need to blame me anyway because I do not like to make that decision for any of them. It is a very difficult decision to make.

I have gone into this in previous years but, as I say, I would hope that we do our best to make the system as good as we possibly can. The government's policy is to have a training school system within an integrated

system of corrections. We have gone into before as to the belief of correctional people that it should be an integrated system.

**Mr. Chairman:** The member for Hun

**Mr. Ben:** Mr. Chairman, I am sorry have so little time left because I wanted to discuss aftercare for juveniles. I appreciate what the government is trying to do through its department to see that the children do finally well established. I understood that aftercare officers communicate with the school officials and the teachers of the pupils to leave the institutions, but I am doubtful in my mind, whether that is in the best interest of the child.

Teachers are no more and no less prejudiced than anybody else. I have the fear of a teacher, knowing that a pupil has just come out of the training school, may have a tendency to sit on such a child more frequently and for smaller infractions than a teacher would on a child that had no such history. I think it has been established that a child will act the way people will expect it to.

If the teacher starts overacting or overreacting towards a child, it eventually comes out that this child has been in a training school. Pretty soon the child starts acting in a manner that the child would not have acted in had all this—what did I say, Mr. Chairman? Does the minister know?

**Hon. Mr. Grossman:** Would you like me to—will the hon. member give me a chance now to comment on it?

**Mr. Ben:** I'll stop here. I wondered if the minister was listening. He was engaged in conversation.

**Hon. Mr. Grossman:** Mr. Chairman, there is no other way a minister can handle estimates. If a member asks a short question then the minister can answer. We can get some advice—

**Mr. Ben:** All right, fine. We only have a few minutes. I think you have the gist of it. I think you will have the gist of an answer.

**Hon. Mr. Grossman:** I can tell the hon. member that our training schools' officers deal with a guidance teacher at the schools. We have found them very co-operative. In the majority of cases, we found them very helpful. It has only been in the odd case, the rare case, the administrator of training schools advises me, when it has turned out badly. But in the vast majority of cases, there is no problem because they are very understanding. School principals are very understanding; the guidance

teachers are very understanding and they help us a great deal and it is working out very well.

**Mr. Ben:** What I am concerned about is I have no objections to the guidance officer knowing, but I do not think it should go beyond that. I do not believe that the teacher dealing with the child should have any of this background information, lest she treat that child any differently than she does any other child in the class.

**Hon. Mr. Grossman:** Well, I do not know—

**Mr. Ben:** It is the guidance officer who can show an extra interest in that child, but I do not think that the minds of teachers ought to be, in any way, prejudiced or biased by information that this child committed an offence at one time, or had an aptitude for misbehaviour or for getting into difficulty.

**Hon. Mr. Grossman:** I am sure the hon. member's leader will tell him that teachers do not think that way.

**Mr. Ben:** I wish the hon. leader could make that statement—

**Mr. R. F. Nixon** (Leader of the Opposition): I would not make the statement.

**Mr. Ben:** —But I am sure he would not.

Vote 303 agreed to.

**Mr. Chairman:** This completes the study of the estimates of The Department of Correctional Services.

**Hon. Mr. Grossman** moves the committal motion and report certain resolutions and asks for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committal motion of supply begs to report that it has considered certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, on Monday there will be consideration of Bill 76 in the Committee of the Whole House. The Honourable the Lieutenant Governor will be standing in for royal assent. After that, there will be estimates of The Department of Public Works. There will be evening sessions Monday, Tuesday and Thursday.

**Mr. C. G. Pilkey** (Oshawa): Did the Minister say Bill 76?

**Hon. Mr. Grossman:** Bill 76.

**Hon. Mr. Grossman** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.00 o'clock.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Monday, May 4, 1970

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 4, 1964

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** As our guests today, we have, in the east gallery, students from Romney Central School at Wheatley; in the west gallery, from St. Michael's College School in Toronto, and in both galleries, from Georgetown High School in Georgetown. Later today we will have students from Port Hope High School at Port Hope.

I am sure that the members will be pleased to know that we have with us today, in the Speaker's gallery, Mr. Gordon Coombe and Mrs. Coombe. Mr. Coombe is the Clerk of the House of South Australia and he is visiting us this afternoon.

Statements by the ministry.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, you will recall that in November last year I outlined to the Legislature the broad plans of the government to extend the GO Transit commuter services to the east, to the west and to the north of Metropolitan Toronto.

Since then, much of the necessary work toward implementation of these extensions has been undertaken by the transportation systems branch of The Department of Highways. A brief report has been prepared outlining the progress made in developing the GO system, and I should like to table this for the benefit of all the members, and to review, for the House, the current status of this work.

A review of the report discloses the considerable work that has been carried out in the short time since my original announcement of the government's acceptance of these demonstration proposals. The many tasks involved in translating these basic planning concepts into actual services have involved negotiations with local governments, carriers, the design of equipment and terminals, ordering new equipment, establishing integrated schedules and fares, and negotiating operating contracts.

The report also indicates that certain conditions have made it necessary to alter some

of the original proposal concepts. New approaches have been adopted to provide a high level of commuter services which the government wishes to make available in these areas. The government has now concurred in the adoption of these new proposals in the interests of operational efficiency, economy and expediency.

At the time of my announcement in November, it was tentatively scheduled to have the commuter extension projects in operation about the middle of this year. I am now advised that testing of equipment will begin in mid-August. Public operation is scheduled to commence on September 14, following the Labour Day weekend.

Mr. Speaker, I should like to summarize briefly the plans for each of the three extension projects.

On the west, all buses will commence operations at the existing downtown Hamilton bus terminal. Investigations are still underway to determine the feasibility of establishing another terminal with parking facilities at the intersection of Highway 403 and King and Main Streets. This is expected to be concluded shortly.

The Burlington terminal will be located west of the Guelph Line, between the Queen Elizabeth Way and Plains Road, with parking space for 250 vehicles and a passenger waiting room.

In the original concept it also was proposed to have a terminal at Bronte. However, a close analysis has shown that this area would be better served by a special local bus operation providing a direct connection to the Oakville station.

At Oakville, where all the bus services make connection with GO trains during both the rush-hour and off-peak periods, special provisions are being made for exclusive access and rapid transfer of passengers.

During the preliminary period of bus service, the trains now operating between Hamilton and Toronto during the morning and evening peak periods will continue to operate with all of their scheduled stops.

On the eastern corridor, the express bus service between the GO Transit Pickering rail terminal and Oshawa will be similar to that being provided between Oakville and Hamilton.

All rush-hour and off-peak buses will originate at the existing downtown Oshawa bus terminal. They will call at a new GO Transit terminal at the northwest quadrant of the Highway 401-Simcoe Street interchange where waiting-room facilities and parking for 100 cars will be provided.

A similar terminal will be located in the southeast quadrant of the Highway 401 and Brock Street interchange at Whitby. There has been a delay in locating a terminal in the Ajax area where suitable locations are still under investigation.

The Pickering bus terminal will be located opposite the rail commuter terminal north of the Canadian National Railways tracks. Access will be provided to the rail platforms by an underpass.

In addition to the GO Transit express bus service, an important feature of the experiment in the eastern corridor will be the introduction of local mini-bus feeder services in several areas. The first of these services will begin operation in the Bay Ridges-Pickering area in June. When full operations begin in September they will be introduced in the Rouge Hills, Ajax and Whitby areas.

In addition to these mini-bus demonstration projects, it is intended to introduce an experimental shuttle bus service between the Scarborough GO Transit station and the Toronto Transit Commission's Warden Avenue subway terminal. This experiment will test the demand for a convenient link between the rail commuter service and the east-west subway. It is expected that this service can be in operation before the full GO bus service commences in September.

Mr. Speaker, the variations that have had to be adopted in developing the proposed concepts for the extension of service on the east and west corridors have been minimal. However, the same cannot be said for the development of service north of Metropolitan Toronto.

The original concept which I outlined last November proposed a combination of train and bus service. Three chartered Canadian National Railways trains were to operate between Richmond Hill and Toronto Union Station during the morning and evening rush hours.

At the time of the announcement I believed from preliminary discussions that the railway that such a service could be provided for the immediate period of five to seven years and that satisfactory schedules of trains and financial arrangements could be worked out. In looking back on my announcement, I said then that in our attempt to develop maximum utilization of all modes of transportation, the government had accepted the advice of the CNR. This advice was that the only rail capacity available without resorting to costly and major modification existed only on the line that we had selected, and that, it was severely restricted. We have been informed recently, from a detailed study carried out by the railway subsequent to my comments, that use of this line would not only be very expensive but also very ineffective for commuter purposes.

In order to accommodate even the minimum service of two trains during the morning and evening peak periods, additional track and switching equipment would be required. This would be required because of the volume of existing traffic which would conflict with the proposed rush-hour service. Even if this improvement were made, the run time between Richmond Hill and Union Station, including station stops, would require 53 minutes.

Such a schedule would offer no advantage over existing public transportation or travel by automobile. The cost of track modifications and the purchase of additional rolling stock to provide even the minimum service would result in an overall cost of \$2.5 million each year for a five-year period. I might add that the CNR states that it does not have any suitable rolling stock available.

It was estimated that on the basis of projected volumes of riders that would be attracted to this service, a rail service would require a subsidy of \$2 million per year. On a per-passenger basis, this would amount to between four and five times the subsidy being paid on the Lakeshore rail commuter service.

Because the government has now been informed that there is no likelihood that existing operating conditions on the northern line can be improved, it has been necessary to consider alternative proposals to fulfil its service commitment for this area.

Consequently, it has now been decided to introduce a comprehensive commuter operation using buses. This will comprise GO Transit rush-hour and off-peak express

ices which will be integrated with local and trunk line services operating within the corridor between Barrie and Toronto. As part of this new approach, the government will establish new bus terminals in Newmarket, Aurora and Richmond Hill to provide parking and passenger waiting facilities.

Because of the necessary change of plans, details of this new approach will have to await the completion of negotiations with local authorities and the carriers which will be involved.

In addition to providing the mini-bus services originally planned for Newmarket and Aurora, investigations are now being carried out to determine the feasibility of also introducing such a service at Richmond Hill.

I am informed that current plans call for work on the terminal installations along the three routes to commence at the beginning of the summer.

A \$750,000 order has been placed with General Motors of Canada Limited's diesel division for 15 newly designed express buses to be used on the three northern corridors. These vehicles will have a number of special features, including spacious seating arrangements for 45 passengers, air-conditioning, heating, bright interior decor with special lighting systems, large picture windows and air-spring suspension that will give a limousine quality ride.

These vehicles will be equipped with a new anti-pollution device which will considerably reduce hydrocarbon, carbon monoxide and oxide of nitrogen emissions. In addition, smoke and exhaust odour become almost negligible and noise is reduced by 30 per cent. The inclusion of this device in these buses will mean that GO Transit will be the first fleet in North America carrying this pollution-control equipment.

Negotiations are now being carried out for the purchase of the mini-bus equipment. It is expected that an order will be placed shortly for early summer delivery.

As a step toward the integration of public transportation systems, Gray Coach and GO Transit have reached agreement on a common ticketing system within the areas of common operation.

In most cases under this agreement the tickets of each carrier will be honoured by the other. The transportation planning group in The Department of Highways is also investigating the long-term possibilities of co-ordinating fares of all modes of operation in the Toronto region. As part of this investi-

gation, GO Transit and the Toronto Transit Commission have entered into a joint study of new developments in automatic fare collection equipment to determine the feasibility of introducing a unified ticketing system.

I should also like to report that these services will be operated on behalf of the government by Gray Coach Lines, which is a wholly owned subsidiary of the Toronto Transit Commission. A special task force made up of representatives of Gray Coach, TTC, GO Transit and an independent consultant is developing an equitable operating agreement between the province and the company.

Again, I would remind the hon. members that the proposals announced last November were conceptual approaches for new demonstration projects to cover the immediate period of approximately five to seven years. During this period, it is expected that new modes of transportation will be developed that could be suitable, particularly for application north of Metropolitan Toronto.

The experiences we have encountered in setting up the projects I have been discussing today, resulting in modifications of the original conceptual proposals, have been extremely important in the development of systems and operations which may be applicable to other heavily populated regions in the province. For these reasons, Mr. Speaker, I have taken the time of the House to report some details of what has taken place, and I will now table this progress report.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, I am very pleased to be able to inform the House that the seminar on the medical aspects of safe driving, held on Friday and Saturday, May 1 and 2, under the sponsorship of the The Department of Transport, proved to be most successful.

As this was the first conference of its kind ever held in Canada, there was no precedent to serve as a guide, and we had no way of knowing what the reaction might be from the medical and legal community and others interested in this vitally important problem. It was therefore most gratifying that no fewer than 222 busy professional people took the time and made the effort to join with us in a series of discussions on various aspects of medical and psychiatric impairment and its relation to the safe operation of a motor vehicle.

The project attracted a very distinguished group of experts from Halifax to Victoria, Canada, from many parts of the United States and from Great Britain. Among the delega-

were physicians, surgeons, psychiatrists, psychologists, judges, lawyers, university professors, police officers, motor vehicle designers and administrators and other interested individuals.

Four workshop sessions were included in the programme on the following subjects:

1. Defective vision and safe driving;
2. Physical impairment and its relation to the safe operation of a motor vehicle;
3. Mental disorders and disclosure;
4. The effects of alcohol and other drugs on driving competence.

Every word spoken during the seminar was recorded on tape and is now in the process of being transcribed. A comprehensive report on the proceedings will be produced and tabled in the House as soon as it becomes available. It will also be given widespread distribution among the interested professional groups and individuals concerned.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question of the Minister of Trade and Development, pursuant to announcements over the weekend of the establishment of so-called Harbour City.

Is he satisfied that there have been sufficient consultations with planning authorities, if the consultations have got to the point where the government is so close as to make an announcement, according to the mayor of Toronto?

Secondly, is he convinced that the facilities of the island should, in fact, be used up by this Harbour City, which will house 70,000 people and, in fact, make the use of the island almost impossible for the large number of people in the downtown core as a recreation centre?

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, let me first say that we have been looking at the waterfront for two years. The hon. leader will remember in his campaign speeches of a few years ago, he suggested that the waterfront project should get underway, \$250 million should be spent, and something should be done.

**Mr. Nixon:** That is right.

**Hon. Mr. Randall:** All I say is that the Prime Minister suggested in 1968 that we put together a concept to see if we could help the city of Toronto, which we are doing, in consultation with the people involved, such as

Metro, the harbour commissioners, the Toronto. We are putting together—

**Mr. Nixon:** That is the weak spot.

**Hon. Mr. Randall:** No, it is not a spot. You cannot talk about a plan unless you have it. You cannot take an empty bag to a meeting and say, "Here it is, what do you think you are going to do?"

**Mr. V. M. Singer** (Downsview): The minister talked about it in his estimate last year.

**Hon. Mr. Randall:** No, we did not. I just said we are putting the concept together. We have discussed it with everybody. Everybody has an interest in it; now we are at a point where we have a concept that people can walk in and look at. We had the mayor and some of his people and the harbour commissioners in last week. We will have a meeting of the Toronto planners in with them tomorrow day afternoon; we will have Mr. Cameron as the chairman of Metro, in tomorrow afternoon after the meeting at the exhibition grounds, and we are—

**Mr. Singer:** The minister told us a long time ago they all knew about it.

**Hon. Mr. Randall:** Does the member want me to answer the question or does he want me to keep on talking? I will sit down if he wants me to talk.

**Mr. Singer:** Why is the minister not consistent about it?

**Hon. Mr. Randall:** I just suggested that until you have a programme put together that people can talk about, there is no use in sitting in and talking about something that is not going to happen. To my knowledge there has not been one, but perhaps two dozen plans on the waterfront, and only two things have happened down there in the last 10 years: one is Ontario Place and the other is that they are digging a hole for the Toronto Daily Star project. Now, if the member sees any development down there, let me know about it, because right now nothing has happened.

We have put a plan together. It is a concept which, if the planners want to buy into that is fine; if they do not want to buy into that is entirely up to them; nothing is going to be done unilaterally—

**Mr. Singer:** That is a different tune from the minister is singing now.

Hon. Mr. Randall: We are not going to push a plan on anybody, because there is a great deal of money involved—

Mr. Singer: No sir. Back away! That is great.

Hon. Mr. Randall: Your needle is stuck, I think. We are not going to push a plan on anybody—

Mr. Singer: It is the greatest thing that ever happened.

Mr. Speaker: Order!

Hon. Mr. Randall: We are going to present a complete concept, and I have said that when we get through working with the planners, the harbour commissioners, and the people who will form the corporation down there, then we will make a public presentation as we did on Ontario Place. We will invite all the members of the Legislature to come and have a look at it, and then everybody can put it together and take it apart. If we are going to go ahead with the waterfront programme, it will be up to the people involved whether they want to go ahead or not.

This government is quite prepared, and has indicated—it is not a \$50 million project, by the way; I think fly time is here. They got the decimal point in the wrong place over the weekend when they talked about \$50 million. It is a \$500 million project. I do not intend to take the project partially through this group or that group; I would like to take the complete project in and if they want to buy the concept, fine; if they do not want to buy it—

Mr. Singer: Who had you out to the woodshed to tell you what to say today?

Hon. Mr. Randall: If they want to look at it, fine; if they want to buy it fine; we will go ahead with it. But we do not intend to shove it down anybody's throat. As soon as the project and the discussions with the people have been completed, then I think we should release the concept so the public can look at it, and if the public want it, fine.

With reference to taking the island away from the people, let me say this is not going to be built on land that is over there now; it is going to be built on newly created land.

Mr. Nixon: But the minister is putting 70,000 people on there.

Hon. Mr. Randall: Wait a minute, wait a minute—I said "newly created land."

Hon. A. Grossman (Minister of Correctional Services): They are not going to take a p of my riding.

Hon. Mr. Randall: And let me just sug that only about 30,000 people a day can v the island right now because of transporta and there should be 150,000 people go over there. When we are finished, if concept is bought, there will be 350 more parkland than there is at the pre time.

I suggest, Mr. Speaker, that if the Leader of the Opposition will hold his tience for a few more weeks, I am sure will join with us in saying it is a great cept to get under way, as I said in my c paign speeches.

Mr. Nixon: Mr. Speaker, a supplement question. Do I understand it correctly the parkland will be increased by 150 a and the permanent population by 70,000?

The second question I would like to pu the minister is, what is that corporation he referred to obliquely in his statement?

Hon. Mr. Randall: First of all, Mr. Spea the number of people to be accommod can range anywhere from 50,000 to 70, I think if you talk about 55,000 or 60, people on the land we estimate will be cted, this is about the maximum. There wil less density per acre than you have in city of Toronto right now.

There will be 350 acres of new parkl created if the concept is accepted. So th will not be less parkland, there will be n parkland.

As far as the corporation is concerned, me point out that there is the city of Toro there is the province, and there is the harb commission, all of which owned parcels land. It is a non-profit corporation we talking about which will be self-liquidati

Mr. Nixon: Non-profit?

Hon. Mr. Randall: A non-profit corporat self-liquidating; and the three partners own the shares of the corporation. At the of 12 or 15 years when it is completed—

Mr. Singer: It explodes and flies away.

Hon. Mr. Randall: —if there is eno money left over for a half a dozen bee will buy them for you.

So the land deal right now—

Mr. Singer: The minister is the grea fellow to make a statement about nothing.

**Hon. Mr. Randall:** The land deal right now is that those who have land will put it in the pot. There is no lawsuit pending; there is nothing pending; everybody will put it in a pot. It will be developed into a corporation, as I said, a non-profit corporation—backed by this province in order to get the financing, done, and there will be no discussions as to who owns which or who owns what, because that has all been taken care of in our discussions. If this corporation idea is accepted, and I am sure it will be, by those involved—the other two levels of government and the harbour commission—we can work out the titles for land so that 99 years from now somebody will not get excited about who owns which. It will go into a complete package as a corporation, as a non-profit corporation. I might say that if there is any profit it will be in the form of taxes to the city of Toronto and Metro and not for the province.

**Hon. Mr. Grossman:** Great progress. Get with it, you fellows.

**Mr. Nixon:** Mr. Speaker, can the minister then assure the House, since no information has been given to the House up until the statement today, that the various corporations that have been associated with Metro, the city of Toronto, the harbour commissioners, and perhaps others, will in fact have veto power over the proposal that has been put forward? And, second, can the minister continue by saying that he has not consulted with these people before putting forward the complete package for their approval or rejection?

**Hon. Mr. Randall:** Let me answer the last question first. We could not put a complete package before them until we had it ready to put before them, and this is what we have been doing. We have been working out the designs, the amount of land required, how it will be done, how it will be financed, and once that package is put together it will be presented to the other two levels of government and the harbour commissioners. If, in their wisdom, they do not want to go ahead with it, then this province will just put it on the shelf and forget about it; we will save ourselves a lot of blood, sweat and toil. We do not have to guarantee \$500,000 in bonds over the next 15 years. That is the way it will be left.

**Mr. Singer:** Misplaced the decimal point again.

**Hon. Mr. Randall:** As soon as they agree, if they agree, and the corporation is set up, it will be approved by this cabinet, and the

Legislature will be a part of it. They know well in advance what we are going to do.

**Hon. J. Yaremko (Minister of Social Family Services):** The Leader of the Opposition will want to move to Toronto.

**Mr. D. C. MacDonald (York South):** A supplementary question, Mr. Speaker. Am I right that the minister is indicating that once he has unveiled this programme and set up the corporation and, in effect, has handed the baby over to them, that he will move over the picture, that they can throw the baby out with the wash, that they can do anything they want with it, but he is finished with it?

**Hon. Mr. Randall:** No, that is not right. What I said is that we will put the package together for all those involved, including the citizens of this city, to have a look at it, if in the wisdom of Metro council, if in the wisdom of the city council and if in the wisdom of the province of Ontario, we want to go ahead with it, we will. If the other way say they do not want to go ahead with it, we will not go ahead with it. The corporation will be put together for presentation to the various groups; if they buy the corporation, the corporation can just be a shell, if they do not go ahead with the project.

But we have to do first things first. First of all, we have to have a design concept put together as we had for Ontario Place. The second thing is we could not show models to somebody unless we had it, and once we show them the models, tell them how it is going to be financed and how it is going to be operated, that is the point where we can make a decision and go ahead or back. The province is trying to help the city of Toronto. There is nothing in it for the province of Ontario except, as I say, a lot of work a lot of planning. I might say, as I said earlier, I do not know how many times you have seen about plans for the waterfront that have not been developed. We think we can develop it in the far—

**Mr. Singer:** Even the ones announced to you?

**Hon. Mr. Randall:** So far you have got the plans down there just started and it may be a long while before the others come into effect. This is part and parcel of the province's opportunity, we think, to help the city of Toronto.

**Mr. MacDonald:** A final supplementary question, Mr. Speaker.

**Mr. Singer:** Mr. Speaker, by way of—

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** A final supplementary. Earlier in his statement, the minister stated that the public would have an opportunity to review it and dismiss it. I was a little doubtful of that, but is the minister giving assurance or is he counting on the corporation to provide a full opportunity for public discussions and representations on this?

**Hon. Mr. Randall:** No. What we are doing is you have an elected council in Metro, you have an elected council for the city of Toronto; I would suggest that if those councils, in their great wisdom, feel the project should go ahead, it is up to them to make sure that public opinion is with them. I think public opinion will be with them.

May I just point out that if you look to the west of here, as far as High Park, you have parkland where people go. That parkland extends to the exhibition grounds and there is, what, about 1,000 acres that have never been properly used. Yet thousands of people sit around there on weekends and Sundays because, perhaps, they cannot get transportation across to the island. That whole area will be parkland with this at the end of it when we get finished with it, if they buy this concept.

In other words, we are creating, as I said earlier, more parkland, not less, so more people can enjoy it. I would suggest that if you look at the shoreland along there, with the broken-down brick buildings and a few other things, the problem is not that the people cannot get at the shoreline around the harbour at the present time. Once this is cleared up and the project accepted, I think it will open up opportunities for millions of people to use that area there in the coming years, which now they cannot use.

**Mr. Singer:** Mr. Speaker, by way of supplementary. Could the minister explain how he can reconcile what he said today with what he said when he made his grand announcement in his estimates last year, and with his repeated answers to the effect that Toronto has been constantly consulted, when he announced again today that the mayor had seen the plans only a week ago?

**Hon. Mr. Randall:** Mr. Speaker, I realize I should have left this fellow in Japan. Let me assure the member that we—

**Mr. W. G. Pitman (Peterborough):** I wish they had left the minister in Japan.

**Mr. Singer:** At least, I did not lose baggage like some people.

**Hon. Mr. Roberts:** You left some there. You!

**Hon. W. D. McKeough (Minister of Municipal Affairs):** You left your marbles behind.

**Hon. Mr. Randall:** Mr. Speaker, let me assure the hon. member that we have been in consultation with the mayor and his staff.

**Mr. Singer:** Yes, a week ago.

**Hon. Mr. Randall:** No. We have been in consultation. I read minutes in this House of meeting. I read minutes in this House of meeting we had with Chairman Campbell, Mr. Dennison and the harbour commission over the last two years. If we have left one fellow, who, perhaps, complained because we were not ready for him to do something, because we did not have time to look at it.

**Mr. Singer:** What did the minister say to them then?

**Hon. Mr. Randall:** First of all, you have to have a plan, as you recognize.

**Hon. Mr. Grossman:** Why are the members so reactionary over there?

**Hon. Mr. Randall:** I think, Mr. Speaker, that the hon. member is probably inaccurate when he says we have not consulted anybody because we have minutes of minutes and minutes on top of minutes. I am a little tired of minutes or reports. I would like to see some action, and I am sure the hon. member would. By May, I think we will show the members a corner that they will be very excited about.

**Mr. I. Deans (Wentworth):** We only have 45 minutes to ask questions.

**Mr. Pitman:** That is right. That is the problem.

**Hon. Mr. Grossman:** Sayonara.

**Mr. Speaker:** The Leader of the Opposition.

**Mr. Nixon:** I have a question of the Minister of Municipal Affairs. Can the minister assure the House that he intends to bring legislation to relieve the unnatural tax pressures that are being experienced by some townships, particularly those in York county resulting from the reassessment in the

year, and the exceptionally high rate of tax that is applied to property in those areas?

**Hon. Mr. McKeough:** Mr. Speaker, this question has been answered by the Prime Minister and by myself, I think, on at least three occasions, but I am glad to answer it again.

**Mr. Nixon:** But the government does not do anything.

**Hon. Mr. McKeough:** I am glad to answer it again. We became involved in the York county reassessment—which was carried out by York county, not by the province of Ontario—about two or three weeks ago when some of the councils decided that there was a significant tax shift. Why they had not decided this three or four or five months ago, I do not know.

About two weeks ago they dumped it on our doorstep. We were very close, two weeks ago, to having worked out with Mississauga and with our own staff, some sort of solution for that particular problem. That time table has been set back because York county has been, in effect, dumped in our lap. But the answer to the member's question is, yes.

**Mr. Nixon:** A supplementary question. Would the minister agree that the ratepayers in those areas have a legitimate complaint, when he knows as well as I the tax changes that some of them have experienced?

**Hon. Mr. McKeough:** No, not necessarily.

**Mr. Nixon:** Well, a further supplementary. When the tax on a residence goes from \$440 to close to \$2,000 in one year, would he not feel that this was considerably unfair and a development that shows lack of planning on the part of either the municipality or the minister who is responsible for the reassessment?

**Hon. Mr. McKeough:** The minister was not responsible for the reassessment. The reassessment—

**Mr. Nixon:** The minister is the only assessor in the province.

**Hon. Mr. McKeough:** Much as the member would like to pin this on me, it so happens that the reassessment was carried out by the county of York.

**Mr. Speaker:** Order!

**Hon. Mr. McKeough:** That roll was closed last September or October, long before it had

anything to do with the province of Ontario. You know really, Mr. Speaker—

**Mr. Singer:** Come on, watch the editorial line.

**Hon. Mr. McKeough:** We credit the member with a little bit more intelligence than some of the newspaper reports.

**Mr. Nixon:** Oh, you do, eh?

**Hon. Mr. McKeough:** That is where we make our mistake.

**Mr. Nixon:** I am so worried about what the members opposite think of me.

**Hon. Mr. McKeough:** No, I would not necessarily agree that because some of the taxes had gone from \$400 to \$2,000 that was something wrong.

**Mr. Nixon:** You would not?

**Hon. Mr. McKeough:** No, I would not.

**Mr. Singer:** That is a good statement.

**Hon. Mr. McKeough:** Let me put it another way. There are taxes on a certain piece of vacant residential land owned by a student in Mississauga, on which the assessment has gone from \$40,000 to \$2 million. Does the member think that is necessarily wrong?

**Mr. Nixon:** Not necessarily.

**Hon. Mr. McKeough:** Right. Exactly.

**Mr. Speaker:** Has the member for Yorkview a supplementary?

**Mr. Nixon:** Mr. Speaker, if you will permit me, I will finish with what I have to say with this one.

**Mr. Speaker:** Is it supplementary?

**Mr. Nixon:** Yes, it is. Would the minister assure the House that there are going to be budgetary provisions to assist in this, rather than just readjustments in the legislation?

**Hon. Mr. McKeough:** No, there will be budgetary readjustments, if the member speaking of the province of Ontario's budget. No.

**Mr. Nixon:** The minister is not going to bail them out?

**Hon. Mr. McKeough:** No.

**Mr. Speaker:** The member for Yorkview has a supplementary?



**Mr. F. Young (Yorkview):** Yes, Mr. Speaker, a supplementary. I would like to ask the minister whether action is going to take place rapidly enough to adjust situations such as that of Fred Webster whose assessment last year went from \$3,174 to \$23,500?

**Mr. Speaker:** I would think that this would be a proper question for some place other than the oral question period, which must be of public importance. This is of importance to one man, I realize.

**Mr. Young:** This is typical of what is happening!

**Mr. Speaker:** A further supplementary from the member for Yorkview? The member for York Centre.

**Mr. D. M. Deacon (York Centre):** A further supplementary. Why did the minister not take steps some years ago when the select committee on taxation, and others, indicated that market value assessment would cause a shift in taxation from the industrial-commercial to the residential taxpayer? Why was not provision then introduced in legislation to allow municipalities to correct the shift?

**Hon. Mr. McKeough:** It seems to me, Mr. Speaker, that we took very deliberate action to get a hold on this thing by transferring the assessment function, so that we would have some control over reassessing beginning January 1 this year. That was precisely, I suppose, the largest single reason why we did something about the assessment function and took it on to ourselves.

**Mr. Deacon:** Is the minister therefore saying that the cause of this shift is due to poor assessing being done by the York county assessment office, and that his office would correct the assessment when it goes in, and change the values?

**Hon. Mr. McKeough:** The hon. member has drawn certain assumptions which may or may not be correct. But I think the hon. member will know that the assessment in York county, for example, is at 60 or 70 per cent of value, not at 100 per cent of value. How good the assessment is, or how poor the assessment is, I am not qualified at this point to say. That is the sort of thing that we are studying.

**Mr. Speaker:** The member for Wentworth has a supplementary?

**Mr. Deans:** Yes, Mr. Speaker, a supplementary question.

Can the minister indicate why his department has refused municipalities which switch to the new assessment, and then covered the shift was drastic and wanted switch back? Why would the department permit them to switch back to the old assessment, until such time as the department come up with an answer to their problem?

Secondly, could he indicate what steps now being taken to ease the burden on homeowners in the case of the loss of assessment due to the change in mill rate and loss of levy against the telephone companies?

**Hon. Mr. McKeough:** That is a very long question.

The answer to the first question, Mr. Speaker, is that neither the minister nor the department has the authority to roll back an assessment roll. Once the roll closes that is the only possible way that the old assessment roll could be reinstated would be by Act of this Legislature.

Mr. Speaker, there was a second part to that question, if the member would repeat it.

**Mr. Deans:** Yes, I am sorry. I wonder the minister could explain what provisions are being undertaken to compensate municipalities for the loss of revenue due to change in the mill rate structure that has previously used to assess against telephone companies?

**Hon. Mr. McKeough:** That is a matter which I do not necessarily concede—that there is a loss of revenue. There is a committee looking at all the taxation of special properties in the province.

Bell Telephone will indicate to you, and the other telephone companies will indicate to you, that their municipal taxes have risen. I think, at the rate of something like 187 per cent over the last 10 years. Municipal expenditures on the other hand have risen at the rate of about 150 per cent.

The companies would indicate to you—this does not necessarily prove that they are right or the municipalities are wrong—their expenditures on municipal taxes (they pay interestingly enough, about two per cent of the municipal taxes in this province) have risen much higher and much more quickly than other taxpayers in the province.

The other reason that we are not ready to jump into an *ad hoc* solution to this problem is that I can think of no other form of municipal taxation which is as directly related to the great majority—to practically all of the people in the province.

If Bell Telephone, or if the telephone companies (it is not just Bell, there are a number of private telephone companies, municipal companies) raise their rates, that could be said to be as regressive a tax—and it is not a tax—as a raise in real estate taxes. It affects everybody.

If, for example, there is an increase in taxation on the automotive industry, it only affects those people who drive cars, who obviously are a large proportion. If, for example, we raise or lower taxes on distilleries, that presumably affects a much smaller percentage of the population—very few members of this House, for example, would be affected by such a move. But Bell Telephone rates, or telephone rates, which, after all, are a reflection of municipal taxes, affect everyone.

**Mr. Deans:** One further supplementary question. I ask the minister if he does not agree that there is a loss of revenue to the municipalities because of the change in the mill rate and that this will have to be compensated for by a direct levy on the homeowner or on other portions of the municipality.

**Hon. Mr. McKeough:** I do not think we can put it down to simply a loss in revenue. You see, the Leader of the Opposition would state—and I do not question his putting it this way—“The taxes have risen from \$400 to \$2,000 on a particular house.” That is a severe jump and if it is a householder, I think we have to do something about it, but we do not concede necessarily that the \$2,000 is wrong. That is what the courts are there to prove, to look at the assessment and decide whether it is equitable or not.

I think you have to look at it also from the other way, that there are people, neighbours, members of the same community or the same municipality, who could justifiably say that there are people in that municipality who have been paying too high taxes, because somebody has been paying \$400 instead of \$2,000. It has to be remembered in the case of Mississauga, for example, that 70 per cent of the taxable property will experience either a decline in taxation or will pay the same taxes. I do not think we should get completely carried away worrying about an increase on the 30 per cent unless they are alarming increases, and some of them are, and unless they are too sudden increases, and in the process throw the 70 per cent who are experiencing a decline of the same taxes out the window.

**Mr. E. R. Good** (Waterloo North):  
final supplementary—

**Mr. Speaker:** I think this has been discussed at considerable length. The member for York South has the floor.

**Mr. MacDonald:** Mr. Speaker, I have further waterfront questions of the Minister of Trade and Development.

First, with regard to the Toronto waterfront: In view of the apparent inability of Mr. J. Ramsay to fulfil his commitment as a panellist in the public discussion on this waterfront at the St. Lawrence Centre on Wednesday, is it really impossible for anybody else in the department to represent it on that panel?

**Hon. Mr. Randall:** Well, Mr. Speaker, we are in negotiations on the waterfront with the people who have the authority to say “yes” or “no”, and I do not think it behooves us to get down there and appear on the panel and tell everything we know before we have talked to the mayor of Toronto.

**Mr. Singer:** The minister did not do this a year ago.

**Hon. Mr. Randall:**—and settle our programme with him and the chairmen of the Metro and the harbour commissioners.

**Mr. Singer:** It was all done a year ago.

**Hon. Mr. Randall:** I think these public discussions are fine, but it is a little premature, and I have said so. I said if they wait after we make the presentation, we can have a discussion every day in the week until we get our programme put together with the hope that it is not taken apart piece by piece before then, they only get part of the story if we go. We would prefer to see them get the complete story, and in my opinion the meeting is a little premature. I suggested to my people that we should wait until we get our discussions finished next week and have our presentation ready for everybody.

**Mr. MacDonald:** By way of supplementary question, Am I correct, Mr. Minister, that Mr. Ramsay originally accepted the commitment a long time ago, when the plans still were not unveiled? Why the change in mind at this point?

**Hon. Mr. Randall:** Well, I do not know. Mr. Ramsay accepted any invitation. I said there was an invitation coming, and would we be prepared to sit down and discuss it? I said if we got the programme together before then, we would be glad to sit down

right now it is a little premature. But we are quite prepared to discuss it after we have had our meetings with the people who are involved and about whom I talked this afternoon.

**Mr. MacDonald:** I want to switch now, if I might, to the Kingston waterfront. With regard to the proposed development of William Teron of Ottawa on the old Fairbanks Morse plant property on the Kingston waterfront, has the provincial government considered acquisition of the property in conjunction with the other jurisdictions? Secondly, where are the provincial property rights involved, if any? Finally, has a request from the developer for signing a quit claim been received by this government on its portion of the property, and is the government going to hold action on it?

**Hon. Mr. Randall:** Mr. Speaker, I am unfamiliar with the questions the hon. member asked today. I will get the information for him, and I will take this question as notice.

I might just say that under The British North America Act any part of Lake Ontario that is filled in outside of the Toronto Bay or any other harbour that was in the original statutes, belongs to the province of Ontario, and they have to get permission from the province of Ontario to fill in any part of Lake Ontario. As you know, we have not withheld those permissions over the years, but if they are going to be used for commercial purposes, we say the province of Ontario and its people should be protected on any water lots that they give away. If they are going to be used for parkland, there is never any difficulty giving them the opportunity to go ahead and fill in those lots. This is the approach we have taken with the authorities we are dealing with here. For the rest of that information, I will have to get in touch with the housing corporation and find out what the score is.

**Mr. MacDonald:** A further question of the same minister. Is the minister—

**Hon. Mr. McKeough:** I think I can supply the member with a little bit of information because there has been some communication with my department from, it seems to me, someone to do with the university. They have written and asked about the ownership of those water lots and the extent of them and who owns them, and we have written back and said that, frankly, we did not know all the answers—in fact, very few of them—and we have referred them to the federal

Department of Transport who, a couple years ago, did an accurate survey of the water lots and presumably this would settle the ownership in one hand or the other. I would be glad to get the member any further information that I can, but we referred it to the federal government.

**Mr. MacDonald:** A final question of the Minister of Trade and Development.

Is he not in a position—some six or so weeks after the disbanding of the housing committee set up to investigate the Port Avenue situation—as to what is going to be done by way of a reconstituted committee? Secondly, in the interim, is it not possible for the Ontario Housing Corporation to proceed with providing basic recreation park ground facilities in an area that has been neglected now for nigh on a year?

**Hon. Mr. Randall:** Mr. Speaker, I must apologize to the hon. member for not getting to the Attorney General (Mr. Wishart) last week. I went into the hospital on Wednesday afternoon for an eye operation. I was finished with it on Saturday, and I am back on my job today, and I hope to get together with the Attorney General in the next couple of days and make a decision with reference to the committee to look after that job you are talking about.

**Mr. G. Ben (Humber):** They removed the beam, did they?

**Hon. Mr. Randall:** That is right. Remember, if the member can see me with one red and one baby blue, he will know why.

**Mr. Singer:** What is different about the

**Hon. Mr. Randall:** But I am quite sure I will have that settled very shortly. Insofar as recreation facilities are concerned, we have a meeting going on at the present time with the housing authorities to discuss day-centres and recreational facilities in many areas. That is one of the areas that the hon. member has referred to, and I would hope they come up with some of those answers in the next few weeks.

**Mr. MacDonald:** A question of the Prime Minister. In view of the many unresolved conflicts in association with the Duke of York and in view of the Attorney General's firm assertion that he is going to have nothing further to do with it, would the Prime Minister institute a public inquiry to resolve the conflicts?

**Hon. Mr. Roberts:** I think not, Mr. Speaker. The Attorney General has given the House the information that he has, and I think that is satisfactory.

**Mr. MacDonald:** A question of the Minister of Education. Can or will the Minister of Education overrule the trustees association in its decision to postpone the hiring of teachers till June 26, and if not, why not, in view of the far-reaching consequences of this decision?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I guess the "cannot" would apply as to whether legally we can, and if legally we cannot, which I do not think we can, then the cannot is obviously answered, at least I think it is.

As I understand, though, from the press reports, the OSSTF is arranging to meet with the trustees council sometime within the next day or so. I have had some communication in the last few moments that the OSSTF or the OTF, I am not sure which, wishes to meet with me sometime during the course of this week, and perhaps I will be in a position to give some further report to the House.

**Mr. Speaker:** Has the member a supplementary question?

**Mr. E. W. Martel (Sudbury East):** What, Mr. Minister, will happen to the Lakehead course where the students have to have a job before they qualify to get in for the OCE summer course, if in fact the hiring date remains at June 26?

**Hon. Mr. Davis:** Mr. Speaker, we have two problems related to that, not just at the Lakehead, but also the summer course at MacArthur College, and we are in the process of making determinations now as to what will be used with respect to entrance to both the Lakehead and MacArthur College, and when these are determined I shall once again inform the House.

**Mr. Martel:** A further supplementary, Mr. Speaker: if the trustees stand pat on this June 26 date would the minister give consideration to removing that article which says teachers must resign by May 31 to make the dispute at least equitable, in the sense of both having the substantial amount of power from which to work?

**Hon. Mr. Davis:** Mr. Speaker, we are quite prepared to explore any alternatives. I would think the latter alternative being suggested by the hon. member really should be one

presented by the teachers' federation, and do not believe that to date they have suggested this to us.

**Mr. Speaker:** The member for York S

**Mr. MacDonald:** A question of the Minister of Lands and Forests: in view of the article in today's *Telegram*, indicating the extent to which Americans are gobbling up cottages and recreational lands all across the province of Ontario and the intention of the Ontario government to introduce legislation at this time, can the minister clarify what the government intends to do to correct this gobbling-up process?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, this is a very important matter and it is under very active consideration. I hope in due course to have a statement to make.

**Mr. Speaker:** Has the member for Scarborough West, a supplementary?

**Mr. S. Lewis (Scarborough West):** The problem has been under active consideration now by the minister for more than a year including the Lake Erie beachfront problem. Can he give the House some estimate of when he intends to give us a full statement? The land is disappearing in the—

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

**Hon. Mr. Brunelle:** I had a distraction there, Mr. Speaker. Is the member referring to the same problem as his leader?

**Mr. Lewis:** To the basic problem of the loss of lands, primarily to American ownership—to non-resident ownership, let us put it that way—throughout the province of Ontario generally; and there are specific applications in more crucial areas. The minister proposes a policy statement on it all; when is it to come?

**Hon. Mr. Brunelle:** Mr. Speaker, the way I understand it there are two separate matters, so I am referring to what I said to the leader of the NDP. This matter is being considered by the government, this question of ownership by non-residents.

The second matter, the question of beach access on the Great Lakes, is a separate matter and on that also I hope to have something definite in the near future.

**Mr. Lewis:** I accepted that that was the premise. When the minister says "under active consideration", can he give

time when there will be a policy statement by government?

**Hon. Mr. Brunelle:** Mr. Speaker, it is rather difficult, because with reference to the question of ownership on the beaches that question has been before the courts and I believe that a legal opinion has not yet been rendered, unless it has been rendered in the last two weeks.

**Mr. Speaker:** The member for Wellington South.

**Mr. H. Worton (Wellington South):** Mr. Speaker, I have a question of the Prime Minister. In view of the fact that the Attorney General recently made a statement that off-track betting was illegal, would the Premier tell me if there has been a change in policy in light of the fact that today I purchased two \$2 bets at the Metro Off-Track Messenger Services' establishment?

**Hon. Mr. Roberts:** I do not think so, Mr. Speaker. I would have to consult with the Attorney General. I would be interested in what he will have to say.

**Mr. Speaker:** The member for Middlesex South.

**Mr. K. C. Bolton (Middlesex South):** Yes, Mr. Speaker, a question of the Minister of Labour. In view of the alarming increase in unemployment, would the minister consider enforcing more strictly the daily and weekly hours of work as specified in The Labour Relations Act and require that the granting of overtime permits be reduced to a bare minimum in both time and number?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, unemployment has increased over last year, but between March and April, the period of the last report, employment in this province increased by 25,000 and the work force increased by 30,000, so there is an increase in unemployment of one-tenth of one per cent.

The matter to which the member is referring deals with overtime permits. There are standard arrangements, and those arrangements are being carried out. Companies can apply for an overtime permit of a standard 100-hours-per employee, and to obtain additional permits they have to come back and request special arrangements.

**Mr. Lewis:** By way of supplementary on this precise matter, Mr. Speaker: In the case of Douglas Aircraft, for instance, in the city of Toronto, where overtime in the tool and

die rooms in the assembly department proceeding at precisely the same time layoffs are occurring, has the minister a way of reviewing the granting of overtime permits and their abuse?

**Hon. Mr. Bales:** Mr. Speaker, in reference not to that particular company but another aircraft company, another member raised a question with me last week. The company mentioned by the hon. member seems involved in part of that investigation. I will have more information shortly.

**Mr. Speaker:** The member for Middlesex South has a supplementary?

**Mr. Bolton:** Mr. Speaker, a supplementary question with relation to the Tallbot Ford plant: they are now working 56 hours a week in an area where there is a great deal of unemployment; is anything being done about the granting of work permits in this situation?

**Hon. Mr. Bales:** Mr. Speaker, I would have to look into it to see what part of the plant is working those number of hours because there are certain areas in the plant for example the final assembly area, where there frequently has to be overtime; but that is not necessarily common to all sections of the plant.

**Mr. Speaker:** The member for Windsor West has a supplementary?

**Mr. H. Peacock (Windsor West):** Mr. Speaker, can the minister say when he can answer my question on the order paper with respect to the issuing of overtime permits during layoffs to the Chrysler Canada Corporation?

**Hon. Mr. Bales:** Yes.

**Mr. Peacock:** When? Did the minister reply?

**Mr. Speaker:** The minister replied that will be answered.

**Mr. Deacon:** A question of the Premier. Why would the premier accept the C.C.T. claims that, first, the existing traffic on the Richmond Hill line would conflict with rush hour service and would require a multimillion dollar expenditure, when there is not only one passenger train in the morning, that is the 6.55 southbound to Richmond Hill and none in the evening rush hour? Secondly, why would he accept the C.C.T. claim that a 53-minute travel time is required for the 20-mile, two-stop route to the Un-

Station, when a comparable CN Montreal commuter run of 20 miles requires only 38 minutes and has six stops?

**Hon. Mr. Robarts:** Mr. Speaker, the conclusions that I drew here were drawn from consultations of our people in The Department of Highways with the railways. I do not think the railway is trying to deceive us in any way. We are free to accept the positions they put. I think the men who discuss this on behalf of the government are competent and able to come to conclusions, and I assume their conclusions are correct.

**Mr. Deacon:** When will the Premier start to get some good advice to look after this—

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

The member for Downsview.

**Mr. Singer:** Mr. Speaker, I have a question of the Attorney General. I wonder if the Attorney General could explain to us how, in light of the present provisions of the Criminal Code, a firm called Metro Off-Track Messenger Services operating out of Cooksville, Ontario, can advertise on Friday and Saturday of last week that it will accept bets on the Kentucky Derby?

**Hon. A. A. Wishart (Minister of Justice):** We are looking into that matter and we will have further information later.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Social and Family Services regarding birth control methods for welfare recipients. Are any financial obstacles placed in the way of those recipients who request contraceptive medication and surgical procedures?

**Hon. Mr. Yaremko:** Not to my knowledge, Mr. Speaker.

**Mr. Burr:** Then I may take it that they can apply and they will receive immediate attention?

**Hon. Mr. Yaremko:** Mr. Speaker, I do not think the member's supplementary was related to his original question.

**Mr. Burr:** As a supplementary then, does the minister include an application for a vasectomy as something to be paid for by his department?

**Hon. Mr. Yaremko:** Mr. Speaker, our department does not pass upon the medical attention that the individual recipient needs.

**Mr. Speaker:** The Minister of Trade Development has the answer to a question from the member for Riverdale (Mr. J. Wick).

**Hon. Mr. Randall:** Mr. Speaker, as member for Riverdale is not in the House his leader suggests I will read the answer or defer, whatever he wishes.

**Mr. Speaker:** If the member for Riverdale South wishes we might just as well have the information.

**Mr. MacDonald:** He can give it as a ministerial statement tomorrow and then we will have it.

**Mr. M. Shulman (High Park):** Only 15 minutes left.

**Hon. Mr. Randall:** The first question from the member for Riverdale is with reference to the situation of a sheet glass manufacturing plant—

**Mr. Peacock:** Point of order, Mr. Speaker.

**Mr. Speaker:** Point of order.

**Mr. Peacock:** Mr. Speaker, do I take it that the rules now in effect ask ministers to give ministerial statements of answers to questions they have taken as notice?

**Mr. Speaker:** That is not my understanding. The minister has the floor and will proceed to answer the question.

**Mr. Peacock:** Well, it should be.

**Hon. Mr. Randall:** Mr. Speaker, this has to do with Pilkington Glass shutting down its operations on sheet glass manufacturing. The answer is:

Although there has been a slowdown in sheet glass manufacturing in Ontario because of the decline in construction and automotive manufacturing, there is no indication that Pilkington Brothers (Canada) has planned to close down its plant in Scarborough.

I am aware that the sheet glass manufacturing industry in this province and Canada was experiencing an additional problem because east European sheet glass had been dumped on the Canadian market. Since the continuation of this dumping jeopardized Canadian producers, the Canadian anti-dumping tribunal imposed anti-dumping duties on imports of transparent sheet glass from Czechoslovakia, East Germany, Poland, the Soviet Union and Rumania.

It appears that in spite of the temporary difficulties, the company is in the process of expansion and modernization. It is ph

out its 20-year-old obsolete machine and is bringing into production a new machine, which is the second one in three years, to manufacture plate glass by the float process. The total investment for these two machines is \$65 million and will quadruple the previous capacity. Because of the introduction of this technology, it is anticipated that a number of employees will be affected.

Very much aware of this problem, the company contacted, on a confidential basis, both the Ontario Minister of Labour and the federal Department of Manpower and Immigration early in March. The result was the establishment of a joint consultative committee of management and labour which would co-operate with the Canada Manpower consultative Service branch in working out a private programme for Pilkington's employees. As was the case two years ago, when the first float glass machine was put into operation, adjustments and retraining of employees will be worked out. It is my understanding that the effects of this changeover will not be felt before fall.

Mr. Speaker, in answer to the second question which the hon. member directed to me—"would the hon. minister look into the so-called rationalization of the sheet glass manufacturing operation?" I have these comments to make:

With reference to rationalization and control of the sheet glass manufacturing operations by Pilkington Brothers (Canada) Limited, Pittsburgh Plate Glass Company, and Duplate (Canada) Limited, I have the following comments:

Rationalization of the glass industry in Ontario cannot be undertaken to any greater extent than it already is. Two companies, Pilkington Brothers and Pittsburgh Plate Glass are the only ones in Ontario manufacturing sheet and plate glass. They are both large international companies already rationalized on a highly sophisticated basis. Duplate (Canada) Limited further processes glass manufactured by these two companies. The fact that shares in Duplate are held by both Pilkington Brothers and Pittsburgh Plate Glass is not an unusual situation. Many companies enjoy interlocking shareholding with one another and it is the practice in many industries outside of the glass industry.

Outside of my answer to the House on Duplate on April 13, 1970, I am not aware of any plans for these companies to relocate. As I have already said, market conditions at this time, resulting primarily from a slow-down in the construction and automobile industries,

have considerably dampened the glass market in Ontario, but there is no indication that these plants will relocate as a result of these current dislocations.

In addition, the recent dumping ruling against the eastern European countries—Czechoslovakia, East Germany, Poland, the Union of Soviet Republics and Rumania—was able to alleviate the loss of current markets to these countries by the Ontario glass producers.

All indications point to an expanding market for Canadian producers in the future and that employment in Ontario glass plants will be maintained at least at current levels.

Due to the confidentiality ruling by DBS on the disclosure of statistics in any industry where there are fewer than three companies involved, we are not able to undertake a comprehensive analysis of the glass industry in Ontario.

Federal agencies, such as the anti-dumping tribunal, however, do have the necessary additional powers of investigation. I have asked my staff to get in touch with the appropriate departments in Ottawa to find out what further information may be available.

**Mr. Speaker:** The oral question period has expired. If I may be permitted a comment, I think that the first answer given by the hon. minister was quite proper for the question period, but I would have thought that the second one would have been a ministerial statement. However, Mr. Speaker has control over these matters, and we have gone into petitions.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

**Mr. G. R. Carton (Armourdale):** Mr. Speaker, before the orders of the day.

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

**Mr. Carton:** I beg the indulgence of the House for a brief moment to pay tribute to the youth in our country.

On Saturday last, I was a participant along with some 2,000 students from the riding of Armourdale, and some 75,000 or 80,000 people from Metropolitan Toronto on a "miles for millions" walk. It is one thing, Mr. Speaker, to read about it; it is another thing to participate. I must confess that I failed

complete the 32.7 miles because after completing 25 miles I sat down to take a rest and, no matter what, my muscles would not cooperate to get me back on the road.

However, and this is the point I would like to make, I did see literally thousands of youths, whom I know for certain were suffering intense pain, carry on and complete the walk. They displayed to me an indomitable courage, a tremendous spirit, and a wholesomely refreshing attitude.

Let us not be deluded, Mr. Speaker, by the press headlines which deluge us with the weaknesses of a small minority. Let us participate with our youth and witness for ourselves the tremendous idealism, spirit and the immense courage of our young citizens.

In conclusion, my sole point in making this statement is that I want the message to come through loud and clear that in common with others in the adult world, the members of this legislative assembly understand and appreciate the youth of today; that we take great pride in them and that we feel secure in the knowledge that Canada's future rests in good hands.

Mr. Speaker, I know that all members will join with me in saluting our leaders of tomorrow, the youth of today.

An hon. member: Does that mean they get the vote at 18?

Mr. Lewis: If the member had taken along some of his special literature, it would have stimulated him to cover that last seven miles.

Mr. Speaker: Order! The member for High Park has the floor.

Mr. Shulman: Mr. Speaker, I would like to draw to the attention of the House a very important anniversary to the persons in our province of Polish ancestry that occurred on May 3, yesterday. It was a most important Polish day celebrated, the anniversary of independence and the constitution of 1791, which was followed just a year later by one of the three tragic partitions of Poland by warlike neighbours bent on territorial aggrandisement.

In addition, this is also the 25th anniversary of the Polish exploits at the battle of Cassino, many of the veterans of which are living in my riding, I am proud to say, and of the tragic Warsaw uprising in which so many Poles died. I am sure all the House will join with me in giving our good wishes to the many Polish citizens of this province, persons of Polish background, who are celebrating this anniversary.

Mr. Speaker: Orders of the day.

Clerk of the House: The second House in Committee of the Whole; Mr. Rowe in the chair.

The Honourable, the Lieutenant-Governor recommends the following:

*That,*

The moneys required for the purchase of section two of The Fisheries Loans Act, 1970, shall be paid out of the consolidated revenue fund as provided in Bill 76, Act respecting the making of Loans to Fishermen and Others Affected by the Prohibition of Fishing resulting from Pollution of Waters.

Resolution concurred in.

#### THE FISHERIES LOANS ACT, 1970

House in committee on Bill 76, Fisheries Loans Act, 1970.

Mr. Chairman: Are there any discussions, amendments or questions on section 1?

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, I want to deal with section two.

Mr. Chairman: Anything on section two?  
On section 2:

Mr. Nixon: Before I continue, I would like to know if the minister has given this consideration and is he going to propose any amendments himself?

Hon. R. Brunelle (Minister of Lands and Forests): On section 2?

Mr. Nixon: Yes.

Hon. Mr. Brunelle: Not on section 2, Mr. Chairman.

Mr. Nixon: Mr. Chairman, I do have an amendment that I want to put for the consideration of the House, sir, which deals with the flaws in the bill that we discussed in principle last week. I will read the amendment to you:

Mr. Nixon moves that section 2 of the Act be deleted and that the following be inserted in lieu thereof:

2(1) The minister, on behalf of His Majesty the Queen in right of Ontario, may make loans with or without interest, upon such amounts and upon such terms and conditions as he considers appropriate.



person carrying on the business of commercial fishing or any other business dependent in whole or in part on the taking of fish from waters in Ontario, in which taking has been prohibited or such business adversely affected by reason of the contamination of the fish resulting from pollution of the waters.

(2) The minister, on behalf of Her Majesty the Queen in right of Ontario, may forgive the whole or any portion of any such loan upon such terms and conditions as he considers appropriate.

(3) The minister, on behalf of Her Majesty the Queen in right of Ontario, may undertake and conduct or participate in, or assist in, the financing of any claim made in any court in Ontario by any person carrying on the business of commercial fishing or any other business dependent in whole or in part on the taking of fish from the waters of Ontario upon such terms and conditions as he considers appropriate.

(4) Nothing contained in this section relating to the making of loans, the forgiveness of loans or the participation by the minister in any way on behalf of Her Majesty the Queen in civil litigation shall be taken in consideration by any court in Ontario in relation to its determination of damages or costs which any such person may be claiming before any such court.

(5) Where the minister takes any action under clauses (1), (2), (3) or (4) of this section he shall, within 10 days of so doing or at the first appropriate time after a renewal of the session of the Legislature, table a report in connection with such action and set out clearly in such a report the basis of the terms and conditions he considers appropriate in taking any such action.

(6) The powers herein contained shall continue until December 31, 1971.

Mr. Chairman, briefly, we have tried in this amendment to tie down the principle that the minister put before the House last week. We stated at that time that we approve the principle of giving this assistance, but I believe that the criticism that the minister was subject to, not only from our party but from the NDP, was conscientiously put forward in great sincerity.

We, as members of the House, while we approve of these payments, want to be careful that they will not give rise to problems in the future. Now we have broadened the

application, we feel, in such a way that there is no possibility that the minister, in granting these loans, will be restricted only to the fishermen who are prevented from taking fish from waters that were banned for fishing prior to that date mentioned in the minister's bill.

I know that in his statement on Friday the minister felt that legal advice was available and that he would broaden this concept. This minister ensures that fishermen and others will be able to obtain a broader right more easily accessible to them under these provisions.

Secondly, we have specifically provided for the cancellation or forgiveness of the loans. The minister felt that in the broad wording of his subsection 2, it would be possible for him to undertake such cancellation or forgiveness. We feel that this should be incorporated into the body of the legislation, so that there is no doubt that it is not our intention to extract repayments under these circumstances when obviously the fishermen themselves had nothing whatsoever to do with the loss of their livelihood. The responsibility is, in a broad general way and in a very real way, that of the government in not keeping a careful control of the polluters in the Great Lakes basin.

The third point permits the minister to undertake direct legal involvement by bringing suit himself in the name of Her Majesty the Queen in right of Ontario, or assisting either directly or through personnel or with the cost of such suit on behalf of individuals or groups of individuals. We believe that this is a safeguard which should be included in this special legislation.

It is expected when the Attorney General (Mr. Wishart) completes his survey of the legal aspects and ramifications of this problem, when his views are made public, that surely the minister will be undertaking or advising the fishermen to undertake with the strong assistance and direction of either the minister and his legal staff or, properly, the chief law officer of the Crown, the Attorney General.

We have set some time limits on this rather large and substantial power to extend compensation to the fishermen as he sees fit. We believe that it is necessary to set this limit; we set it at the end of the year 1971. Hopefully, the problem will have been brought to a conclusion by then, but there is a chance that the need for compensation for those injured through various aspects of pollution is going to broaden rather than be restricted. We may need much more powerful general legislation to deal with the

for those people living and working in the province other than fishermen.

We have thought carefully about this amendment. We have put it forward with great seriousness to the minister and the other members of the House. We believe that it does not change the principle of the bill in any way but it does strengthen the position the minister must have in dealing with this important matter.

We also believe that for democratic purposes the bill should contain a report clause which will, by law, require the minister to report to the members of this House and, thus, to the people of Ontario and the taxpayers, specifically the decisions that he undertakes. There are time limits there, and we feel that such a report and the basis for his decisions should, by law, be a matter of public knowledge.

I ask, Mr. Chairman, that this amendment be given careful consideration and support by members of all sides.

**Mr. Chairman:** Order, please. This amendment was placed forward and we have been considering whether it is in order or not. I am advised that since Bill 76 is a money bill, and this is an amendment which affects the manner of distribution of the moneys which have been proposed to be spent by the government, that it is out of order for a private member to move it since he is not allowed to move an amendment that will affect the manner of payment or the amount of payment. When we discuss the individual bills, he can make suggestions at that time, but I am advised that this particular amendment is out of order because of this money feature.

**Mr. Nixon:** Speaking to your ruling, might I just point out, sir, that the section of the bill that we seek to replace is one which calls, as government policy, for the expenditure of funds under this particular bill. We are not calling for a change in those amounts in any way. We are simply putting forward our position, which would require the minister to report to the House and which permits him to take part in legal actions.

Perhaps these legal actions would require the expenditure of public funds but, surely only in that it would bring into the courts those people already in the employ of the government. I respectfully point out to you, sir, that the amendment calls for no new expenditures. It simply rephrases the expenditures envisaged by the bill put forward by the hon. minister himself. So I would ask you, sir, to reconsider in the light of this view.

**Mr. Chairman:** It is pointed out to me the forgiveness feature really indicates an expenditure which was not planned by the government in the original bill.

**Mr. V. M. Singer (Downsview):** Mr. Chairman, the forgiveness feature is permissive you will read the amendment carefully would suggest to you that there is no compulsion in the amendment that there will be forgiveness. The minister may, if he wants, on such terms and considerations as he wishes. I would ask you, sir, to address your attention to the resolution that we passed just before we called this order, and that resolution was:

The Honourable, the Lieutenant-Governor, recommends the following:

That the moneys required for the purpose of section 2 shall be paid out of the consolidated revenue fund as provided in Bill 76 . . .

Bill 76 provides that there shall be no loans on such terms and conditions that the minister suggests. We are adding to that, on such terms and conditions the minister suggests there may be forgiveness. So, we are not changing the manner. We are giving the minister discretion, if he wants to, to change the manner. It will be my submission, that the amendment is perfectly in order.

**Mr. H. Peacock (Windsor West):** Mr. Chairman, may I speak to the ruling? I think if you would refer to standing order No. 86 of the standing orders of the House, adopted on Wednesday, April 22, you will find that the language of this rule is somewhat different from the former rule, under which this House operated in its financial procedure but it is substantially the same. The wording of the present standing order says the House may not specifically direct the allocation of public funds, certainly not impose any tax or impost, if we are talking about the expenditure side of the operations of the House and I do not believe that is what the amendment by the hon. Leader of the Opposition does.

It does not specifically allocate any funds. It merely establishes those areas in which expenditures may be made out of the consolidated revenue fund and neither raises new charges nor allocates any charges upon public moneys. I would ask your consideration of that point arising out of standing order No. 86, that the bill is within that order, Mr. Chairman.

**Mr. Chairman:** Well, with the various amendments made, it is a very lengthy amendment.

ment. It is really difficult to comprehend all the implications of it. We think since it is a borderline case, we will allow the discussion of the amendment to proceed. Perhaps I should place it first, which I have not.

Mr. Nixon moves that Section 2 of the Act be deleted and that the following be inserted in lieu thereof—

It is quite lengthy. Do I need to read it to the House? Will you take it as read?

Mr. Singer: It is such a good amendment, I think you should.

Hon. A. A. Wishart (Minister of Justice): Are there any copies, Mr. Chairman?

Mr. Nixon: We have copies.

Mr. Chairman: I can read it. Perhaps I should.

Hon. J. P. Robarts (Prime Minister): I think it is out of order.

Hon. Mr. Wishart: Right.

Mr. Chairman: The following will be inserted in lieu thereof:

2. (1) The minister, on behalf of Her Majesty the Queen in right of Ontario, may make loans with or without interest in such amounts and upon such terms and conditions as he considers appropriate to a person carrying on the business of commercial fishing or any other business dependent in whole or in part on the taking of fish from waters in Ontario, in which taking has been prohibited or such business adversely affected by reason of the contamination of the fish resulting from pollution of the waters.

(2) The minister, on behalf of Her Majesty the Queen in right of Ontario, may forgive the whole or any portion of any such loan upon such terms and conditions as he considers appropriate.

(3) The minister, on behalf of Her Majesty the Queen in right of Ontario, may undertake and conduct or participate in, or assist in, the financing of any claim made in any court in Ontario by any person carrying on the business of commercial fishing or any other business dependent in whole or in part on the taking of fish from the waters of Ontario upon such terms and conditions as he considers appropriate.

(4) Nothing contained in this section relating to the making of loans, the forgiveness of loans or the participation by the minister in any way on behalf of Her

Majesty the Queen in civil litigation shall be taken in consideration by any court in Ontario in relation to its determination of damages or costs which any such person may be claiming before any court.

(5) Where the minister takes any action under clauses (1), (2), (3) and (4) of this section he shall, within 10 days after doing or at the first appropriate time after a renewal of the session of the Legislature, table a report in connection with such action and set out clearly in such report the basis of the terms and conditions he considers appropriate in taking such action.

(6) The powers herein contained shall continue until December 31, 1971.

Now, is there any discussion on this amendment?

Hon. Mr. Robarts: Mr. Chairman, I would suggest to you that having heard and studied the amendment, I think it is out of order. It quite definitely involves the expenditure of funds and I do not think, as a government, we can go along with it.

Hon. Mr. Brunelle: Mr. Chairman—

Mr. Chairman: It does go quite a bit further in the expenditure of money than appears to be the case in the original bill, in forgiveness of loans in particular, which was not prepared and not provided for in the original bill.

Mr. S. Lewis (Scarborough West): Does that mean it is no longer borderline since Premier intervened? Is that it?

Mr. Peacock: He has already ruled.

Mr. Chairman: Did the minister wish to make a comment on this?

Hon. Mr. Brunelle: Mr. Chairman, I am rather disappointed because we worked very closely with the federal government on this and they had the experience of Erco in Newfoundland, whereby they advanced money to the fishermen and the fishermen recovered more than twice the amount of compensation without going to court. The company involved settled out of court.

Mr. Nixon: You do not have to go to court under this section.

Hon. Mr. Brunelle: I would say also, Mr. Chairman, that the fishermen consulted their legal counsel and this was the advice of the

legal counsel; this is the action that they requested of the case. That is what I feel; and what we are trying to do at the present time is to provide money. As soon as this bill is passed, the fishermen will be in receipt of money to help them in the interim period while they prepare their civil cases against the polluters.

So, Mr. Chairman, I would think that the bill, as we have drafted it, has the intent, the purpose, to help those fishermen in this interim period.

Mr. Singer: Mr. Chairman—

Mr. Chairman: Order, please! As has been indicated, this seemed to be a borderline case, but, on further reflection, and further advice, I am advised that this amendment should be declared out of order, and I so declare.

Mr. Singer: Mr. Chairman, on a point of order. First of all, you made one ruling. Second, as a result of one phrase from the Premier, you reconsidered. And thirdly, having reconsidered apparently, you then allowed the speech on the out-of-order amendment, so-called, from the minister. In the space of five minutes you have had three different procedures.

Mr. Chairman: Order, please!

Mr. Singer: Let me make the point about whether or not it is in order.

Insofar as subsection 1 of section 2 is concerned, surely there is nothing out of order in that, is there? If there is, I would like the Premier, or somebody, to tell me what it is. Insofar as subsection 2 is concerned, surely we are not, in the wording of this rule 86, directing the allocation of public funds? There already has been approved by this committee, the resolution put by the Lieutenant-Governor—

Mr. Chairman: Order! Order, please. I have made this ruling. Will you take your seat please, until I explain this further?

It was not a very firm ruling because it is a very long amendment which was proposed and it took a little while to study it. We were prepared, for a moment, to listen to it. But, on reflection and further advice, it does appear to go much further than the government originally intended. Therefore, it is plainly the case—

Mr. Singer: It was not what the government originally intended—

Mr. Chairman: Yes, it does. In respect of expenditures it makes a difference, and therefore I declare the motion out of order.

Mr. Nixon: Mr. Chairman, I know your rulings are not debatable, but I must inform you, sir, that we intend to appeal your ruling. In so doing, I should like to have it briefly put on the record, sir, so that you may understand my position—

Mr. Singer: The Premier was out of order too.

Interjections by hon. members.

Mr. Nixon: I would bring to your attention, sir, that it is customary for the Chairman to permit the leaders of the parties to inform you, sir, that they are going to contest the ruling, and to state their reasons on the record. I ask for your indulgence for just a few moments so that

I may bring to your attention, sir, that it was stated by the minister himself that he had every intention to make these loans available, and all we are doing is putting into this Act, specifically what he said he intended to do. We are further putting into this Act the requirement for other points giving him the power to take action in the courts in support of these fishermen.

I would submit to you sir, that it is out of order, and, in fact, that you are doing a disservice to the fishermen and the payers of the province.

Mr. Chairman: The question then, is whether the Speaker's ruling—the Chairman's ruling is in order.

The committee divided on the Chairman's ruling, which was upheld on the following vote:

Clerk of the House: Mr. Chairman, "ayes" are 47, the "nays" 32.

Mr. Chairman: I declare the Chairman's ruling upheld.

Mr. Nixon: What assurance can the minister give us that fishermen, other than those normally working in Lake St. Clair, will have the right to apply for these loans? Is Lake St. Clair covered.

Hon. Mr. Brunelle: Mr. Chairman, the record reads that these loans—I know the hon. member is familiar with this—but I will read it:

The minister on behalf of Her Majesty the Queen in right of Ontario may make loans, with or without interest, in

amounts and upon such terms and conditions as he considers appropriate—

**Mr. Nixon:** Mr. Chairman, we cannot hear.

**Mr. Chairman:** Order, please. There are too many side comments in the Legislature; we cannot hear the speakers.

**Hon. Mr. Brunelle:** Quoting:

—to a person carrying on the business of commercial fishing, or any other business dependent in whole or in part on the taking of fish from waters in which such taking has been prohibited by reason of the contamination of fish resulting from pollution of the waters.

On April 17, Mr. Chairman, I announced that at Lake St. Clair, the two adjoining rivers, and Clay Lake and part of the Wabigoon, commercial fishing was banned. On Friday of last week, I announced the banning of further areas. So, therefore, all these areas where it had been announced that commercial fishing is banned are eligible for loans under this Act.

**Mr. Nixon:** Mr. Chairman, the operative section is section 5. It comes into force on April 20. This is to that extent retroactive. In section 2 it says "have been banned". The banning for those waters was not operative on that date.

**Hon. Mr. Brunelle:** The date of April 20 is the date that applications commenced to be taken; that is the date. This legislation is retroactive.

**Mr. Nixon:** But it will cover Lake Erie. Can the minister give us his personal assurance it will cover any of these waters in which the fishermen are going to be affected?

**Mr. D. A. Paterson (Essex South):** Any species?

**Mr. Nixon:** Without regard to species or the lake or the river?

**Hon. Mr. Brunelle:** It will cover, Mr. Chairman, those species of fish that I announced in the Legislature on two different occasions.

**Mr. Paterson:** But it does not cover perch?

**Hon. Mr. Brunelle:** With reference to perch, Mr. Chairman, at the present time the federal government, as hon. members know, has a price support policy. This varies between 10 and 12 cents. So there is at the present time a price fixed for perch.

**Mr. Paterson:** But this mercury scare driven the price down 50 per cent.

**Hon. Mr. Brunelle:** And at the same time and again this is a legal matter—my understanding is that there is nothing to prevent the fishermen who are fishing for perch in Lake Erie and who feel that they are suffering undue losses, from taking legal action against the polluters.

**Mr. Singer:** But they cannot get a loan?

**Mr. Chairman:** The member for Brantford?

**Mr. M. Makarchuk (Brantford):** Can the minister indicate what provisions have been made for the employees of various commercial fishing establishments, people involved in manufacturing fishing tackle, people working in fish processing or packing plants? And also have any provisions been made for individuals who work in fishing lodges, for example, cooks or waitresses? Would they be in any position to receive assistance from the government under the wording of the bill right now, if some aid will go directly to businesses and they can do what they want with it. In most cases they will retain it as operating capital to pay off their current debts. But individuals who will be put out of work will not benefit from this measure.

**Hon. Mr. Brunelle:** Mr. Chairman, one has to be optimistic. I said before in this House we are very optimistic that some of the areas that have been banned for sport may have the ban lifted. At the present time the health authorities in Ontario, in consultation with the federal government and the authorities in the other provinces and our counterpart in the United States, are looking at this question.

I am hoping in the near future that it will be possible to lift the ban on sport fishing. Therefore this would mean that there would be a considerable amount of fishing opportunities and that it would not be necessary to contemplate what you are saying. We do not anticipate that there will be a considerable amount of layoffs.

**Mr. Makarchuk:** Mr. Chairman, surely the minister realizes that layoffs in the fishing industry are going on now; that people in some of these processing plants are being laid off. The member for Sandwich-River gave an example the other day where people working in a tackle manufacturing shop had been laid off at the moment. What you are saying is this will happen some time in

future. This is all nice and well that it will happen in the future. I am glad you feel optimistic, and I hope your optimism is justified. But, in the meantime, these individuals have no income. What are you going to do about it?

**Hon. Mr. Brunelle:** Mr. Chairman, again I should mention that we did not act on our own. This is an agreement with the federal government. We took their advice and we consulted them. Also, I am optimistic about people who work in a tackle factory. Surely when they manufacture tackle, they do not manufacture tackle for Lake St. Clair only; they manufacture tackle for the whole province, if not for the whole country. You have to look into the whole concept of this.

**An hon. member:** That is why we do not get into it.

**Mr. Peacock:** How are you going to find out?

**Hon. Mr. Brunelle:** Also, should someone be laid off—and we hope not—there are other forms of compensation. There is unemployment insurance and there are other social benefits that are available.

**Mr. Peacock:** Mr. Chairman, surely clause 2 is the operative clause of the bill. In the face of the Prime Minister's refusal to allow this House, with deference, sir, to your ruling, to discuss the financial intentions of the government in clause 2, and with no idea before us as to whether clause 2 countenances forgiveness for the loans, we are going to have to perfect the wording of the statute to the best of our ability; because the minister has yet to indicate, and probably will not, that he is going to seek an amendment to have the Lieutenant-Governor empowered to make regulations.

If this is not forthcoming, Mr. Chairman, on clause 2 and on every other clause of the bill, we have got to make sure that the wording of the bill is perfected, so that we know exactly who is going to be caught—and I use the analogy that we are dealing with—by the net that this minister is throwing. So far, from what I can see, the bill is full of holes. All kinds of people are going to be left outside. The minister has no more idea as to who is caught by the provisions of clause 2 than I have. All the various people that we have been talking about in the debate on second reading, and again today, will be coming with cap in hand to stand outside the minister's door, without any idea as to whether they are eligible or not.

**Mr. Singer:** And they will have no legal rights.

**Mr. Peacock:** Surely, Mr. Chairman, some point the minister is going to tell now as to who is to be compensated under clause 2. Is it to be the owners of the fishery operations? Is it to be the owners of the packing operations? Is it to be the employees? Is it to be the shareholders? What portion of the productive work force of those engaged in the tackle industry will be affected?

For example, he says, the tackle manufacturer is not making tackle only for Lake St. Clair. Very likely, he is not. But if his business is affected in some manner by the closure of the fishery in Lake St. Clair, any other waters where the minister has prohibited fishing, some portion of the tackle manufacturer's operations is going to be adversely affected and how is the minister going to find out which portion? Is the Minister of Labour (Mr. Bales) going to do this through the manpower services of his department? Is the Minister of Energy and Resources Management (Mr. Kerr) going to do it with the help of his engineers in sewerage and waste treatment? Who is going to do this?

I say we have here a bill before us and we cannot perfect the wording of clause 2. If we do, as we go, in the face of the absence of regulations, we are not going to be able to provide any reasonable assistance to the people who are being affected.

**An hon. member:** Who does he mean "others"?

**Hon. G. A. Kerr** (Minister of Energy and Resources Management): You did not listen to the minister's statement last week.

**Mr. Nixon:** The minister has said that the perch fishery will not be covered. His statement further was that these people have no recourse to the courts and they can sue the polluter. I think this is a point that we have made on this side very strongly since the beginning of this crisis. That is, the government has to do more than just say, "You have your rights to sue the polluter."

I do not want to go into the arguments now as to why the government should carry on this suit on behalf of those affected. I do want to say this—the minister does not seem to be aware that 85 per cent of the fishery in Lake Erie is a perch fishery. It has been grossly affected by the pollution and the scare associated with the pollution. Even with the federal marketing board provisions that are going to suffer and should be eligible for assistance under this Act.

If the minister persists in refusing to amend it so that its scope is broadened, then it is unsatisfactory. For that reason, Mr. Chairman, I would propose the following amendment, which I hope you will find in order and which is specifically extracted from the broader amendment, some sections of which you objected to a moment ago:

Mr. Nixon moves that section two be deleted and following section two be placed in the bill:

The minister, on behalf of Her Majesty the Queen, in right of Ontario, may make loans with or without interest, in such amounts and upon such terms and conditions as he considers appropriate to a person carrying on the business of commercial fishing, or any other business, dependent in whole or in part on the taking of fish from waters in Ontario in which taking has been prohibited, or such business adversely affected by reason of the contamination of the fish resulting from pollution of the waters.

I put this motion for your consideration, Mr. Chairman, and I believe that it covers the problems that we face.

**Hon. A. Grossman** (Minister of Correctional Services): I submit, Mr. Chairman, that this is also out of order for the same reason as the previous one.

**Mr. Singer:** What reason?

**Hon. Mr. Grossman:** Because you are expanding the possibility of the amount of money the government will have to expend.

**Mr. Singer:** He never said a thing about money.

**Hon. Mr. Grossman:** That is the import of the amendment. The broadening out—possibly broadening out the amount of money which the government will have to expend.

**Mr. Singer:** Mr. Chairman, on a point of order.

Surely if the government says it is going to make grants to 10 municipalities, on a certain formula, and we say it should be to 11, that is not out of order?

Interjections by hon. members.

**Mr. Singer:** Mr. Chairman, the only—

**Mr. Chairman:** Order! order, please! The same objection applies to this one as applied to part of the first amendment in that it does

broaden the number of people proposed to be covered—

**Mr. Peacock:** That is not what we are talking about!

**Mr. Chairman:** Order, please; order!

You may propose this and discuss it with the minister, but it is not appropriate to propose an amendment to this effect.

**Mr. Singer:** Mr. Chairman, what you are saying in effect is that all amendments are out of order; if we want to change anything that we cannot do it.

**Mr. Chairman:** No, no!

**Mr. Singer:** We are suggesting, Mr. Chairman, if you will look at this, the additional words, "or such business adversely affected by reason of contamination of the fish resulting from the pollution of water."

Interjections by hon. members.

**Mr. Chairman:** Order; order please!

This amendment would broaden the amount of payment and the amount of payment to certain amounts.

**Mr. Singer:** Any amendment broadening the scope of legislation.

**Mr. Chairman:** The Chairman could not say out that it is appropriate for you to urge the minister to change it; but it is not appropriate for the private member to increase the spending.

**Mr. Singer:** Oh, you are so wrong. You are absolutely wrong!

That amounts to a muzzling of the legislature. Terrible! I have never heard of such a ruling.

**Mr. Chairman:** Order, order please! Member for Windsor West.

**Mr. Peacock:** The Minister of Correctional Services has raised a point of order. I do not believe members had an opportunity to speak to that point of order before you made your ruling, sir, but I believe at the introduction of this bill—

**Mr. Chairman:** The Chairman was in the process of making a ruling.

**Mr. Peacock:** Well, I appeal your ruling, Mr. Chairman, and if I am appealing it

**Hon. Mr. Wishart:** Okay, you have the right.

Mr. Peacock:—I am entitled to say why. I believe you have not made the distinction you are required to make in looking at the amendment now before you, the amendment moved by the Leader of the Opposition was against the motion that he made earlier.

Mr. P. D. Lawlor (Lakeshore): Hear, hear!

Mr. Peacock: At that time—

Mr. Chairman: Order, please!

Perhaps the Chairman might just explain very briefly. This is a money bill and any amendment proposing the enlarging of the spending of the moneys is, I am advised, out of order.

Mr. Singer: Where does the Chairman get those ideas?

Mr. Peacock: May I be permitted, would the Prime Minister perhaps permit? The bill now before us in committee was preceded by a financial resolution—

Mr. Chairman: Order!

The Chairman makes the rules. The Chairman made the ruling—

Mr. Peacock: I regret, the Chairman does not make the rules.

Mr. Singer: The House makes the rules, not the Chairman. You are here to interpret the rules, Mr. Chairman.

Mr. Peacock: You do so with the assistance of members from both sides of the House.

Mr. Chairman: I have had a great deal of advice from all quarters and it is still my conclusion that this is a money bill and that this proposed amendment would widen the number of people that could conceivably be involved, an amount of money would be involved there and therefore it is not in order to move an amendment.

Mr. Singer: Mr. Chairman, rule 86 does not say anything about widening it; it says "specifically directing." There is quite a difference between "widening" and "specifically directing." We are suggesting that there be other considerations. We are suggesting that the legal interpretation, so called, put on it by the Minister of Lands and Forests is wrong.

Mr. Chairman: Order, please!

Mr. Singer: We suggested, when the Attorney General brought in the bill for the compensation to victims of crime, that he was wrong. It took several court decisions—

Mr. Chairman: Order, please!

Mr. Singer:—to force that admission.

Mr. Chairman: Will the member take seat?

Mr. Singer: It is pretty obvious that the minister is wrong and that you are aiding and abetting him in preventing us from proceeding further with this amendment.

Mr. Chairman: Order, please!

Mr. Singer: No, I think you are all wet.

Mr. Chairman: Order, please! I said the motion was out of order. You may discuss it, which is perfectly in order, but a motion to enlarge the amount of spending is out of order.

Mr. Singer: I am not enlarging the amount of spending.

Mr. Chairman: Are you appealing the ruling?

Mr. Peacock: I am told I cannot say anything more than that. I would like to if you would permit me; I was in the process of attempting to do so. I sat down each time you called to order; may I proceed?

The bill has been preceded by a financial resolution of the Crown and it says the moneys required for the purposes of section of the Fisheries Loans Act, 1970, shall be paid out of the consolidated revenue fund. It does not set a minimum. The financial resolution before us that we have adopted does not impose any sums, or particular amounts, on the expenditures envisaged by this Act. It is as simple as that, Mr. Chairman. That resolution is again enacted in clause 5 of the bill.

I submit to you, according to Erskine May we are not enlarging the provisions of financial resolutions (c) of this bill in committee, or clause 5. If you will consult Mr. Chairman, you will find on page 803, 805, a discussion of the latitudes which private members or ministers themselves are permitted in discussing the financial initiative of the Crown. I submit you are not infringing on that initiative in this instance, in the amendment that the Leader of the Opposition is putting forth.

We are not imposing any charge—I do not agree with you—in increasing the expenditure out of the consolidated revenue fund. We are simply saying to the government, these are the classes of persons which you should con-



sider for the expenditure. In that respect, Mr. Chairman, I submit to you we are not in violation of the rules.

**Mr. Chairman:** My ruling is made on the fact that it is broadening the classification beyond which the government intended originally, and therefore would automatically increase the amounts of money to be spent. I hope I have made myself clear.

**Mr. Singer:** Mr. Chairman, may I speak a bit more to that point of order?

If the government, in their wisdom, are determined that they are going to allocate \$10,000 for this purpose and they decide to divide it into 10 shares of about \$1,000 each, that is the government's decision and that is what the bill says. On the other hand, if they decide to divide it into 100 shares of \$100 each, that is the same kind of decision—that is not increasing the expenditure or directing the expenditure.

**Hon. Mr. Grossman:** The same thing.

**Mr. Singer:** Mr. Chairman, if you will look at that section, the complete and absolute discretion is left for the government as to how much money they are going to spend and how they are going to spend it; whether they spend it within the terms of the amendment or whether they spend it within the terms of the bill as originally presented.

Now we are not increasing the amount because we have no power over the discretion, nor have we suggested it nor are we directing the manner in which it be done. We are suggesting that the minister be able to broaden his scope if he wants to. If you look at rule 86 which refers to any bill, resolution, motion or address the passage of which would impose a tax, we are not imposing a tax. The words are, "specifically direct the allocation of public funds". We are not specifically directing the allocation of public funds. Those are the two criteria, neither one of which have we run afoul of.

I say, sir, the basis of your ruling that this amendment is out of order escapes any reason that I can bring to it.

**Mr. Chairman:** The ruling is not debatable, but I should explain that in my opinion it is directing the expenditure of government funds.

The committee divided on the Chairman's ruling, which was upheld on the following vote:

**Clerk of the House:** Mr. Chairman, the "ayes" are 48, the "nays" 30.

**Mr. Chairman:** I declare the Chair ruling upheld. So section 2 stands as per the bill.

The hon. Leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, I quote page 1388-2 of the uncorrected draft *Hansard* April 30, 1970. The hon. minister of Energy and Resources Management is speaking said:

I think the wording of the bill would certainly, that although the reference in the bill may give a wrong impression, that these are advances that are being made to the fishermen and that the reference to re-compensating the government is the event that the fishermen themselves are suing in collecting against the polluter or polluters."

The argument has been put several times that the bill should contain the right given to the minister specifically to forgive the loans. Ever since the bill was brought forward for any discussion about compensation was brought forward, it has been the understanding of the government concerned that, in fact, these are not loans. That, in fact, these are advances and if they are received by the fishermen or by the government on behalf of the fishermen from the polluters by way of court action, there would be some transference back into the consolidated revenue fund.

I believe the bill should have some reference to the power that the government has and the minister must have to forgive the loans. I do not know how he can do it if he has such powers. Mr. Chairman, you have indicated previously that an amendment have put forward you consider to be out of order. I had moved that the minister on behalf of Her Majesty the Queen in right of Ontario, may forgive the whole or any part of any such loan upon such terms and conditions as he considers appropriate.

This was one area of the original ruling that you referred to in ruling it out of order. I do not intend to put it forward again. I would say that I feel most definitely that the minister and his advisers should have moved forward with an amendment that makes the ruling clear. If he is not prepared to do so, then the record of *Hansard* will give a reason if such logical reason exists.

I see the Attorney General paying attention to this point. He might be able to give some assistance and I ask the government for a clarification.

**Hon. Mr. Kerr:** Mr. Chairman, very briefly speaking to that, it is my understanding that before the section of this particular bill was drafted a meeting was held with some of the representatives of the com-

to which the hon. minister, my colleague, the Minister of Lands and Forests, referred to in his statement at the time of the introduction of this bill, and, with some legal representation from the fishermen themselves.

They had indicated that this was the type of wording they preferred so that it would not, in any way, preclude their right, over and above any advances or loans made, to take action against the polluter or polluters. As the hon. Leader of the Opposition has indicated in the amendment that was rejected, there has to be wording that will not, in any way, prejudice their rights over and against the polluters. It is the feeling of those who are responsible for the drafting of this legislation that it gives such wide powers to the minister that he has, in fact, the power to forgive any of these loans that are made to fishermen in the meantime.

On that assumption, and in view of the fact that there are no regulations, I assume, Mr. Chairman, that in the event that the fishermen or any of the claimants do not collect, there is the power not to require the money to be paid back to the government.

**Mr. Nixon:** Where does that power lie?

**Mr. Singer:** Where can you find it in the legislation?

**Hon. Mr. Brunelle:** You will find it if you look.

**Hon. Mr. Kerr:** Mr. Chairman, section 2 is quite broad—

**Mr. Nixon:** Very broad.

**Hon. Mr. Kerr:** —and the minister may make loans with or without interest in such amounts and upon such terms and conditions as he considers appropriate to a person and so on. It is quite broad, because the power is there.

**Mr. Nixon:** Mr. Chairman, I cannot put the amendment forward again. There is no point in so doing, but since the minister has given this commitment we have some substantial doubts on this side. We do not want, three years from now, the government to be in an argument with the fishermen over what their responsibilities are to repay. That brings me to the next section.

**Hon. Mr. Grossman:** I am glad you realize we will be in power three years from today, too.

**Mr. Nixon:** You are a great help. All right, you got your money yesterday, that is why

you are feeling so buoyant. His vote passed last week. What was it, \$30 million \$50 million?

The other point that really follows w the hon. Minister of Energy and Resou Management has said is that this is going depend to a great extent on the legal act that are undertaken.

We, on this side, are offended that government is still prepared to leave the sponsibility with the fishermen to under these actions. The Attorney General has b holding off for a good long time on just w the government's involvement would be. further amendment that I propose to you, which I believe would be in order and I prepared to put it again unless we have s tstantial undertaking on the part of the g ernment, refers to the responsibility of minister or the Attorney General to under legal action on behalf of the fishermen on behalf of the people of Ontario. Es tially, that is the way it would be.

Earlier today, when there were some q tions raised about this matter, the Attor General gave some indication that he m be prepared to give a legal opinion and might be a suitable time to do so. He n not have all the papers here, but I think before we proceed further we should I from the Attorney General as to just w role the province is going to take in legal actions which should result in th loans being repaid by the polluters if, in f they are found guilty of the pollution has been alleged is their responsibility.

**Hon. Mr. Wishart:** Mr. Chairman, I h first of all let me say, some serious rese tions about making public to this House much as I respect the members of this Ho an opinion of the magnitude of this ma and the complexity of this matter at this ti Perhaps it might set at rest, to some ext the concern of the members opposite if I that my opinion has been rendered to to my colleague, the Minister of Lands Forests, and to my colleague, the Mini of Energy and Resources Management. T have my opinion. It is a very stud thorough opinion; I think there are some pages of opinion going into the matter great detail.

I do not think it is wise for an Attor General to stand in the House on a ma of this kind and say, "These are the c siderations; these are the possibilities; th are the assumptions, on which you must b an opinion". I do not think that is helpfu

the case of either those private litigants who may go forward later; or to the government, should it decide to take action; or to the federal government should we decide to work in co-operation with them.

One would, in expressing detailed opinion, have to say, "These things would be basic; these would be assumptions on which we would base our opinions." To what extent, for example, has pollution been caused? Who are the polluters? How far can this be proved? And so on.

I could mention two or three principles which, I think, are generally well known and accepted in our law. There is no right, I think I may say this definitely, to take an action for damages unless it is based on the question of proving the damage. It may succeed only to the extent that damage is proved. The right exists to take action, and a government claiming damage would have to prove its damage.

There is no right to assign an action of personal damage, as is well known to the legal profession; an action *ex delicto* of damage cannot be assigned in the province, and no one can stand in a position of subrogation to that person. We have that exception in our insurance law by statute. The negligence, yes, or where the damage is resulting from negligence.

On the question of injunction, I am only going to touch these points, because as I say deliberately, I do not think it is wise to reveal the detail and the intricacies of an opinion, I do not believe it is proper to make this public at this time.

On the question of injunction, there is perhaps the right—I think definitely the right—to bring an injunction to prevent the doing of a negligent action, but that is perhaps something we can consider. I do not know that it would help the person who has lost or suffered damage at this time.

That is all I want to say, for the reasons I have indicated.

Something has been said in this House before about the state of Ohio taking action. We have investigated that, as I indicated we were doing, and my understanding is—I have not got written information yet—that an action has not been commenced in the nature of an action claiming damage with the state of Ohio, nor has the state of Ohio acted to support individuals taking action.

There is, apparently, in the law of that state, a provision that a special court may be constituted to consider what may be an

extraordinary situation. So far as I am to say at this moment, it would seem to be something in the nature of a royal commission—what we would call a royal commission—a commission-type of hearing, tribunal or court, and a motion has been made to set up such a court. That is an action which has been bruited abroad, being a suit by the state of Ohio against the polluters.

**Mr. Nixon:** Did that court make an order? I suppose it is not too far off, then?

**Hon. Mr. Wishart:** I do not have the complete details. I do make it clear that I do not understand no action has actually been commenced by the state of Ohio, but a motion has been made to establish, or to constitute, this special tribunal to hear this confused, abstruse and difficult emergency case.

So that, I think, Mr. Chairman, in my deliberation, is all I should say. I do not believe it is wise or proper or helpful to make public an opinion and the basis of it, which that opinion is arrived at.

I hope that hon. members will support that that would not be helpful to those persons who have suffered damage. It would be helpful to the province, in whatever a way it might decide to take, or to anyone concerned, if I were to give all the considerations which entered into our decision in arriving at the opinion I have presented to my colleagues.

I think I must be in a position that I am not my clients, if I am to regard myself as the adviser. As law officer to the Crown, I have advised my colleagues, who are my clients, and that opinion will have to be given with them, at least for the moment.

**Mr. Nixon:** Mr. Chairman, I was interested to hear the Attorney General's views. I would say that I cannot support the contention that he puts forward, that that opinion must be kept secret within the walls of the cabinet.

Surely in the years that lie immediately ahead, actions of this type will be considered time and time again where the people of the province must depend upon their lawyers to enter into suit on their behalf, in cases such as this. My own view is that this bill should have provided grants and it would be the responsibility of the government, through the advice of the Attorney General, to enter into a suit against those who were alleged

responsible and recover the sums—and perhaps even greater, far greater sums—when, in fact, the damages would affect a good many people who would not be in receipt of awards.

I am surprised that the Attorney General feels that in a matter of this momentous concern—not only in this specific case but in future cases which are bound to come before this House and before the administration—he could feel he could not make public, once and for all, a legal opinion that would be among the papers of the House and available for discussion on this particular matter and on similar matters as they arise in the future.

I think it would be of great value to industries that might be considering their own positions, saying: "Now how is the government going to deal with Dow? Are they afraid to come forward and enter into a suit? Are they unsure about injunctions?"

The point that concerns us in this particular bill is that it appears that the Attorney General is not sure that his colleague, the minister, or even he himself, has the right to proceed in court against the alleged polluters. This has not been made clear.

For that reason I feel the bill should have an amendment which has at least the intention of giving this right without equivocation. You may rule, sir, that it would involve the expenditure of public funds. Perhaps I am defending myself before a possible ruling, but the Attorney General surely has equipment and knowledge and people available to him without any new expenditure to enter into a case of this type.

I would therefore move, Mr. Chairman, that added to section 2 would be the following words:

The minister, on behalf of Her Majesty the Queen, in right of Ontario, may undertake and conduct and participate in or assist in any claim made in any court of Ontario by any person carrying on the business of commercial fishing or any other business dependent in whole or in part on the taking of fish from the waters of Ontario upon such terms or conditions as he considers appropriate.

**Hon. Mr. Wishart:** Mr. Chairman, I wonder if I might, before you put the motion—

**Mr. Chairman:** I think perhaps I should put the motion before the House first.

**Mr. Nixon moves that:**

The minister, on behalf of Her Majesty the Queen, in right of Ontario, may under-

take and conduct or participate in or assist in any claim made in any court of Ontario by any person carrying on the business of commercial fishing or any other business dependent in whole or in part on the taking of fish from the waters of Ontario upon such terms or conditions as he considers appropriate.

**Hon. Mr. Wishart:** Mr. Chairman, in remarks of the hon. member, the Leader of the Opposition, he, I think, demonstrated exactly what I was saying as to my reluctance and my deliberate reason for not stating a full opinion to this House. In the course of his remarks he said, "It would appear the Attorney General is unsure, uncertain as to what success might be achieved."

This is the very point, on which as I have said, reveals the thinking and the considerations which go into the framing of and arriving at an opinion, one can perhaps play into the hands of one's opponent. A lawyer, conducting a case—

**Mr. Nixon:** I am only thinking you should make the law.

**Hon. Mr. Wishart:** Well that may be to pass new laws.

**Mr. Nixon:** You are not acting for a case.

**Hon. Mr. Wishart:** That may be if we have new laws. What I am saying is the law as it stands. I find it is that you do not, in advising a case, tell your opponent what your thinking is on the basis on which your case is or any weakness or any strength of your case. That is something you do not reveal.

If the hon. member has a motion now before the House, that is another matter, but I will give my opinion on the law as I find it at the present.

**Mr. Nixon:** All the more reason then for going out and supporting this amendment.

**Hon. Mr. Wishart:** All the more reason to reveal our thinking—not to reveal our strength or our weakness or the basis on which we arrive at our opinion. Surely that can be clear?

**Mr. Nixon:** It would be clear if you were acting for some small concern in Sault Ste. Marie, but it is not clear on these sort of things.

**Hon. Mr. Wishart:** Every citizen, as the hon. member said, has a right to get advice from his lawyer. The Attorney General's role is not ordinarily to intervene

civil matters and advise citizens of their rights. That is the right of a citizen—to go to his lawyer and get advice, and that right is available.

The minister, my colleague, in this bill as he presents it, will make loans which will be of assistance in that action. But if we were to say, as the hon. member was urging a few moments ago, that we will make money available for a specific purpose of carrying on action, that, I think, surely as my lawyer friends in this House will say, would be champerty or maintenance. To say openly, "we will give you money, now you go ahead and sue and we will support you in that action," I think is something we could not contemplate doing.

**Mr. Nixon:** What are you going to do to help?

**Hon. Mr. Wishart:** The next point I would make is if you go that far, at what point do you draw the line? To how many people, who may have met difficult circumstances, through one circumstance or another, do you say: "We will loan you money and you go ahead and sue?"

I think this is outlandish, if I may use the term. You cannot put that in legislation. You cannot take that attitude. Government, I think, could never go so far as to encourage—

**Mr. Nixon:** You just need one case.

**Hon. Mr. Wishart:** —someone to sue and say: "We will give you money if you will sue the person you think has caused you damage."

**Mr. Nixon:** You have the power to do it.

**Mr. Peacock:** That is not a condition of that—

**Hon. Mr. Wishart:** The language of the previous amendment was such—I think, Mr. Chairman, I need say no more on this.

**Mr. Chairman:** It seems to me that this particular motion would be out of order on the basis that, first of all, it would involve the expenditure of funds by participating in this claim.

Second, as pointed out by the—

**Mr. Nixon:** He has to pay his lawyers anyway. That is exactly the point.

**Mr. Chairman:** —hon. Attorney General, it would place the province in the position of being the litigant, and I therefore rule the motion out of order.

**Mr. Singer:** Mr. Chairman, may I speak your ruling?

The Attorney General has a substantial staff of legal advisers, some of whom are solicitors, some of whom act as counsel, and some of whom appear in courts. There is a suggestion in that amendment that he employ any new staff, merely that he participate in or conduct or assist in litigation that may be placed. And he can do that amply within the present budget and amply within the limits of his present staff.

There is no suggestion that he go out and incur any expenditure at all. It would be to me that is quite in order.

I would say, sir, since the Attorney General made such a point about champerty or maintenance, that the very purpose of putting this amendment forward is to change the common law in these unusual circumstances as we have the power to do to allow the Attorney General to participate on behalf of those people who are aggrieved and who do not properly defend themselves.

Picture, if you may sir, an individual firm taking on the giant industrial corporation of Dow and the lack of ability he must have in trying to cope with that giant in a courtroom. That is the purpose of this amendment. This is perhaps turning the ground perhaps changing the common law in a particular instance.

But I see no basis, sir, on which to involve any new expenditure of public moneys. This is a new idea, but it does not involve the expenditure of public moneys. Therefore, I would ask you to seriously reconsider your ruling.

**Mr. Chairman:** I must say that it appears to me the motion would involve the expenditure of public funds as to its first point, mentioned. I have had concurrence of legal advice in this, and I therefore rule the motion out of order.

Now the ruling is not debatable but it may be challenged.

**Mr. Lawlor:** Well Mr. Chairman, may I speak in general to the—

**Mr. Chairman:** No, the ruling is not debatable.

**Mr. Lawlor:** I am not debating the ruling.

**Mr. Chairman:** I have ruled that the motion is out of order, therefore it shall not be debated.

**Mr. Nixon:** Mr. Chairman, for reasons we have put forward we believe this

essential adjunct to this bill if it is going to perform the service that we feel it must render these people. We therefore challenge your ruling, with respect.

**Mr. Chairman:** All those in favour of the Chairman's ruling, will please say "aye".

Those opposed, will please say "nay".

In my opinion, the "ayes" have it.

Shall section 2 stand as part of the bill?

**Mr. Nixon:** Mr. Chairman, further to section 2, since it really is the operating section we are concerned with the wide-ranging powers this gives the minister. On almost every objection we have brought forward, the minister or his learned colleague has been prepared to say: "Oh, that is included."

**Hon. Mr. Grossman:** What is the leader looking at me for?

**Mr. Nixon:** His learned colleague said a few moments ago—and I do not mean the Minister of Correctional Services—that even though the side notes were incorrect, the principle of the bill would permit the government to take forgiveness measures, so that the power appears to be there even though it is not present in the wording of the bill.

While the hon. Minister of Correctional Services may think I am looking at him, I am looking at his colleague who has the carriage of this bill, if he would just relax for a moment.

**Hon. Mr. Grossman:** I just like to see the leader smile at me.

**Mr. Nixon:** I do not know what turns the minister on today, but I wish he would relax.

There are at least two areas of continuing concern. The Minister of Energy and Resources Management makes a face when I say there are too many powers in there. The point I am making is nobody knows what the powers are, including the Minister of Energy and Resources Management, who made that ridiculous statement on second reading having to do with the side references—that the side references in the margin may give the wrong impression, and he then went on to tell us what the bill really meant.

It appears, Mr. Chairman, that the bill can mean whatever the learned colleague of the Minister of Lands and Forests appears to read into it for the purposes that he sees fit

to cover up the problems he is experiencing as Minister of Energy and Resources Management.

Now we can put forward, in an amendment, two further safeguards. I do not think they are important safeguards in the sense that they would direct the money the way we feel it should be directed, but they would call for a report of the minister. I think this is essential, because this minister may not react as the Attorney General has reacted and say that in matters of delicacy the Legislature should not know about the exchange of funds and the forgiveness of loans we may be tempting other ministers to ask for similar assistance.

Essentially this is the argument the Attorney General has given, that he wants to keep the dealings in secret. We feel that this legislation should not be permitted to pass with the vague, nebulous powers, great though they may be, for the minister, at his own discretion, to lend moneys without having to report to anybody.

For that reason we have specified in the original amendment, which I intend to bring again, that there should be included a requirement to make a full report of the considerations resulting in loans and forgiveness within 10 days of the decision having been taken, or in a reasonable period of time allowing the Legislature's convenience.

**Hon. Mr. Kerr:** Ask a question in the House and we will give you a report. I will find—

**Mr. Nixon:** The minister has interjected. I have been asking questions about the bill in position for at least a month. We have been asking for the constitutional objections to the Canada Water Act for at least a month and we still have not got them.

Now it is no good for the Minister of Energy and Resources to say, "Ask a question." I believe that a minimum safeguard on this bill should be the legal requirement that the minister make a report to the House. If we are not prepared to accept the reasoning put forward by the Attorney General that the minister should not know that this is a negotiation with the fishermen or with the industrial planters over which public knowledge should have no place.

**Hon. Mr. Wishart:** Mr. Chairman, I will ask the hon. member not to misquote me and misinterpret my words.

**Mr. Nixon:** That is the interpretation I got.

**Hon. Mr. Wishart:** I must straighten out his thinking. It was not because things were under negotiation at all. It was simply that in the interest of those very people, the considerations which a lawyer has to take in account in arriving at an opinion should not be known, particularly to the person he intends to take action against.

**Mr. Singer:** You do not intend to take action against anybody. You told us you could not.

**Hon. Mr. Wishart:** I do not talk about myself alone; I say for the protection of those people, if they have a right of action, it would be in their interest that I should not reveal all the considerations which go into the opinion. It has nothing to do with negotiations; nothing to do with uncertainty. It is simply for the protection of those people that the opinion should not be made public. Surely that can be understood?

**Mr. Nixon:** Yes, right. I will tell you that there is one other concern in this bill besides the fishermen. We are concerned deeply with the fishermen and we want to have royal assent to the right that the minister is seeking to send out the cheques, but we are also concerned with the taxpayers. There are a few of those around, and they are going to be deeply concerned that we are giving the minister and his legal adviser there, the right to pay out funds, *carte blanche*, without a report and without any limit.

That is why I put forward the following amendment to section 2, that added to the wording of section 2:

That where the minister takes any action under section 2 within 10 days of so doing, or at the first appropriate time after a renewal of the session of the Legislature, he shall table a report in connection with such action and set out clearly in such a report the basis of the terms and conditions he considers appropriate in taking any such action; and that the powers herein contained shall continue until December 31, 1971.

This surely sets a time limit during which he can provide the funds that may be necessary in his judgement. But surely, by the end of that time, if he is not prepared to bring in general legislation to cover circumstances which I am afraid are going to become substantially a continuing crisis associated with pollution, he should have the powers removed from him, pending a redrafting of the bill.

**Hon. Mr. Crossman:** Not very well thought out amendment.

**Mr. D. C. MacDonald (York South):** Like the bill.

**Mr. M. Gaunt (Huron Bruce):** The bill not very well thought out.

**Mr. Chairman:** Mr. Nixon moves:

That where the minister takes any action under this section he shall, within 10 days of so doing, or at the first appropriate time after renewal of the session of the Legislature, table a report in connection with such action, and set out clearly in such a report the basis of the terms and conditions he considers appropriate in taking such action; and the powers herein contained shall continue until December 31, 1971.

I believe the motion is in order.

**Hon. Mr. Brunelle:** Mr. Chairman, I believe that this amendment would not be carried because I do not think it is necessary. I have in my hands, Mr. Chairman, a copy of an agreement with the federal government whereby a technical committee of senior servants of both the federal and the provincial governments has been formed. The Leader of the Opposition says that we have *carte blanche*. We have not got *carte blanche*. Certain sums of money have been agreed upon and we have agreed to supply—

**Mr. Nixon:** These are not in the bill.

**Hon. Mr. Brunelle:** It is \$250,000 to fishermen—

**Mr. Singer:** The sum is not in the bill.

**Hon. Mr. Brunelle:** This is in the amendment. I would be pleased, Mr. Chairman, to table this agreement—

**Mr. Nixon:** It is not in the bill.

**Hon. Mr. Brunelle:** Have you no faith in the federal government? Have you no faith in this government?

**Mr. Nixon:** No, that is right.

**Hon. J. R. Simonett (Minister of Pulp and Paper Works):** No, he has no faith in the federal government either!

**Mr. Nixon:** You are a very strange apologist for them.

**Hon. Mr. Brunelle:** This technical committee has been formed—

**Mr. Nixon:** We could not care less about the technical committee.

**Hon. Mr. Brunelle:** The sum of \$250,000 has been allocated to the fishermen, \$100,000 to the camp operators—

**An hon. member:** You fellows are just playing politics and we know it.

**Hon. Mr. Brunelle:**—and \$350,000 to the bait dealers, to be shared on a 50-50 basis between the governments.

**Mr. Singer:** Why did you not tell us that before?

**Hon. Mr. Brunelle:** Read *Hansard* of April 17 and *Hansard* of last Friday, whatever date it is.

**Mr. Nixon:** It is not in here.

**Mr. MacDonald:** It does not even make reference to it.

**Hon. Mr. Brunelle:** Oh, yes, I do. In section 3, Mr. Chairman, the minister, on behalf of the province of Ontario, enters into agreement with the government of Canada.

**An hon. member:** Can you tell us where it says that?

**Hon. Mr. Brunelle:** I do, in section 3.

**Mr. Singer:** But you tell us you already have an agreement.

**Mr. Nixon:** You will have another next week.

**Hon. Mr. Brunelle:** Mr. Chairman, I believe that the poor fishermen are there waiting for their cheques and I think that the sooner we pass this bill the sooner we will provide assistance to the fishermen who need it badly.

Interjections by hon. members.

**Mr. R. F. Ruston (Essex-Kent):** I agree that we need to get this on the road. What satisfaction can you give a fisherman who borrows a figure of \$5,000 because of loss, and in five years still has not got his \$5,000 back from whomever the polluter was? Are you going to go to him for the \$5,000, or will he still owe the money to the province? Where can you show that, so we will have proof of it?

**Hon. Mr. Brunelle:** As I said earlier, you must have faith in both the federal government and Ontario.

**Mr. Nixon:** Great legislation!

**Mr. MacDonald:** We can, with complete assurance, say we have no faith in either.

**Mr. Nixon:** He is no lawyer.

**Hon. Mr. Brunelle:** Mr. Chairman, I certainly do not believe that we would request the fishermen to repay those loans if the fishermen are unable to recover their loans through the specific action that they will be bringing against the polluters.

**Mr. Chairman:** The hon. member for Lunenburg shore.

**Mr. Lawlor:** I will not prolong the debate unduly, Mr. Chairman. I think, though, we have been talking about two different things, or mixing them up somewhat, in the past few minutes.

On one side of the fence is the power of the Attorney General, on his own hook, to proceed with action or to aid others to proceed. I would suggest to him that which he does, the maintenance would have application to the Queen in the right of the province. The Queen may do as she wills and as she wills in aid of her subjects. It is a nice point, I know, but to draw a herring of that nature across the path would be very questionable.

On the other hand, I must say that I agree with the Attorney General on the disclosure principle of giving us full information at this time—

**Mr. Chairman:** I must point out to the hon. member that nothing in the motion before us happens to deal with the matter which is now discussing.

**Mr. Lawlor:** Yes it does. It gives the basis upon which the ruling will be made. We have debated this for the past half-hour and the motion emerges from the debate.

**Mr. Chairman:** No, that motion was ruled out of order.

**Mr. Lawlor:** I would then say to you that it is in the motion. He says—

**Mr. Chairman:** The motion has to do with tabling the report of any action taken under this particular section.

**Mr. Lawlor:** Yes, as giving the basis—

**Mr. Chairman:** It sets out clearly in the report—

**Mr. Lawlor:** Right!



**Mr. Chairman:** —the basis of the terms and conditions.

**Mr. Lawlor:** The debate has arisen, Mr. Chairman, with deference, out of the discussion as to whether the Attorney General ought to make a disclosure of his report to the two ministers involved at this time—

**Mr. Chairman:** There is nothing in this present motion in that respect.

**Mr. Lawlor:** I beg your pardon?

**Mr. Chairman:** I am sorry. There is nothing in this motion having to do with that; nothing whatsoever.

**Mr. Lawlor:** I think it is a truncation of debate; you allow others to go on. I tried to get up several times in the course of the matter. I think it is directly relevant to the motion before us. The motion before us has precisely to do with the business of the Attorney General's failure to file a report at this time, to give us the information upon what action against Dow Chemical might or might not be taken and its chances of success. These are all the issues that are involved. Well I am not going to push it, it is getting close to 5 o'clock.

**Mr. Chairman:** No, not in this motion anyway.

**Mr. Lawlor:** I think the Attorney General is right anyhow!

**Hon. Mr. Wishart:** Thank you.

**Mr. Chairman:** The hon. member for Windsor West.

**Mr. Peacock:** May I ask the Minister of Lands and Forests, in whose name I believe this bill is introduced, if he is relying on his assurance entered into the record here in *Hansard*, to ensure that the fishermen or other persons dependent on the fisheries which were closed because of his prohibition who apply for forgiveness or cancellation of the loan will receive that cancellation? Is that what he is telling us? Is he telling us that his assurance in this House is sufficient to guarantee to the fishermen or other persons dependent upon the fisheries that the loans will be forgiven or cancelled? Because if so, my limited knowledge of the law says he is wrong—

**Mr. Singer:** Hear, hear!

**Mr. Peacock:** —and the courts administered by the office of the Attorney General, who is advising the minister—

**Hon. Mr. Wishart:** The bill does not say

**Mr. Peacock:** That is exactly what I am pointing out, Mr. Chairman. I am making point to the Attorney General that if he does not say it, the courts are not likely to at the record of this House to determine whether the man ought to have his loan omitted or forgiven or cancelled.

**An hon. member:** He will not read *Hansard*.

**Mr. Peacock:** Now what will the Attorney General say to the Minister of Lands and Forests about that wording of the bill?

**Mr. Singer:** The power is in his hands.

Interjections by hon. members.

**Mr. Peacock:** Will the courts of this province look at the records of this House to determine what the intention of the Legislature was, whether the minister has authority to cancel or forgive? I would like the Attorney General to say something about that, Mr. Chairman. Will the courts rely on the bill or the record of this House?

**Mr. Singer:** The bill.

**Hon. Mr. Wishart:** The bill.

**Mr. Singer:** Of course, as it did in relation to the Act providing for compensation of victims of crime.

**Mr. Chairman:** The hon. member for E. South.

**Mr. Paterson:** Mr. Chairman, I would like to say a few words in the three minutes remaining during this period. I think we have had a good experience—

**Hon. Mr. Kerr:** We have got to pass this bill.

**Mr. Singer:** We are delaying it, are we?

Interjections by hon. members.

**Mr. Paterson:** —in the Newfoundland situation, where there was one polluter and Erco plant made good to the fishermen; that was a good experience. But I feel that that is a much more complicated case in relation to the Lake Erie, Detroit River and Lake Clair areas. And my main concern, as an hon. member, is about the losses suffered by Lake Erie fishermen, and in particular perch fishermen.

The minister's move to ban pickerel fish and white bass off the shores of Essex and Kent counties and the fact that he is g

to backdate the bill, I believe, to April 1—he has given his word on that—means that these people will be covered. But it also means that those fishing at the eastern end of the lake in Haldimand, Norfolk and Elgin counties, will not get this protection in spite of the fact that they have lost much of their market for white bass and whitefish in that area. I am sorry that the hon. members for that area have not taken part in the debate this afternoon.

But my main concern though, is, that perch as such are not covered. The perch fishermen lost approximately two weeks of fishing; those who did fish had their fish impounded, and the price dropped, I believe, from 22 cents per pound down to nine cents. The price has risen slightly since then, but they have suffered a sustained loss. When the hon. Mr. Davis, the federal Minister of Fisheries, visited our area a week or so ago, he stated publicly before the media that he felt that these perch fishermen had a justifiable claim, that damage had been proved to their industry, and I believe they should be included in this bill if it is not the intent of the minister so to do. At least they should be given some legal assistance in order to try to go after the polluters, should we be able to determine who they are.

**Hon. Mr. Grossman:** Mr. Chairman, in view of the urgency of this, and the fact that His Honour, the Lieutenant-Governor is standing by, I wonder if we could get unanimous agreement to forego the private members' hour which normally takes place at this time?

**Mr. Chairman:** Is it agreed by the committee that we take the suggestion of the hon. Minister of Correctional Services to carry on with the deliberations on this bill? Agreed?

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Chairman, could we not postpone the private members' hour?

**Mr. Chairman:** Well I am asking for a concurrence in the suggestion that we continue with this particular debate on this bill at this time. Is it concurred in by the committee that we do that?

**Mr. Burr:** Is it proposed to cancel it or postpone it?

**Mr. MacDonald:** Since we are hung up on legalisms, can the committee alter the—

**Mr. Chairman:** I would like to hear what the hon. member for Sandwich-Riverside was saying.

**Mr. Burr:** Is the request to cancel private members' hour or to postpone it?

**Hon. Mr. Grossman:** Well, whatever House wishes, Mr. Chairman. If the members feel we should postpone it, we postpone it and have it on another occasion.

**Mr. R. Gisborn (Hamilton East):** Chairman, I would suggest that the decision be left to the Liberal member whose bill it is.

Oh I am sorry; then the Conservative member. If he decides he wants to postpone okay! If he wants to continue, so be it.

**Mr. Chairman:** Well do we have the concurrence of the House? The hon. member Peel South.

**Mr. R. D. Kennedy (Peel South):** Speaker, I would concur in either deferring or postponement of it. I do not know how this bill under discussion will be, but agreeable to me to postpone. I think it should be postponed for a week and then there will be the full hour and each member will have his opportunity to speak.

**Mr. Chairman:** Well then, we do have agreement of the committee that we continue with this debate? Agreed?

Agreed.

**Mr. MacDonald:** Are you sure you have the power to make that decision?

**Mr. Chairman:** Yes, any rule of this House may be set aside by the unanimous concurrence of the House and for all intents and purposes the House and committee may be considered continuously.

Interjections by hon. members.

**Mr. Chairman:** I might say to the hon. member that I have checked on that point previously and I am quite certain that the opinion I have expressed is correct.

**Hon. Mr. Grossman:** We have great concurrence in you, Mr. Chairman.

Interjections by hon. members.

**Mr. Chairman:** The hon. member Downsview.

**Mr. Singer:** Well Mr. Chairman, I am very interested, first of all, in the minister's remarks about having told the House on April 17 what was in the agreement. I am just had the occasion, while the debate has been going on, to examine his remarks to

and all he says is that there have been certain recommendations from a committee.

This afternoon he waves around in his hand an agreement and he mentions an end figure of \$250,000. The agreement has not yet been tabled and here at the 11th hour, when the bill is before us, he offers for the first time to give us some detail about it and he offers to table it. In fact he did not table it!

I wonder, Mr. Chairman, if the minister is so anxious to be frank with this House and with the people of the province of Ontario, why the details of this agreement had not been made public before; why he did not give the details in full to the members of this House, to the fishermen concerned and to the public of the province of Ontario?

The minister asks, have we no faith in him; and the answer is a positive and strong, no!

We have no faith in him, we have no faith in his colleagues, we have no faith in the way they draft their legislation and we have no faith in their ability to amend statutes by speeches here in the House. The only way that a statute can be amended, Mr. Chairman, is by changing the wording of a statute.

And, Mr. Chairman, there is no one who should know that better than the hon. the Attorney General, who got caught on this very thing in the Act dealing with compensation for victims of crime. The Attorney General on that occasion stood in his place and said, really, "What it says is not what it means and you will see that I am right." Well we said he was wrong, the courts said he was wrong; and on the first opportunity after the courts said he was wrong he came back, a little red-faced—not very much, because he does not often get embarrassed—and brought in the appropriate amendment.

Now let me deal first of all with the suggestion made by that legal authority, the Minister of Energy and Resources Management, that even though the Act does not say there can be forgiveness, there can be forgiveness.

I would like the minister to explain, perhaps with the concurrence of the Attorney General, how the word "loan" implies anything other than repaying. If somebody loans somebody something, then it is implied by that word, in my understanding and the common English understanding, that it be given back. Now Mr. Chairman, it would seem to me that the government would be derelict in its duty when it loans some money to some-

body, if it does not ask for it back in course.

**Hon. Mr. Kerr:** It does not have to!

**Mr. Singer:** Mr. Chairman, I think it d

And I would think, Mr. Chairman, that action could lie at the instance of a citizen of Ontario if it is later proved that a loan was not being paid back or that no deal had been made for it; I would think an action could be taken by an individual citizen of the province against the government to force them to reclaim any money that they had loaned out that they have not gotten back.

Otherwise, Mr. Chairman, let me ask you, they did not give the same power to the Minister of Trade and Development (Mr. Rand). He makes loans which can be forgiven, but the statute states the basis on which they can be forgiven. Surely the common usage of the English language indicates that we have spelled out what we mean.

I suggest to you simply this, sir, that if the government says "loan" when it means "gift" then the government is not doing what it is supposed to do.

If it means "gift" then it does not mean "loan"! Surely that has got to be spelled in intelligible language in the statute? If it is what they mean let them for goodness sake say so.

Now that is the first point.

The second point is this, sir. The minister asks, sort of half jokingly, do we have faith in him. I say, sir, how can we have faith in him when he is not prepared to be frank with the members of this House? Could this afternoon, as he indicated that there was an agreement and he waved it in his hand and said: "If you want it, I will table it." Up to this moment, seven minutes after 5 o'clock with His Honour standing by, the agreement still has not been tabled, we still do not know what it says in detail.

I am not prepared to accept the minister's brief summaries of it. I would like to know what it says so we can include it in the debate if necessary, but the minister has not seen fit to table it. He mentions the figure of \$250,000. Maybe that is enough, maybe not. Maybe there are some ways of adding to that figure, maybe there are not.

The minister says, have we no faith in him? No we have not. How can we have?

Now sir, the amendment presently before us says that because we have no faith in the minister, neither should the opposition

prepared to give its consent to a blank cheque such as this. Let the minister report when he has taken action under his unusual type of statute.

**Mr. Nixon:** What could be more reasonable than that?

**Mr. Singer:** It is a reasonable type of statute which allows the minister to loan—the Minister of Energy and Resources Management says that means “give”—money from time to time to persons on such terms as he sees fit. Surely the opposition, surely the people of the province of Ontario, are entitled to regular and frequent reports as to how this power is exercised. And this is all this amendment says we are getting!

We do not get answers to any of our other questions. Why then, Mr. Chairman, should the ministry not be prepared to include this abundantly reasonable amendment in this statute?

You have thrown out the rest of it, you have thrown out the other kinds of protection we wanted to give to the fishermen, you have thrown out the idea that the government should undertake litigation. You are beginning to examine the thought of pitting fisherman Smith against the Dow Chemical Company; and this thing just is not going to work, and you know that as well as everybody else knows that. However, that is your decision and so be it.

Our last plea, Mr. Chairman, makes abundant good sense to me. It indicates that the government should be responsible to the members of this Legislature and to the people of the province of Ontario.

When the minister, with his blank cheque, has taken the action which he is prepared to take, the extent of the involvement of Ontario may be \$125,000; we do not know. It may be \$250,000; we do not know. It may be millions of dollars; we do not know. It may go on for 100 years; we do not know. Then the least, Mr. Chairman, that we are entitled to, is some form of regular accounting.

If the government rolls out its big majority to bamboozle this Act through the House notwithstanding this reasonable request, I say, sir, the government stands in its true light. It does not care, really, about its responsibility to the people of the province of Ontario and the method with which it handles the funds of the people of Ontario.

I would urge the government, Mr. Chairman, to accept this last and most reasonable amendment as put forward by my leader.

**Hon. Mr. Brunelle.** The hon. member misled the House; I did not mislead the House.

On second reading, Mr. Chairman, on 30, I read into *Hansard*, in my comment on the second reading, the amounts of money that are contained in this agreement—\$250,000 for fishermen, \$100,000 for resort operation and \$350,000 for bait dealers. This, Mr. Chairman, *Hansard*, I do not know which page but for April 30.

**Mr. Singer:** You said April 17 and it is not there.

**Hon. Mr. Kerr:** Oh no; you looked on 17.

**Hon. Mr. Brunelle:** You look on April 30, second reading of Bill 76.

**Mr. Singer:** Did you table it then?

**Hon. Mr. Kerr:** It was a statement in *Hansard*.

**Mr. Singer:** Will you table it now?

Interjections by hon. members.

**Hon. Mr. Brunelle:** Mr. Chairman, I am pleased to table this agreement.

Also, Mr. Chairman—excuse me but it is a repetition—the reason we say “loans” in this legislation is because the legal counsel, the commercial fishermen, who worked closely together, said this is the way we wanted it done in order not to jeopardize their civil action against the polluters. This is the reason it is done this way.

Now, to the hon. Leader of the Opposition, if he wants us to report, I will be pleased to do so. We have nothing to hide except the fact that I do not believe it would be reasonable to report—I have not got his amendment in front of me—within 10 days. We will report periodically to the Legislature; we would be pleased to do so.

**Mr. Nixon:** You will accept the amendment?

**Hon. Mr. Grossman:** Without the “10 days” in it.

**Mr. Gaunt:** Change it to “periodically”.

Interjections by hon. members.

**Mr. Chairman:** Do I understand the minister is accepting the amendment with a minor change—

**Mr. Singer:** Minor change?

**Hon. Mr. Brunelle:** Instead of "every 10 days"—I do not know how the motion reads, Mr. Chairman, but we could report, say quarterly. Would this be agreeable?

**Mr. Nixon:** That will be all right.

**Mr. Chairman:** Is that satisfactory to the mover of the motion?

**Hon. A. F. Lawrence (Minister of Mines):** How about "in the fullness of time"?

**Mr. Singer:** Yes, that is like frequently.

Interjections by hon. members.

**Mr. Chairman:** Order please!

We will put the motion.

**Mr. Nixon** moves that the following words be added to section 2:

Where the minister takes any action under this section he shall quarterly, or at the first appropriate time after a renewal of the session of the Legislature, table a report in connection with such action and set out clearly in such a report the basis of the terms and conditions he considers appropriate in taking any such action; and the powers herein contained shall continue until December 31, 1971.

**Hon. Mr. Kerr:** I do not like that.

**Mr. Chairman:** The latter part of the motion says that.

**Hon. Mr. Grossman:** Are you prepared to take that out? Mr. Chairman, with all due respect, it is very difficult as the hon. member should appreciate—

**Mr. Nixon:** All right. If you want to separate that, I would like to take that out.

**Hon. Mr. Grossman:** You know we cannot draft this legislation off the top of our heads. It is very complicated.

**Mr. MacDonald:** Where has this been drafted?

**Hon. Mr. Grossman:** You know it has been an emergency business all the way through.

**Mr. Chairman:** Shall Mr. Nixon's motion carry then?

**An hon. member:** No, read it again.

**Mr. Chairman:** I had better read it again so there will be no misunderstanding.

**Mr. Nixon** moves that the following words be added to section 2:

Where the minister takes any action under this section he shall quarterly, or at the first appropriate time after a renewal of the session of the Legislature, table a report in connection with such action and set clearly in such a report the basis of the terms and conditions he considers appropriate in taking any such action.

Motion agreed to.

**Mr. Nixon:** The other safeguard that is included in that single motion was "the powers herein contained shall continue until December 31, 1971." I so move that as an addition to section 2.

**Mr. Chairman:** Mr. Nixon moves addition of the words:

The powers herein contained shall continue until December 31, 1971.

**Hon. Mr. Grossman:** You had better make it simpler. You are getting into complicated.

**Mr. Nixon:** No, you have accepted the motion. This is another amendment which I now move before the House, Mr. Chairman, because I believe, as I have already stated, that the explanations the minister and his colleagues have put forward have been unsatisfactory. These are the minimum safeguards that we, as members of the House, can legitimately insist upon before this blank cheque is handed to the minister and his advisers.

**Hon. Mr. Brunelle:** I think we should accept that motion, Mr. Chairman.

**Mr. Chairman:** All right, I will place the question. Shall Mr. Nixon's motion carry?

All right, I will place it more formally. Those in favour of Mr. Nixon's motion please say "aye".

All those against will please say "nay".

In my opinion the "nays" have it.

I declare this last motion lost.

This carries section—

**Mr. Singer:** No, it does not. It does not carry the section. I just want to say to Mr. Chairman, whether the section is carried or not, we have moved all sorts of amendments that have not carried the section and have been defeated.

**Mr. Chairman:** This is the first motion that has been involved in.

**Mr. Singer:** No, we voted on one.

All right, Mr. Chairman, on a point of order then.

I would indicate that in my opinion the minister misled the House when he said that the limits in the expenditure are \$250,000, \$100,000 and \$350,000. The minister has tabled the agreement and the clause that refers to the expenditure of money says—

**Hon. Mr. Crossman:** On a point of order, Mr. Chairman.

**Mr. Chairman:** Point of order?

**Mr. Singer:** It says:

Except with the written concurrence of the Minister of Lands and Forests and the Minister of Fisheries and Forestry the total amount cannot be—

The minister certainly misled the House when he said those were the sums involved, because the clause here says except with the concurrence of this minister and the one at Ottawa. So it is going to be as much as the two of them want. That is all the more reason, Mr. Chairman, I suggest we cannot trust either this government or this minister. I think we should be properly and honestly informed.

**Mr. Chairman:** Shall section 2, as amended, stand as part of the bill?

Section 2 agreed to.

**Mr. Chairman:** Any other questions, comments or amendments to any other section of this bill?

**Mr. Peacock:** In section 3—are we on section 3 now?

**Mr. Chairman:** I asked for any other section.

On section 3:

**Mr. Peacock:** Yes, section 3. I gather section 3 refers to the agreement that is now before us, and has been tabled by the minister, Mr. Chairman. Perhaps some of the questions that have been raised could be dealt with in section 3? Does the agreement between the minister and his counterpart in Ottawa provide for forgiveness?

**Hon. Mr. Brunelle:** No.

**Mr. Peacock:** What terms does that agreement have?

**Hon. Mr. Brunelle:** Same as in section 2.

**Mr. Singer:** No, it is all inferred in the new legal interpretation of the word.

**Mr. Peacock:** How about some of the questions that have been raised, Mr. Chairman,

during the debate? Does the agreement pertain within it, since the Act does not, definitions of those eligible other than references made by the minister in his statements earlier to bait dealers and tackle manufacturers and those engaged directly in fishing and so on? Are there any definitions set out in the agreement as to who is eligible? Does the agreement name those who are eligible and not say anything about those who may become eligible in the future as a result of the passage of this Act?

**Hon. Mr. Brunelle:** Mr. Chairman, this section 3 here refers to:

The minister may on behalf of the province of Ontario enter into agreements with the government of Canada in respect of the payment by the province of Ontario a share of the principal and other costs of loans made under section 2, and may be related to such loans and such terms and conditions as may be agreed upon.

We have this technical committee of scientific servants, federal and provincial, who are meeting continually. They have legal advisers and they are meeting with those aside from the fishermen who are affected. They are ones who recommend to the government who are involved.

**Mr. Spence:** Mr. Chairman, may I ask the minister a question? Lake Erie is banned from the fishing of yellow pickerel and bass at Essex and Kent. Suppose there was a supple- ment to the fishing industry bordering on Essex and Kent, who lived in Elgin or Norfolk? Would he be qualified for a loan under this bill?

**An hon. member:** That question is out of order.

**Mr. Spence:** Maybe it is out of order just for clarification, Mr. Minister.

**Hon. Mr. Brunelle:** Mr. Speaker, agree to refer to section 2. It refers to those areas where fish have been banned, and fishermen and those who are adversely affected make claims in order to obtain loans. This reference to loans. At the same time, as has been mentioned before, if they are not eligible for a loan nothing prevents them from seeking through the courts compensation losses that they believe are a result of the ban.

**Mr. Chairman:** But it seems to me that section 3 deals with and refers to agreements between the minister on behalf of the p-

ince of Ontario and the government of Canada, period.

**Mr. Nixon:** It is the agreement in which a lot of money—

**Mr. Chairman:** All right, it refers to agreements between the two governments.

Section 3 agreed to.

Section 4 agreed to.

**Mr. Chairman:** Shall section 5 stand—

**Mr. Nixon:** Yes, Mr. Chairman—

**Mr. Chairman:** The hon. Leader of the Opposition.

**Mr. Nixon:**—except to say that I resent the implication that came across the floor a few minutes ago that by discussing the bill in some detail this afternoon and proposing amendments we were keeping the money out of the pockets of the fishermen. The government has sat on this for a good many weeks. They have been slow in their reaction—

Interjections by hon. members.

**Mr. Nixon:**—and for them to suggest that two hours of discussion here was in any way a delay is irresponsible.

**Hon. Mr. Brunelle:** Mr. Chairman, I cannot see that go by. That is not accurate. I introduced this bill as soon as it was possible to do so. It was introduced last Thursday with the hope that it would get royal assent on that day.

Interjections by hon. members.

**Mr. Chairman:** Order!

The same suggestion was made in the House on second reading. The minister replied and the debate in that respect was out of order.

Shall section 5 stand as part of the bill?

**Mr. Paterson:** Mr. Chairman, the Minister gave me an undertaking that the date contained therein might be changed.

**Hon. Mr. Brunelle:** Mr. Chairman, I have checked this with my legal adviser—

**Mr. Nixon:** The Minister of Energy and Resources Management?

**Mr. Singer:** Not him again!

Interjections by hon. members.

**Mr. Chairman:** Order!

**Hon. Mr. Brunelle:** A very competent

**Mr. MacDonald:** Not that we have seen

**Hon. Mr. Brunelle:** It is not necessary to change the wording. The wording as it stands enables us to be—this legislation retroactive. April 20 is the day that application commenced to be taken; that is the day the applications were taken.

**Mr. Paterson:** Therefore, this would be applicable to those situations where permits were issued before that date had their catch impounded or had them banned? Is that correct, Mr. Minister? The mercury situation came about April 1, 20 days prior.

**Hon. Mr. Brunelle:** My understanding, Mr. Chairman, would be that those fishermen operating before April 20 and whose permits were banned, are eligible under this legislation even though the applications were only taken from April 20 onward.

Section 5 agreed to.

Section 6 agreed to.

Bill 76, as amended, reported.

**Hon. Mr. Grossman** moves the committee report and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the Committee of the Whole House begs to report that it has come to a certain resolution to report a certain bill with certain amendments, and asks for leave to sit again.

Report agreed to.

### THIRD READING

The following bill was given third reading on motion:

Bill 76, The Fisheries Loans Act, 1970.

**Hon. A. Grossman** (Minister of Constitutional Services): Mr. Speaker, His Honour the Lieutenant-Governor, is standing by to give assent to Bill 76 and other bills. With your permission, I will bring His Honour into the chamber.

The Honourable the Lieutenant-Governor of Ontario entered the chamber of the legislative assembly and took his seat upon the Throne.

Hon. W. Ross Macdonald (Lieutenant-Governor): Pray be seated.

Mr. Speaker: May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

The Clerk Assistant: The following are the titles of the bills to which Your Honour's assent is prayed.

Bill 6, An Act to amend The Public Trustee Act.

Bill 11, An Act to amend The Judicature Act.

Bill 49, An Act to amend The Retail Sales Tax Act, 1960-61.

Bill 50, An Act to amend The Income Tax Act, 1961-62.

Bill 51, An Act to amend The Race Tracks Tax Act.

Bill 52, An Act to amend The Tobacco Tax Act, 1965.

Bill 76, The Fisheries Loans Act, 1970.

Bill Pr1, An Act respecting Detroit Hotel Limited.

Bill Pr2, An Act respecting the City of Peterborough (1).

Bill Pr3, An Act respecting The Incorporated Synod of the Diocese of Ontario.

Bill Pr4, An Act respecting the City of Niagara Falls.

Bill Pr5, An Act respecting the City of Hamilton.

Bill Pr6, An Act respecting the Haldimand-Norfolk County Roman Catholic Separate School Board.

Bill Pr7, An Act respecting the County of Peterborough.

Bill Pr8, An Act respecting the City of Orillia.

Bill Pr9, An Act respecting Springdale Christian Reformed Church.

Bill Pr10, An Act respecting the Township of Ameliasburgh.

Bill Pr11, An Act respecting the St. Catharines General Hospital.

Bill Pr12, An Act respecting Camp Shalwundais.

Bill Pr13, An Act respecting the City of Owen Sound.

Bill Pr14, An Act respecting the Incorporated Synod of the Diocese of Huron.

Bill Pr15, An Act respecting Toronto General and Orthopedic Hospital.

Bill Pr17, An Act respecting the Canadian National Exhibition Association.

Bill Pr18, An Act respecting the City of Toronto.

Bill Pr20, An Act, respecting the Town of Georgetown.

Bill Pr21, An Act respecting Cornwall Street Railway, Light and Power Company Limited.

Bill Pr22, An Act respecting the Town of Oakville.

Bill Pr23, An Act respecting the City of Barrie.

Bill Pr24, An Act respecting Sidney Company Limited.

Bill Pr27, An Act respecting Morina Electronics Manufacturing Company Limited.

Bill Pr28, An Act respecting Fermack Engineering Limited.

Bill Pr29, An Act respecting the City of Niagara Falls.

Bill Pr30, An Act respecting the City of London.

Bill Pr31, An Act respecting the City of Sault Ste. Marie.

Bill Pr32, An Act respecting the Town of Brampton.

Bill Pr33, An Act respecting The Excel Life Insurance Company.

Bill Pr35, An Act respecting Dennis R. Company Limited.

Bill Pr36, An Act respecting Wentworth Radio and Auto Supplies Limited.

Clerk of the House: In Her Majesty's name the Honourable, the Lieutenant-Governor doth assent to these bills.

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

Clerk of the House: The 18th order; Husbands in committee and supply, Mr. A. E. Reuter to the chair.

#### ESTIMATES, DEPARTMENT OF PUBLIC WORKS

Hon. J. R. Simonett (Minister of Public Works): Mr. Chairman, this is the second time I have had the privilege of presenting estimates to this House as the Minister of Public Works, and I am indeed honoured to have put before you the estimates of my department for 1970-1971.

In the intervening period since my last presentation, I have grown to know and



creasingly appreciate the goal, the objectives and programmes of service to which my department is committed and to become more aware of a staff dedicated to the pursuit of that goal.

I am constrained to repeat what is generally well known: that we are a central service department geared to the support of Ontario government departments and agencies.

To cope with the challenging needs of our times, my department cannot, and in no way does, remain static. The planning and implementation of changes in its organization, the search for and use of ways and means to economically and effectively provide the services needed, is an on-going exercise with us.

While the other departments and agencies of government are preoccupied with their programmes of direct services to the people of Ontario, we in turn in Public Works are engaged in accommodating those departments with physical plant, in the way of property, buildings and equipment, and supporting them with general services such as materials supply, central mail, duplicating, stationery, stores, telephone, and the recent addition of the Queen's Printer and Publisher.

Our estimates for this fiscal year have been structured on a programme-activity basis, with the activities reorganized within its three basic programmes. Thus there are three votes with 17 items. This is a reduction from last year, when we had six votes and 37 items. The revision provides a realistic and fundamental fiscal base together with a greater degree of flexibility for management.

The provision of accommodation programmes has been expanded to include the activities designated last year under property maintenance.

The common services programme has been renamed "central services" and widened in scope to include the functions of government exhibits, general supplies, and transfer of the Queen's Printer and Publisher to Public Works.

Of particular significance to my department in its service to others, is our participation in the government's multiyear programme and financial plan through implementation of PPB—planning—programming—budgeting. Our planning services are enthusiastically engaged with this vital task.

A greatly need information centre, where publications and information on all of our government programmes can be had by all who need them, has been provided through the offices and facilities of the Queen's Printer and Publisher.

The involvement of my department in programme to take over financial responsibility from the municipalities for accommodation required for the administration of justice is currently involved with the premises of some 453 courts, and related legal office registry offices and jails.

One of my department's major lease projects in the last fiscal year was the provincial assessment "take-over"—PATO. This involved about 86 transactions totalling approximately 329,000 square feet of office space for that purpose.

Mr. Chairman, the hon. members will recall my statement in this House on November 17 last on our adoption of the desirable "construction management" form of contract use on suitable projects. In addition to project 2 of the Queen's Park office extension programme and Ontario Place at CNE, the scope has now been extended to include the Ontario mental health project at 999 Queen Street West, renovations to Osgoode Hall—both in Toronto—and new buildings and addition of the School for the Blind, in Brantford, renovations to provide improved office conditions for our private members in this legislative building are also included.

On that note, Mr. Chairman, I will conclude my opening remarks by saying that we have reasonable expectations of satisfying the needs of the members for office and accommodation in the legislative building. Pending re-utilization of space in the new wing should resolve many of our problems that regard.

May I suggest, Mr. Chairman, that we proceed with our review of the estimates of the Department of Public Works?

**Mr. Chairman:** The member for Ottawa Centre.

**Mr. H. MacKenzie (Ottawa Centre):** Chairman, the minister's report to the House at the beginning of the department's estimates last year was rather short, but very informative to the extent that he indicated the role of the department was changing. It was changing from one concerned primarily with building design and construction, to an extended operation involving, not only design and construction phases, but also central services.

While the details of the central services were not spelled out, he did indicate the department, in order to be successful in its new role, would have to have an intimate knowledge of the programmes in the other departments, so as to provide for current needs and to be able to forecast and plan for the future.

The minister's report this year is not too much longer than last year and, in the course of it, he did mention that the department does undertake material supplies for other departments. As near as I could determine, Mr. Chairman, he did not go too much further with regard to informing us as to what the central supply service is or the materials supplied. The only thing I am aware of that he did mention was the extension of his management consultant practice which, so far as I am concerned, is to the disadvantage of the people of Ontario.

While it is quite true that the minister's opening remarks were brief, it is possible from them and by reference to the department's annual report, the annual blue book on capital works and the estimates, to get a fair measure of the department's activities.

The latest "annual report"—and I quote that because that is the name of the booklet—gives a good measure of information on each of the branches within the department. I must say the presentation makes very interesting reading, although for the uninitiated it must be a little confusing to have a booklet entitled "Annual Report 1969", published apparently for use with the 1970-71 estimates. Under the circumstances, it is only possible to believe that the annual report tells us in general terms what the department has done in the past year and suggests that more of the same will be done in the ensuing year, and the estimates of expenditure representing the moneys required to do it.

The work of the department is in many ways fascinating—certainly very much so for one with my background and experience—because of the diversity and extent of the operations. It is fascinating because the department appears to operate in a most acceptable way in many of its areas of activity and seems to be able to maintain good relations. I feel sure that the minister must find this department quite a rewarding and enjoyable experience after so many years with another department that is so unwieldy that probably no one man will ever successfully operate it.

Reviewing and comparing "Annual Report 1969", the major change from last year seems to be a decline in the water control programme and the addition of the special projects branch which relates to accommodation for the administration of justice.

Just why the report would show any work under the water control programme is not clear in view of the decision made that all such programmes would shift to The Department of Lands and Forests. I can only

assume that the report on page nine of annual report would have been more accurate if it had indicated that "projects at various stages of construction" were in turned over to Lands and Forests for completion.

Last year, Mr. Chairman, I complained that estimate expenditures bore little relation to the annual report which outlined activities of the department. Again, this year the same complaint arises. Exactly how the report outlines the activities as outlined in the annual report with the estimated expenditure is difficult to see, particularly so in view of the change in presentation and format of the estimated expenditures from year to year.

For example, there were six votes in the department's estimates, as the minister pointed out, and this year there are three. To some degree, the difficulty arises due to using slightly different names for the same branch in the two different books. In any case, it would contribute greatly to more orderly assessment and criticism of the estimates if the presentation of the two were brought more closely together.

One further matter which needs external clarification is the central supply division. I opened my remarks by referring to the minister's statements at the commencement of the last estimates for this department regarding the branch for purchasing and supplies. I note from "Annual Report 1969", that a board formed to guide this division's administrative matters has been increased in size from four to seven.

I also recall our leader, the hon. member for Brant (Mr. Nixon), asking the Premier (Mr. Robarts) about a month ago how much had been spent on the central purchasing department during the past year and what value of goods purchased.

The answers, as I recall them, were \$100,000 spent on costs and nothing purchased. While all of this confounds me, I am even more confused by the separate purchasing branch this department maintains itself as outlined on page 16 of "Annual Report 1969".

Mr. Chairman, it would be most helpful if the minister would explain in detail how we get into the votes, exactly what the budget is attempting to do, its relationship with other departments and the position of the special purchasing branch in this department compared to other departments. Presently, there is reason to believe the part the central purcha-

authority will finally play is somewhat different than originally planned.

The blue book on capital works, Mr. Chairman, the book published each year listing the projects, and I read from the tabs on the book: Approved for preliminary plans; Approved for working drawings; Ready for construction; Under construction and Work completed—has once again been withheld from the members of the Legislature until the discussion on the estimates of the department is under way or nearly so.

I suspect that, if the estimates of The Department of Correctional Services had not been held up, we would not have had the blue book until the same time the estimates had started. Why this should be I do not know. It is very much in contrast to The Department of Highways. We already received today The Department of Highways capital expenditures for the ensuing year, yet their estimates are a way off. It, therefore, becomes impossible, in any case having received the blue book so late, to analyse and relate the projects to the estimated expenditures for the year ahead. The best that can be done is to look backward. In this respect, it is interesting to note that the 1968/1969 blue book showed an amount of \$4 million included in the estimates that year for spending on the Mowat and Hearst buildings here at Queen's Park, yet the construction did not even get underway. So it must be assumed that the \$4 million was used for other things, but we do not know what.

The 1969/70 blue book shows an amount for these buildings of \$750,000 in a period when construction just got under way. It is also interesting to note the estimated cost for the buildings in the 1968/69 blue book is \$24.2 million and a year later, in 1969/70, it is \$27 million; an increase of 12 per cent in one year.

So much for the blue book, Mr. Chairman. It serves as a useful guide of what construction is being considered or underway, but it is a long way from being a factual document.

Whereas most of the construction is to accommodate other departments, the need for the said construction and the estimated expenditure should be questioned during the estimates of the respective departments, I would believe, but maybe the Chairman could settle this point for our future guidance; that is whether or not all of these buildings that The Department of Public Works handles for the other departments should be discussed during this department's

estimates. Maybe the Chairman would on that later.

During these estimates it will be necessary to limit the questions to those construction projects for the department only, I suppose. But would the Chairman agree that we should be free to discuss the way in which the department has handled the projects and expenditures for the other departments?

Here again the Chairman can rule on that later. We will be guided by his rulings.

With regard to the Mowat and Hearst buildings—projects for Public Works—it would be hard to question their need, in view of the extensive space rented in the city. As to whether the type of building is right and the right location, this would be a philosophical discussion better left to others.

What I do question again this year, is to question on every department project where the work can be easily and accurately defined by plans and specifications and where extenuating circumstances do not exist, is to question the management consultant type of contract. The minister has hastened to point out that the consultant has added some more to the Mowat and Hearst buildings under this management consultant approach — Osgoode Hall, Ontario Place, the blind school at Brantford—how this will go I do not know. In any case, I do not believe it is in the interest of the people of Ontario.

Last year, I suggested that the minister show us how the people of Ontario would benefit. I stated then that I do not know any conceivable way of showing that this approach is in the best interests of the people. I stand by this statement.

If the plans and specifications of the buildings were prepared and ready for tender as the minister suggested, the tenders should have been called. I can only come to one conclusion—there was lack of planning ahead and the government moved quickly to find a need at extra cost to the people of Ontario. Just how much extra will become clear when all figures are available.

So far as construction costs are concerned, there is no better way to reach and maintain the lowest costs commensurate with quality and requirements than by proper planning and competitive tender call for the tender project or on certain special projects — turnkey approach. If the management consultant approach is continued, it will not be too long before influence will be brought to bear and we will have consultants who have not had long experience under the competitive tendering system. When that

arrives, costs go away up and quality of workmanship goes away down.

When an owner is in difficulty and needs space quickly and has not time to prepare plans properly for tender call, the management consultant approach may be justified—on occasion, and provided it does not interfere with competitive tendering. But surely, Mr. Chairman, it is not the course to be followed by a department of this government which should be giving leadership in this area. Someone in government, surely, must be aware of the way, costs of construction would soar out of hand if all school construction, hospital construction and Ontario housing and all those projects in which the government participates were changed over to a management consultant type of approach.

Construction and cost is one thing—construction and employment is another. As near as can be determined, the government has no plan and no policy to try to schedule construction in those areas where employment is needed and where inflationary pressures will not necessarily be increased.

I believe I could quote from *Hansard* from the hon. minister's statement in 1967. In *Hansard*, page 3197, the hon. minister said:

Actually, we do not set priorities from our own department. Each department brings forth their own priorities, what they consider their top priority in a building. And this in turn is assessed by the provincial Treasurer's department. So we in no way set the priorities in the department, but only after it has been considered by the government as to which building should be gone ahead with.

Mr. Chairman, I believe the government should have a policy to assist where possible for purposes of employment, no matter how small it may be.

For example, Mr. Chairman, in the blue book under the tab "Approved for preliminary plans" I find, on page 22, four apparently large projects scheduled for Kemptville, a town quite close to the distressed town of Cornwall, I do note that in the new blue book there is \$1.5 million in building scheduled for there this year apparently.

But in addition to that, there are four more scheduled for there. I ask the question why could the government not rush the planning for these buildings a bit, and, hopefully, get Cornwall designers to assist, and Cornwall contractors to do the construction since there are several in both categories in that city who have a good record of success. If ever a management consultant approach could be used with justification, it would be here, bearing in mind that Cornwall has an unemployment rate of 18 per cent.

Mr. Chairman, there are many possibilities in this direction and the Cornwall-Kemptville example only illustrates one approach. Additionally, if certain departments could undertake a study, it might be found feasible to locate a building right in the city of Cornwall, and provide a little firmer economic base which always occurs with money and government employment. This approach might just be sufficient incentive to lure the new industry needed to the area. In the long run, only industry can provide the wealth to make a community prosperous.

Turning to other matters of an urban nature, but not yet desperate nature, Mr. Chairman, a standard building code—discussed on several occasions in this House—is of first concern since in the absence of a code of building construction in this province is considerably higher than it need be. The reasons and the thinking associated with such a cost assessment are by now well understood and accepted at large in the province.

The different construction associations were in the forefront of those requesting uniformity. As a result, apparently, of the requests of different groups requesting uniformity, the Minister of Municipal Affairs (Mr. Keough) on May 27, 1968, announced a proposal to form a committee to study the problem. On September 12, 1968, the minister announced the establishment of a committee "to examine all essential factors in uniform building standards."

Last year during these estimates, I suggested that if the Minister of Municipal Affairs could not get the study done and report in, he should turn the project over to The Department of Public Works, one who understands what it is all about and one who can move when there is urgency.

On January 8, 1970, the report of the committee on uniform building standards was published, and a good one it is, as one would expect, having regard for the fact that most of the members of the committee are either architects or professional engineers, who made an in-depth study of the problems and the needs. The committee has made recommendations in some detail of what should be done, how it should be done, when it should be done. With regard to when, the following is from the committee report on page 12 under "Legislation," a quote:

That the necessary legislation be introduced for the adoption of the above proposed codes by January, 1971, after review of existing Acts, regulations

department policies dealing with building in the province of Ontario.

The committee has realized the urgency of a uniform code to eliminate some of the high costs associated with the construction industry and has adequately pointed out this in its recommendations.

Even the minister, when he made the report available to the House—I said January 8 before, and I correct that to January 9—if I may quote from the minister's report on that occasion, in referring to the report, he said:

If there is any disagreement as to uniform building standards, it is not whether but how to achieve uniformity.

That was on page three. On page four—and I will have to take this out of context—he said:

While certain aspects of it are being reviewed, it is the conclusion of the committee that the 1970 version of the National Building Code should be put in force throughout the province by January, 1971.

And on page six, the minister says:

Without positive action, the benefits of uniform building standards may never be realized because they do not seem to be fully appreciated. I would like to outline the benefits of a system of uniform building standards—

And then he goes on to list many of them. On page eight, he says:

Imagine coupling a system of uniform building standards with modular co-ordination, a metric system of measurement with the mountable and portable buildings.

These are possibilities we cannot ignore because of their benefits for us all.

**Mr. Chairman:** Order, please. Perhaps would be an appropriate place to break.

**Mr. MacKenzie:** Could I have one minute more, Mr. Chairman?

**Mr. Chairman:** Well, yes, half a minute.

**Mr. MacKenzie:** Please, and then I break. Will that be acceptable?

Then the minister says: "It will provide order and flexibility where confusion and rigidity now exist."

And, Mr. Chairman, the Minister is aware of the full meaning of uniform building standards, and I would just say this: the committee has realized the urgency of a uniform code to eliminate some of the high costs associated with the construction industry and has clearly pointed this out in its recommendations. To date, there is no indication of any legislation nor even if the Minister of Municipal Affairs accepts the recommendation. Once again, Mr. Chairman, the matter is hung up because the Minister of Municipal Affairs refuses to come to grips with the matter or cannot free himself enough from the municipal problems he has created for himself.

Whatever the reason, I say again, the complete affair should be passed over to the Department of Public Works and get the uniform building standards established quickly in the province and bring an end to the multiplicity of conflicting regulations, authorities and standards.

I move the adjournment of the debate.

It being 6 o'clock p.m., the House recess.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Monday, May 4, 1970  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 4, 1971

The House resumed at 8 o'clock p.m.

## ESTIMATES, THE DEPARTMENT OF PUBLIC WORKS (continued)

**Mr. Chairman:** The hon. member for Ottawa Centre.

**Mr. H. MacKenzie (Ottawa Centre):** Before the break for lunch, Mr. Chairman, I was talking about the uniform building code, a report on which has been brought in by the committee set up by the Minister of Municipal Affairs (Mr. McKeough)—a report which indicated quite conclusively that a uniform building code is very much a requirement for the province of Ontario to cut the cost of construction somewhat and get some orderliness in an industry which is hampered by much unorderedliness.

I indicated, Mr. Chairman, that the Minister of Municipal Affairs had known about this. He has had the report and distributed it on February 9, 1970 and apparently has done nothing yet about it. The committee recommended the implementation of the uniform building code for a national code by January 1, 1971 and as yet we do not see any legislation or any proposal from the minister.

Along with the uniform building code, Mr. Chairman, we also need in the construction industry another project which this government should be sponsoring and which it has not yet undertaken. That is, an information centre for the construction industry, another real and costly problem which this department should be looking at in detail and providing the province with leadership.

Last year during these estimates I raised the problem and tried to make it clear, without success I am afraid, that obtaining information on materials—that is their cost, the location of specifications, their recommended use, and so on—is very hard to come by and very often becomes a costly or a time-consuming search in design offices and building contractors' offices—including both the trades and the generals. The same problems arise when trying to evaluate and locate systems of construction procedures and techniques.

Mr. Chairman, a central information centre with a properly developed cataloguing system where designers and contractors could quickly get the information would be of inestimable value in reducing further costs associated with the construction industry. Since the benefits would spread to all the people in Ontario, surely the cost of setting up such a system can be justifiably paid from the Treasury. The operating costs could, without doubt, be selfliquidating once the system came into full use by the industry.

The minister may, or may not, be aware that engineers in building construction planning and industry a few years ago—before the full development of computers and information retrievers—worked long and hard developing a cataloguing system for the thousands of items used, so that information on any products or items could be instantly located and retrieved. To my knowledge, the degree of success was not too great. The problem is a big one and the lack of a successful approach to it is costly.

Now the Minister of Municipal Affairs surely must be aware of this problem in the construction industry, since it was reported in some detail by the committee on uniform building standards. To quote from the Minister of Municipal Affairs' report when he introduced the report of the standards, February 9, he says as follows:

I mentioned the use of product performance standards and this to me represents an especially significant advantage because of the tremendous flexibility it offers. To manufacturers, suppliers, users and inspectors will have much more scope following a code that stresses the fitness requirements of material, any material, to do a given job rather than one which demands the use of certain materials in a specific way as now bylaws today do.

Mr. Chairman, the need is there. It is to be hoped the minister will recognize it and move or let his staff move on it. It appears to me the Minister of Municipal Affairs is not going to do it. As I have indicated before, there is every reason to believe that this is the department which should be moving on it.

So we can sum up, Mr. Chairman. There are three things which are going on today costing the province—the people of Ontario—extra money for building construction which should not exist having regard to what has already been done.

There is the management consultant approach to building construction as opposed to calling tenders, which this minister sees fit to get into in great detail, whether or not he has friends or has other reasons for getting into it, I do not know. I can sometimes think the worst; maybe he is heading for another election and getting ready for it.

Number two is uniform building standards. The savings there are big savings to the people of Ontario. The minister has had concrete evidence of that from experts in the industry and he still will not move on it.

Number three is performance standards of systems and materials and their specifications. He has concrete evidence of that. The experts say do it, and he has not yet done anything on it. So it is costing the people of Ontario money.

Mr. E. W. Sopha (Sudbury): He is just not doing too much, I think.

Mr. MacKenzie: The last topic I would like to say a few words on, Mr. Chairman, is the accommodation in this building for members of the Legislature and the attitude which seems to prevail. I would hope that the member for Sudbury will get into this part of it before the night is over.

Mr. Sopha: Oh, thanks a lot! It will have no effect on old hard-heart. Why do you not leave me where I am?

Hon. J. R. Simonett (Minister of Public Works): I have not said for you to move yet. It is up to your leader, not me.

Mr. Sopha: I do not bother anybody.

Hon. Mr. Simonett: Talk to your leader.

Mr. Sopha: In that cell that I occupy up there? You leave me alone.

Interjections by hon. members.

Mr. Sopha: I wrote to the Prime Minister (Mr. Robarts) and do I get back a memorandum?

Mr. MacKenzie: You can believe, Mr. Chairman, there is going to be a hot discussion on this before the night is over.

Hon. Mr. Simonett: I do not see why there should be.

Mr. Sopha: Why not?

Mr. MacKenzie: We may even get you before we finish.

Mr. Sopha: I have seen the posh of you have.

Hon. Mr. Simonett: Yes, if you would be elected—

Mr. Chairman: Order!

Mr. Sopha: And the rest of you need offices.

Mr. Chairman: Order!

An hon. member: How about a little here, Mr. Chairman?

Mr. Chairman: Order!

Mr. MacKenzie: Mr. Chairman, the present office space is most inadequate. You are aware of that; there is no question about it. I do not say that office space is the one thing I do not dwell very much dwelling on, but I think I have arrived at that state where all of us have got into it because it is an absolute disaster. I can only believe that somebody in the Department of Public Works would be in seventh heaven if he could push the mess back into, maybe clothes closets rather than offices, because we are approaching that. I recall when we first came here we had a room about 12 feet by 12 feet and several of us were billeted in there with our desks.

Mr. E. A. Winkler (Grey South): You are better off than we are. What are you complaining about?

An hon. member: Well, if you care to play a chord at the piano, we may be able to play you something different.

Mr. Sopha: Why do you not lead a revolt?

Mr. MacKenzie: This is pretty near as good as the navy days when we were billeted on a mess deck 25 feet by 25 feet.

Mr. Winkler: You do not know where you are well off.

Interjections by hon. members.

Mr. Chairman: Order!

Mr. MacKenzie: Mr. Chairman, as I have said, our office space is most inadequate and there is nobody here who will disagree with my statement. Presently, my officemate and I have two desks side by side and we can get up and sit at each other quite easily if we are not careful.

when we swing our chairs; and on the other side there are two more very capable gentlemen.

**An hon. member:** Yes.

**Mr. MacKenzie:** Mr. Chairman, the office space we have available is probably somewhere in the order of 12 feet by 12 feet. We have come a long way since the first year we were here when had a room 12 by 12 with seven in it, and now there are only four of us in it.

**Mr. J. Jessiman (Fort William):** That is real progress; that is conservative progress!

**Mr. MacKenzie:** Just wait until we get up to a pension of 30 years, we will have a bay.

**An hon. member:** Fifteen years.

**Hon. A. F. Lawrence (Minister of Mines):** With your attendance record in this House, you should not talk.

**Mr. MacKenzie:** On the serious side, Mr. Chairman, we talk about democracy and making it work. It is a foregone conclusion today that the elected members are having a tough time holding their own. In every direction, the effort is being made, it seems, to push them back into a corner. The only ones who really count are not the backbenchers, except a few in the back row up here who have some rather special jobs.

**Mr. Sopha:** Only those guys, it is like the Waldorf Astoria.

**Mr. Chairman:** Vote 1801.

**Mr. MacKenzie:** Those were the days when you did not have office space, Mr. Chairman, such as in the days when you sat here for maybe six weeks, and as I understand it, accomplished very little. If you accomplished a lot, it was not by the effort of the members.

**Mr. Sopha:** Even the Deputy Speaker is well housed.

**Mr. MacKenzie:** Well, it is time. It is time this problem was discussed and brought out into the open. I think it is a disgraceful thing, Mr. Chairman, it is disgraceful. Even in my first years in business for myself I could afford something better than this. If the minister would rent out this space instead of giving it to us, we could all probably afford something a little better.

**Mr. H. Peacock (Windsor West):** Give us the money.

**Mr. MacKenzie:** Even though the stiper is a little short—

**Hon. A. Grossman (Minister of Correction Services):** We will look after you.

**Mr. MacKenzie:** Yes.

Interjections by hon. member.

**Mr. MacKenzie:** The thing is simply and clearly put that if you keep on depriving us of offices there is no way we can do the research. There is no way that we can go down to honest hard work and produce what needs to be produced if we are to keep our people on the rails with good strong criticism. It just cannot be done.

**Mr. P. D. Lawlor (Lakeshore):** They do not want to do it.

**Mr. Sopha:** Remember, you are providing your own accommodation after 1971.

**Hon. Mr. Grossman:** That is what we are doing now.

**Mr. Sopha:** We will all have two offices.

**Mr. Chairman:** Shall vote 1801 carry?

**Mr. MacKenzie:** Mr. Chairan, I am trying to work in between here. The next proposal according to the minister for which he has already got a management contract, I believe he called it—is for the revisions to the north wing here to give us all accommodation. The members of the opposition, as I understand it, are going to be on the second floor. That is, sandwiched in between the ground floor and the library.

**Hon. Mr. Simonett:** You tell us who the opposition is going to be when we have finished in there.

**Mr. MacKenzie:** Mr. Chairman, the minister surely must appreciate that in any good planning, any good designing, inside office space, particularly inside the walls of a vault is only used for storage. And that is what that space is. He is proposing to move our offices to that centre space, with no proper ventilation, without proper air conditioning, without proper lighting, without proper space, and with ceilings which are only high enough for clothes closets.

**Hon. Mr. Simonett:** No fire escapes!

**Mr. MacKenzie:** No fire escapes!

**Mr. Chairman:** It has gone far enough. It is my belief that the minister should look closely at his plans—

Mr. Sopha: And stop and quit and resign.

Mr. MacKenzie: And change course.

Mr. Sopha: No, no, resign.

Mr. MacKenzie: There is no question, as I understand it. In 1971, when another election occurs, there will be a change made. Even if we are elected, we will not subject you to that kind of office space. It is just not fit for humans who are endeavouring to do a proper job for their people.

Mr. Sopha: There will be so few of them back we will be able to put them in a broom closet.

Mr. MacKenzie: Mr. Chairman, in closing I would just like to say that the time has come when this minister could do democracy and democracy in Ontario a worthwhile service by providing decent accommodation and decent facilities for his members to ensure that the members can do a proper job for their people in the constituencies and will not need an ombudsman we hear so much of these days.

Mr. R. Gisborn (Hamilton East): Mr. Chairman, when the hon. minister introduced his estimates for the first time last November 20, although it was my given responsibility to lead off with a few remarks, I was unable to be here for some reason. I forget at this point whether the estimates got here before I did; I do not know what the reason was. Nevertheless I did pull the *Hansards* out and read them, and I see that the minister had a very easy time. His opening remarks took him about two and a half minutes, about the same time that he spent tonight in his opening remarks, and it took about two hours for the total estimates to pass the House. It started after the question period, and after it a bill or two were dealt with. Now, I can assure you that I am going to be about twice as long as the minister in my remarks, so that makes it four or five minutes.

I did, however, take a great deal of time, I thought when I spoke in 1967 on the introduction of the estimates and reflected at that time back to when we were dealing with the estimates in 1966, when we felt that over the years the Minister of Public Works had gotten away a little too easily with the job that he was responsible for, and we attempted to develop a theme of criticism in regard to the responsibilities of the minister in establishing a policy for his department having some kind of responsibility with priorities as to the construction of public institutions

across the province. But we ran into a wall at both times, and in 1967 my criticism was that the building that was going on, administered by The Department of Public Works for the various departments had very little rhyme or rhythm to it. At that time we were in an escalating construction period with relatively high employment, except in some spots in industry, and that was because of the need for tradesmen and materials in general construction, there was a number of tradesmen without work in various areas of the province.

At that time we felt that the government was wrong in going ahead helter-skelter with their Queen's Park complex and, of course, in criticizing strongly that policy the reaction we received from the minister at that time was that we could not very well blame the Minister of Public Works because, as he put it in his own confession, he was more than just the caretaker. The various departments requisitioned buildings, and his department's job was to do the designing and that kind of thing and get the buildings up and so on.

Hon. Mr. Simonett: The service department!

Mr. Gisborn: Yes, a service department and therefore the minister at that time had a good excuse to avoid any philosophical debate or getting himself locked into establishing a dialogue on priorities.

The priority we thought was needed at that time was to divert from the Queen's Park complex to the various needs in the social and economic field. These are nursing homes, the need for day-care centres, senior citizens' apartments, public housing, community centres, and those things that applied to the wellbeing of people. But, again, the minister reflected the fact that he was nothing more than a caretaker; he had to do the work that was provided and asked for by the various departments.

Hon. Mr. Simonett: I do not like your name. I am not a caretaker.

Mr. Gisborn: But nevertheless, we tried to impress the minister to use his influence on the government. We thought, maybe the idea would run off, that maybe the government and the cabinet should give the Minister of Public Works the responsibility of projecting a policy, a philosophical approach in priority establishment for the government. Somebody should do it, because we do not really get it in any department. Each minister has the same right to pass the buck

saying, "I am restricted only to my own department."

The co-ordination and the co-operation that are desired in my view do not seem to have caught on at this point. And so we are in the same position. We cannot really draw from this minister an idea of where the government is going with its building programmes, and what are its needs. We cannot get any kind of an idea what are the priorities of the government in building programmes. I would think that the minister, the Cabinet, and the House leaders would pay attention to this and see to it that The Department of Public Works through its staff and minister should be instructed on the programmes that should be developed for him to present to the House—a policy of the government in regards to the needs of the various departments with priorities set out so that they could be well understood and so that the opposition would have an opportunity to criticize or to talk about priorities that are needed in this province.

If we cannot get that kind of an idea put across, then my only suggestion is that we should reduce the department to a superintendent of public works and do away with the ministry, because I do not think it is needed unless there is more responsibility, more of an element of public policy and public priorities, coming out of the department.

So that is my main point at this stage. As I said, I talk twice as long as the hon. minister—

**Mr. Lawlor:** You are not a janitor, you are a philosopher.

**Mr. Gisborn:** We will have a few things to say about the various votes as we go along.

**Hon. Mr. Simonett:** Mr. Chairman, first in reply to the hon. member for Ottawa East and—

**Mr. MacKenzie:** Ottawa Centre.

**Hon. Mr. Simonett:** Ottawa Centre, I am sorry.

I do appreciate his remarks this evening regarding The Department of Public Works. I believe he is an engineer and a builder, and he knows a fair amount on this subject—perhaps much more than I do, when we come to the technical parts of building and some of the things that you do in larger buildings and larger projects.

I do appreciate the few remarks he made tonight regarding our department—that he had found it a department that at least is doing its toes and working. I have found it the same, I might say. I am one far removed from the building business, but I do know a little about the business end of any department. Dollars are dollars regardless of whether it is building, buying, purchasing or whatever it is. But I find that some people can talk to laymen and make themselves one as stupid as I am understand what they are trying to do. I believe a very good job has been done.

I only have had less than a year to analyze this department—

**Mr. Sopha:** Do not test our goodwill.

**Hon. Mr. Simonett:**—and in the 11 months I have been there, or less than 11 months, no, it will be eleven months tomorrow since I have been there. I have spent a lot of time in this House listening to the experts; I do not know what the mind that because—

**Mr. Sopha:** We are a friendly and humorous people.

**Mr. V. M. Singer (Downsview):** Good right up until now. Do not spoil it.

**Hon. Mr. Simonett:**—this is where we are using our knowledge on this side of the House; we are listening to the experts on that side. That is why we have been here for 25 years. That is why we are going to stay after the next election.

Interjections by hon. members.

**Mr. Sopha:** You have been here 27 years.

**Hon. Mr. Simonett:** I know, but I count on my fingers. I am a very modest man. I do not like to stretch it to the last point, you know.

Now he did mention—

**Mr. Sopha:** You have a lot to be modest about.

**Mr. Lawlor:** And this modesty will evaporate pretty quickly fellows, watch.

**Hon. Mr. Simonett:**—in his remarks that

Interjections by hon. members.

**Hon. Mr. Simonett:** Keep it up, boys, and we will be back for another 25. I will not be around then, but maybe we will have somebody from Frontenac—that will be for sure anyway.

He did mention central services and central purchasing. I think perhaps at that point there was some doubt in his mind whether we were moving ahead in the central services and purchasing because I think he was trying to look at the number of bodies we have and perhaps he feels that in order to get into central service and purchasing we should get a lot more bodies in and do a lot more things. But I do know a little bit about purchasing.

**Mr. MacKenzie:** You have got two purchasing departments—

**Hon. Mr. Simonett:** Yes, we have, and I can explain that when the time comes. But, in purchasing, I have found that you do not need a number of bodies; you need a few bodies that can give you the answers when you want them. This is what we are trying to do in this department now.

I want to explain to you that every department—and we have some large departments in government—has its own purchasing agent; and they will have and should have, because they are very large departments.

In the last 11 months, in our department, we have worked and are working very closely with the purchasing agents in all the other departments. We will be working more closely as time goes on, and I would hope that anyone who knows anything about purchasing or moving things into a department, you do it not by saying tonight that “I am going to do it tomorrow,” you do it on a gradual basis, working with people who have some knowledge of the department they are working with.

**Mr. R. F. Nixon (Leader of the Opposition):** You have been working into this for two years.

**Hon. Mr. Simonett:** And this is what we are doing. No, I have not been working on it for two years; I have been working on it for 11 months, and I find that what we are doing in Public Works in purchasing is on a sound basis.

**Mr. Nixon:** You are not blaming your predecessor for that?

**Hon. Mr. Simonett:** I am not blaming anybody, no; nor the people in the department. What we have done, what we are doing, and what has been done, is sound. We are finding out and getting particulars on the different products that are used in government. We are trying to get to a standard where we can buy furniture, where we can buy paper, where we can buy many things.

**Mr. Singer:** Police uniforms?

**Hon. Mr. Simonett:** Police uniforms are working on that one right now. We not yet gotten into the automobile and end of it or that type of merchandise, but

**Mr. Nixon:** What about automobiles?

**Hon. Mr. Simonett:** Well, automobiles, trucks and equipment in the government big business, and that is being done by Department of Highways; except for police automobiles, which are being handled directly through the OPP department at this time.

**Mr. Nixon:** They do not give up anything do they?

**Hon. Mr. Simonett:** That is none of our business, and we are not willing to take anything away from them. We are not asking to take it away from them, but we are at least—

Interjection by an hon. member.

**Mr. Singer:** No, no. Tell us what Eric said, in his own language.

**Hon. Mr. Simonett:** Well, I know Eric will not be here forever, and I will not be here forever, so somebody else will come along some day. But what we are doing is working on specifications. We are working on standards so that we can get to a standard automobile or a standard of equipment that is needed in government. Then from there we go out and set up specifications.

I hope eventually that it will get to a point where, if someone in government says, “we need plus number of vehicles a year,” or “we need plus number of pieces of heavy equipment in a year,” whether it be Public Works or whether it be Highways that buys the equipment, at least there will be an understanding through the Department of Public Works and through central purchasing in the different departments that we have arrived at a point where we know the vehicle we want. The specifications are tight. They will be drawn so that everyone that builds equipment in this province can bid, not just specifications drawn up by any one particular manufacturer, and that is what we are working toward today.

That might not seem to be a big programme, but I tell you fellows over the province once you start working and drawing specifications on the different pieces of equipment that are manufactured in this province in the Dominion of Canada, and get specifications that will fit all our manufacturers, then you have a job ahead of you. That is what we are working toward.

I think the hon. member mentioned our water control programme. As you know, sir, that has been transferred to The Department of Lands and Forests. We are phasing that out, in fact it is phased out now.

I notice we have one small vote and I would hope before the estimates of this department are presented in another year it will disappear, that we will finish the projects that are under way and some of the grants we have been paying out and that get transferred along in with the water and drainage programmes in other departments.

The member mentioned the blue book and felt that it was late getting to his desk. We will admit that, I do want the member to realize it was November 20 last year when we presented our estimates, and we started immediately after that working on this book.

I thought perhaps when the House opened this year it could be November 20 again before we would be before you to present our estimates. Some two or three weeks ago when I found out I was in sixth position, we asked the boys to get to work on it and they did go to work on it. I think they had to work some overtime to get it on our desks last Friday. But nevertheless it is here.

I would think you would agree with me it is not that difficult to read. You can see the different programmes that we have under construction and those that are planned for construction and the different areas that are in it. Of course these priorities, especially those that are slated for construction or slated for down the road, can change. As the departments and as the economy changes, we feel we need different buildings and different areas.

The member did mention that he could not understand why we in this department could not shift priorities. In fact, he talked about Kemptville and the programmes we had under review for Kemptville. Though it happened to be at the agricultural college, I think the member said during the course of his remarks that perhaps we could move some of this construction to Cornwall to help depressed areas and give people work there.

**Mr. MacKenzie:** I did not say move it; I said move the Cornwall labour to the site.

**Hon. Mr. Simonett:** Of course, we cannot move any of these projects to Cornwall because they are in conjunction with the agricultural college. You can see where it would be very difficult to move students to Cornwall or move administration to Cornwall.

**Mr. MacKenzie:** Oh no, I said to bring contractors from Cornwall.

**Hon. Mr. Simonett:** Of course, as something comes up in Cornwall and is brought forward to us by the different ministers, I doubt it will be looked at. We are well aware of what is going on at Cornwall today.

In fact, I keep in very close touch with Cornwall—because in 1931 in the depth of the depression I happened to go to Cornwall and get a job when Cornwall was booming during the depression; when they opened 2 mill and went on to open Nos. 3, 4, 5, I believe, No. 6 after that at Courtauld. I have seen it build up and go down in the course of that many years. Many of my friends work in Cornwall and have been in Courtaulds for many years.

The member also mentioned a standard building code. I would say there is no one who would agree more with the member, the sooner we can get to a standard building code of uniform building standards the better it will be, not only for contractors but also for the public. It will be better for government and—

**Mr. Lawlor:** The minister has been saying that for years.

**Hon. Mr. Simonett:** I have not been saying that for years because the member never has said it to me.

**Mr. Lawlor:** Well all right, we have heard it—

**Hon. Mr. Simonett:** Coming from the member, I would not put too much stock in it either.

**Mr. Lawlor:** I will get around to the minister later.

**Hon. Mr. Simonett:** The member can get around to me any time; I am here most of the time.

Now for information service, I do not know whether the member means that I should have—and I took from his remarks that he was talking about information service—a service as to materials and the methods of things that are used in the building business. If that is what the member meant, I would not agree with it, because materials change from time to time. I do not think government should ever get to a point where it puts out a manual and says, "We will do this or that, or such and so". If we have standard building codes and we keep up to date—and I do not think that is any problem

**Mr. MacKenzie:** How can the minister say something like that, when he said he does not know anything about the building business?

**Hon. Mr. Simonett:** I know a little bit about the building business. I am not going to tell the member how much I know about it, but I have built a few buildings in my day.

**Mr. MacKenzie:** Discuss the problem with your staff so you will know what you are talking about.

**Hon. Mr. Simonett:** I do not think this is any problem. This is no problem for the architects or for the engineers—

**Mr. MacKenzie:** Oh yes it is!

**Hon. Mr. Simonett:** No it is not, because I can go to any architectural firm in the province of Ontario—and I know some very well; some are friends of mine. I can ask them what the new materials are and they can tell me whether they are good, bad or indifferent. Of course there are new materials coming out every day so why should the government put out a manual and say, “You use this; this is what we recommend.”

**Mr. H. Worton (Wellington South):** That is the house that Jack built.

**Hon. Mr. Simonett:** That would be the house that Jack built. You fellows would say, “What are you doing, working for a particular company here and trying to sell a certain product?” We are not interested in that, and I do not think we should ever get into that.

The last thing the hon. member talked about was accommodation for members. I think that we will all agree that in order to get accommodation for our members and for ministers and for people who work in government we have to do something with the space we have here. I am talking about Queen's Park. We have the north wing. It is air-conditioned. We showed the members a mock-up of the offices that we would hope to put in this building for the private members. I might say that the majority of the members in this House thought they were good, and asked us to proceed with them as fast as we could. In fact, they were starting to draw lots as to who would get which office. Of course, I have nothing to do with that—

**Mr. Sopha:** Yes, the ground floor is all right whether your people—

**Hon. Mr. Simonett:** It will be up to leaders of the different parties to decide which office any member gets. I have nothing to say about that, but I have to say, that in order to update this building we have got to move members out of this area.

**Mr. Sopha:** What, after 50 years?

**Hon. Mr. Simonett:** This area in the building. It has got to be air-conditioned. We have to make changes in the cabinet room. We have to have more room for Prime Minister's staff.

**Mr. R. F. Ruston (Essex-Kent):** Oh, he to have more room!

**Hon. Mr. Simonett:** We have to have so offices for ministers who do not have office in this building. It is difficult if you are moved from here two miles and have to go to an office and work there—

**Mr. Sopha:** What if you are 400 feet away?

**Hon. Mr. Simonett:** —and then drive back here; or if you have to meet delegations and do not have an office here. I often have to meet delegations and take them to a committee room and sit there any try to talk to a group who are representing, not me, but you people out in the area. They do not like it. Sure a minister can have a corner—

**Mr. Worton:** You can come to our office.

**Hon. Mr. Simonett:** —where he can get. We are starting on this new complex—we are going to start on it right away—and I would think that after you see these offices as they are finished, I do not think we will have a problem—

**Mr. Sopha:** There is not enough oxygen.

**Hon. Mr. Simonett:** —placing your members. You will be quite happy to get it in them.

**Mr. Sopha:** There is not enough air.

**Hon. Mr. Simonett:** How do you know you have not been in it yet?

**Mr. Sopha:** Of course I have been in it.

**Hon. Mr. Simonett:** We are going to give you all the air you want.

Interjections by an hon. member.

**Hon. Mr. Simonett:** And if the power should go off we will tell you and you can



get out; we will vacate the building for a while.

Interjection by an hon. member.

**Hon. Mr. Simonett:** There will be lots of air for you, do not worry about that.

**Mr. Sopha:** Okay, you give me air.

**Hon. Mr. Simonett:** And you will have a nice office.

**Mr. Sopha:** I have a nice office now.

**Hon. Mr. Simonett:** You talk nicely to your—

**Mr. Sopha:** It took me 11 years to get it.

**Hon. Mr. Grossman:** Why do you not quit while you are ahead?

**Hon. Mr. Simonett:** —to your boss there, he will give you a nice office. There are going to be a few nice offices in there.

Interjection by an hon. member.

**Hon. Mr. Simonett:** No, I do not have anything to do with that. That will be up to your leader. I will not have any say about that.

**Mr. Sopha:** I wrote to the Prime Minister to ask him to protect me.

**Hon. Mr. Simonett:** I saw that letter, yes. I saw that letter.

**Mr. Sopha:** To protect me!

**Hon. Mr. Simonett:** Against me? I thought you were a friend of mine.

All right, we will look after the member for Sudbury. We will see that he has an office anyway. Provided his leader says, "You give him this office;" we will fix it up.

**Mr. Sopha:** It has nothing to do with my leader. I am the member for Sudbury.

**Mr. Jessiman:** For how long?

**Hon. Mr. Simonett:** I am not going to argue that point. We will argue that one later.

I think I have answered most of the questions that were posed by the member for Ottawa Centre.

Of course, the member for Hamilton East. I think that he was trying to say that Public Works should go ahead and plan all the buildings and tell certain departments where we are going to build them and where they should go. I think this is what he was trying to imply.

**Mr. Gisborn:** You are not listening, usual. I said no such thing.

**Hon. Mr. Simonett:** I thought this is what you were trying to say and I want to you—

**Mr. Lawlor:** We thought you should have some discretion as to where the priorities

**Hon. Mr. Simonett:** —I want to explain you how we arrive at our priorities and, as I said before, Public Works is a separate department of this government.

I think we have a minister of every department. They know the areas where they are in need of accommodation for their different departments and, of course, they submit their requests to ourselves, to Public Works as well as to Treasury Board. When we present our estimates to the Treasurer every year we always ask for enough money to try to accommodate all departments in any particular year.

But it is not always possible to get as much money as we would like to accommodate all departments to go ahead with their different priorities. So what happens then is the departments go back and come up with five priorities which are their top priorities. We go ahead and plan on those.

Then they are reviewed every three months, as they are priorities and they change. Perhaps we would like to start building in a depressed area of Ontario sooner than start one some place else. There are areas in Ontario in which we cannot rent space. In the larger centres, in many cases we can rent space if we really need it, but there are many rural areas or small towns in this province where it is just impossible to rent space. Again, this could change their priorities and these priorities are reviewed every three months. They are dated all the time.

I happened to sit on the Treasury Board and I knew a little bit about Public Works before I arrived over there as minister, because I went over the priorities as they were given to them by the different departments many times.

**Mr. Sopha:** I have the feeling that—

**Hon. Mr. Simonett:** Finally a decision made there that we will go ahead with certain buildings in this province and that is the way we are working now.

Now gentlemen, I think that answers most of the questions that were posed and as

go through the estimates there will be many more, no doubt.

On vote 1801.

**Mr. Sopha:** I would like to ask your guidance to speak on the most important topic; that is the need for a public governmental office building in Sudbury. I suppose that will come under the next vote?

**Mr. Chairman:** The next vote, 1802, deals with real estate, and so on, and I believe that that would be the appropriate vote for that particular topic.

**Mr. Sopha:** Do you so rule?

**Mr. Chairman:** I do not want to make a ruling if it is not in accord with the facts. Would the hon. minister concur with the possibility that a government building in Sudbury would be under vote 1802?

**Hon. Mr. Simonett:** Yes, 1802.

**Mr. Sopha:** I think it is appropriate under this vote to raise a matter—since I cannot have the order or priorities, you understand that I would want, I want to speak about Sudbury first—failing that I want to speak about a matter that has been bothering me for a number of years. I would like the minister to tell us precisely how much real estate is owned by the province of Ontario contiguous to these legislative buildings—this building here.

**Mr. Chairman:** Would that not be also 1802?

**Mr. Sopha:** I think not. I am not suggesting you buy them.

**Hon. Mr. Simonett:** I think, Mr. Chairman, we have a list of all the properties owned—you are talking about the Queen's Park area?

**Mr. Sopha:** This building.

**Hon. Mr. Simonett:** We own all this building.

**Mr. Sopha:** Yes I know, but the land contiguous thereto.

**Hon. Mr. Simonett:** We own all of the next block where we are building—that complete block—and then there are properties over beyond Bay. We do not own all that yet.

**Mr. Sopha:** Could I put the question to you in a blunt fashion, so that we may focus on what I am talking about? A few weeks ago an alderman of the city of Toronto, I think his name was Horace Brown, stood with

the Minister of Correctional Services (Grossman) outside this building, the leader of the New Democratic Party (Mr. McDonald), and the Leader of the Opposition (Mr. Nixon). He said, as he stood on the steps of the building, that he was on land owned by the city of Toronto. Is that correct?

**Hon. Mr. Simonett:** No, Mr. Chairman. To understand it, I think we own the property out to where the curb is. I understand we own out to where the flags are. The property that goes down below the park belongs to the city.

**Hon. Mr. Grossman:** The park belongs to the city.

**Hon. Mr. Simonett:** We maintain it.

**Mr. Sopha:** All right. How about the pasture here where they put "Edward the swinger" on his horse? How much do we own of that?

**Hon. Mr. Simonett:** No. We do not own anything across the street out there. That is the city park as well.

**Mr. Sopha:** Well, that is it. I hope I am not too parochial but coming from a land of freedom and the brave, north of the French line, I do, I rather resent that the environs of the capital buildings of this province, the seat of sovereignty in this province, are not owned by the province of Ontario. Surely, goodness, if this province is truly solvent, it could take some action to acquire that property if you had the gumption to do it.

Why should the province not own that statue down, at least, as the statue of the great John A., which is on the southern fringe? Why should we not own that north pasture up there, so that when India has the gumption to get rid of its colonial symbols, we do not have to get a boat and a beneficent person to ship them over to put in our park?

**Hon. Mr. Grossman:** Very popular statue.

**Mr. Sopha:** I would approve—just let me digress—I would approve highly if it were a statue of Tom Thomson or Robert Service or some other Canadian who made a contribution to the life of this country, because I am interested in creating Canadian symbols. That will be the image of the integrity of the nation.

But I really look askance, in this year 1970, at Edward VII, put up there as the swinger on his horse. They would have been more realistic if they had had a statue of

Langtry next to him. I, as a Canadian, take exception to that.

Now how does this reflect itself in real terms—just so that it will not be thought that Sopha is off on a flight of rhetoric here? A number of years ago, I wrote to the predecessor of the minister to ask if some type of traffic control lights might not be put—where are my directions?—down here, because you have a devil of a time, if you are going to take the subway, to get across that street. The minister, your predecessor, said to me that approval, consent, permission, would have to be granted by the city of Toronto.

That made me rather aghast—that this, the sovereign body, would have to go to an inferior body to ask permission.

What made me think about a crossing was an incident within the memory of a great many who sit in the House, some of them presently sitting up there in the back row with the moonlighters. This is serious; this is a serious matter, a tragic matter. It is within their memory that a member of this Legislature was killed in the dinner hour by an automobile coming zooming up Queen's Park Crescent.

To continue that story, I wrote to the predecessor, and he wrote to the mayor of the city of Toronto to ask permission to put up some type of traffic device that could be operated by pedestrians. I must say I was rather amused that his secretarial or his office organization was so bad that he first sent me the letter. He sent the letter to me, the one to the mayor of the city of Toronto.

**An hon. member:** He thought you looked like him.

**Mr. Sopha:** He thought I looked like Denison? In order to get things on the rails, I sent the letter back to his office and suggested they reroute it so it would get to the mayor. You know what the mayor of the city of Toronto told him in nice polite language? He told him to go to hell. That is what he told him; that is a fact. He would have nothing to do with it.

I am perfectly serious when I say that it is a funny thing in this province, established in 1867, which long ante-dated the city of Toronto, that we members from out of the boondocks, from out of town, from the far-flung reaches of this province, have to come down here and be beholden to the city of Toronto.

**An hon. member:** Better move it back to Niagara.

**Mr. Sopha:** It is about time to move it—move the capital out; because there is no good reason at all for any part of the envelope of this building to be under the control of the municipality of Metropolitan Toronto. I could not complain one little bit if the citizen came in here with a bill expropriating it, taking it over. I do not think it is worth any value to them left in its same state. I could legislate, as the sovereign Legislature could, that from now on, forever, eternally, all that beautiful park up to the north there and that to the south as far as the statue of John A. MacDonald, belongs to us, to the sovereign Legislature.

It has a practical side that is very, very germane to the contemporary field, because this is a day of demonstrations—participatory democracy where people become militia and become activists. We are becoming accustomed to a demonstration every noon, and that is all right. If they want to bring their problems right to the seat of government, no one can complain about that. But it would mean that if we had control of the estate, then we could say what facilities would be offered, what part of the paramilitary forces of this province would be present and how they would be regulated.

But as of now, as of right now—oh indeed I go this far—another matter of resentment that the Metropolitan police, Mr. Chairman, how do you like this?—the Metropolitan police have jurisdiction in this chamber. When had that demonstration on opening day, that unfortunate interruption, it was the Metropolitan police that took charge of the demonstrator—ultimately. And the plainclothesmen that we all saw here giving directions to the press, telling them to get out, was a detachment from the Metropolitan police.

That is not right. The sovereign Parliament of Ontario is in no way beholden to the municipality of Metropolitan Toronto. I feel much better if the Minister of Public Works will have some gumption to do something about it.

One other subject. I have spoken to the minister privately about the situation down the stairs at the front door; I think it is disgraceful. He said to me privately that he intended to do something about it and if they could get around to laying the wall-to-wall broomloom which they did—it must be the most expensive carpeted legislative building in the country—

**Mr. B. Newman (Windsor-Walkerville):** the world!

**Mr. Sopha:** In the world! If they could do that, the least he could do is something to improve the reception area. I have long ago stopped complaining about the lack of French-speaking staff to greet some errant visitor from Quebec. Goodness gracious! If the Premier of Quebec ever came in here, or somebody from the National Assembly who did not speak English, and he wanted to use the washroom, they would have to send up to the Department of Social and Family Services to get somebody—

**Hon. Mr. Simonett:** No, we have somebody to take care of that.

**Mr. Sopha:** —to get somebody if the Minister of Lands and Forests was not around, but my friend, Guindon would be glad to assist.

**Hon. Mr. Simonett:** Your friend from Stormont?

**Mr. Sopha:** Apart from that the check up down there, the setup is ghastly at the doorway, the main entrance to a legislative building, and the minister agreed with me privately. He did not swear me to confidence in this conversation because I stalked right up to him one day when I saw him down there and I pointed it out to him and I said, "This just is not good enough here."

I could go on and describe in lurid detail just what use is made of the area, but the first thing you should do is get that horrible looking counter out there. That has been there no doubt since 1894—

**Hon. Mr. Simonett:** Or earlier.

**Mr. Sopha:** —and get some proper and commodious impedimenta in there that would make the place look like a proper greeting area. Should we expect less?

I do not know whether this is a vote on which to say anything about the hon. members' accommodation or not. I could deal with that in few short sentences. It is just absolutely disgraceful what you intend toward us. I wish the people in the province knew what you intend—the quarters you intend to put us in. They are a fire trap in the first place and we will not be safe.

**Hon. Mr. Simonett:** They will be—

**Mr. Sopha:** There is no privacy, and under the present conditions we will not have adequate supplies of fresh air. For 11 years now I have been searching for an office. I have seen these fellows in the ministry and the development of their tastes and I wish the public could see some of their offices. It

would be worth a few seats in the next election if they saw the luxurious settings which some of those ministers are established in. It really rattles us, when I think of the struggle that I go through every four years for votes and the responsibilities I have to represent the people of Sudbury. Every insignificant executive assistant comes in and immediately gets the most commodious quarters because he is close to the seat of power, as far as accommodations around here are concerned, we are always low man on the totem pole. We are last. I sometimes wonder and I put it straight to the Minister of Public Works before I sit down, that I suspect we are discriminating against us because we are in the opposition.

**Hon. Mr. Simonett:** In fact, your friend will tell you just the opposite. We have been listening to you all the time.

**Mr. Sopha:** We did not do well under my predecessor. I wrote to the Prime Minister last week to ask him for protection against you. You bet. But I see they have got me programmed; he is into the computer, because I wrote a nice polite letter to him complaining about the proposed move and asking after 11 years, to leave me where I am on the fourth floor. I wrote him a nice letter, I always thought he was an old pal of mine. I get back something called "Memorandum to Elmer W. Sopha, MPP." So he is right in the electronic age. That big staff he has has got him wired right in. He merely said to me, to make the whole thing public, that he passed my letter on to you. Well, that sends me into the very depths of pessimism.

**Hon. Mr. Simonett:** You did not want to talk to me in the first place.

**Mr. Sopha:** Well, I know that. Like a person passing through Dante's purgatory, I am beyond hope, if that is the case.

He pointed out that it was always intended that the present accommodation be temporary. Well, that is what it has been for 11 years.

**Mr. Worton:** Fifteen years.

**Mr. Sopha:** Well, 11 for me. It has always been temporary.

**Hon. Mr. Simonett:** You would not want to stay there the rest of your political life.

**Mr. Sopha:** And we have been known to go from pillar to post during the decade, and never a place until we started off in

Here was the beginning. This was our office, right here.

**Hon. Mr. Simonett:** I know. I started over there.

**Mr. Sopha:** Well, I was up there before we became friends. I was up there; we started from here and then we went from one part of the fourth floor to another part—indeed, was it the fifth, at one time?—and then—

**Mr. Singer:** He could never find that one.

**An hon. member:** The room up there had no windows, no ventilation.

**Mr. Sopha:** Down, down farther; last year into the rabbit hutches. They were ashamed that somebody would come along and look at them, and they brought the night shift in to tear them out for fear they would take some pictures, and finally I was given adequate accommodation. I am only a poor boy from Cobalt, and I do not want much out of this world. It is adequate, not flashy; a nice office on the fourth floor. I was put there, and now I live under the cloud of a threat from this minister.

**Hon. Mr. Simonett:** No notice yet!

**Mr. Sopha:** Well, it is not funny.

**Hon. Mr. Simonett:** Wait until you get the notice.

**Mr. Sopha:** It is not funny. And the Treasury Board, whenever a minister wanted a second office in this building, that Treasury Board leapt to it. I wish—

**Hon. Mr. Simonett:** No, no!

**Mr. Sopha:** —I wish they would put the figures down some time on how much it cost to locate the Minister of Highways in yesterday. I wish the public knew that one—those spacious offices that he has up on the third or fourth floor in the east end of the building. I wish the public knew that. But what happens, of course, is the operation of Parkinson's law. As soon as one of them moved in, then the others in the ministry did not feel that they had arrived unless they had a second one.

**Mr. Singer:** Do not forget about the Minister of Social and Family Services (Mr. Yaremko) in the north wing.

**Mr. Sopha:** Oh yes, that minister was a good illustration—the person who has always typified himself in the stereotype of the poor

boy who made good. Well he certainly learned how to live high off the hog. A funny thing was, after he opened the north wing there, he invited every constituent to think, every person there was in his constituency.

**Mr. Singer:** And all the shrimp you could eat.

**Mr. Sopha:** All the shrimp you could eat. He was there temporarily, then they moved him and lo and behold, he took all the pictures and furniture. I think it was rumored he took the plumbing with him. And, I am telling you, the lavishness of that office—beyond belief, only equalled by the slum room that Robert Macaulay had on the floor when was at the height, at the perigee, of his career—those chartreuses, I know. You thought you were on a trip to go in there.

**Hon. Mr. Simonett:** Let me say to the member, I would just like to point out—

**Mr. Sopha:** Wait until I am finished.

**Hon. Mr. Simonett:** Just on that last point though. Anything that was in Mr. Macaulay's office he owned.

**Mr. Sopha:** What are we, poverty stricken?

**Hon. Mr. Simonett:** He asked to buy it and he put it in there.

**Mr. Sopha:** Are we poverty stricken? We have to ask people to furnish their offices?

**Hon. Mr. Simonett:** He wanted to furnish it and he did and he owned it. The government did not have a cent in there.

**Mr. Sopha:** Is that right?

**Hon. Mr. Simonett:** That is right, because when he moved it out I had to borrow a cent. That is right.

**Mr. Sopha:** All right, but it is ridiculous. Striking, the contrast around here and the public purse is kept to satisfy the hubris—where is the hon. member for Lakeshore on the other side; and the narcissism exists over there.

Brother, I am telling you right now that I am not going to be moved easily. There will be a sit-down strike. You try to come in and put me out of where I am and you will find that I will go to the court for an injunction against you.

**Mr. L. A. Braithwaite (Etobicoke):** We shall overcome, I would say.

**Mr. Sopha:** You bet! If this is the age of demonstrations, maybe you have got one on your hands and you had better send your—

**Hon. Mr. Simonett:** Maybe the people of Sudbury will have something to say about that.

**Mr. Nixon:** Yes, sir, they will send him back. You can be sure of that.

**Mr. Sopha:** Sure they will.

**Mr. Nixon:** You people are wasting your time up there.

**Mr. Sopha:** All right. I am just telling you that for as long as the life of this Parliament—I do not want to stay there beyond the life of this Parliament, 1971 or whenever it is. I will be ready to vacate then because maybe on that night in 1971 when it is all counted, the missus will say: “Robert Nixon is on the phone; he wants to talk to you.”

Interjections by hon. members.

**Mr. Nixon:** Will you settle for Public Works?

**Mr. Sopha:** And do you know what I will say? “Ask him what he wants.”

**Mr. Nixon:** Will you settle for Public Works?

**Mr. Sopha:** No. We have had a good laugh about this, but I am serious—and I am not going to let this go—about purchasing this real estate around here. You should get busy on that right away and get the municipality of Metropolitan Toronto out of here so that we can be masters in our own house.

That is what the people of Sudbury expect of me when I come down; that when I am on this land I am at the capital. I am not a delegate to the municipality of Metropolitan Toronto. We should own that on which we reside. That is sensible and I do not care how many memos you get to the contrary, but I would like to see you move in that direction.

**Mr. Chairman:** Would the hon. minister undertake to reply at this time?

**Hon. Mr. Simonett:** I am not sure, Mr. Chairman, whether the hon. member wanted a reply or not. I think he was just telling us what he would like to see happen around here and, of course, I listened. I do not agree with him on everything. We own the property where we are living right here;

the property out in front—we have used it or had the use of it, along with the people of the province of Ontario.

I understand we look after the maintenance of it and no-one is refused admission. They can come in and use it; they can come and go when they feel like it, so I do not think we should quarrel with the city fathers. I think there has got to be some local authority and I would not be too concerned about that, because nobody has ever said to me: “You can come in here, or you can stay here, or you have to stay out”. I think anyone in this province can use that property and it is quite free to do so.

It is the same regarding the park here. I know the maintenance is done by the city of Toronto and, again, anyone can use that park. I do not think anybody has ever been refused admission, so why worry about those little things? We have too many big things to worry about right now.

Now in regard to lights here I think all members know that we do not need to go outdoors to get to a subway from any building in this area. We have underground passages to the other building, and that is the way there to the subway. There is no need for anyone risking life or limb to get to a subway way. He does not need to get wet, in fact he can stay right under cover and get to the subway just as easily as he can outdoors.

**Mr. Nixon:** That is a half-mile walk and a run there.

**Hon. Mr. Simonett:** I cross that street many, many times. I cross that street many times. I suppose, more than any opposition member, because my office is across in the Ferguson block. There are times when it is very busy but there is never a time when you have to wait over two minutes until the traffic clears and you can get across. I cross it several times every day.

**Mr. Worton:** I say a prayer for you every day.

**Hon. Mr. Simonett:** I have never seen anybody trying to run over me out there. I wait until the traffic slows up a little bit. I am not in a rush like some people who are rushing somewhere and they do not know where they are going. I know where I am going and when I want to get back.

**Mr. Nixon:** We have to look out for the Buick Electras carrying cabinet ministers.

**Hon. Mr. Simonett:** I do not have a Buick Electra to run back and forth; I have

feet and two legs and I use them quite often. I have a Buick Electra at home, too, in case you do not know it, and I use it when I want to. I do not ask you or anybody else for that privilege, so let us not get into that one.

In regard to the office space here, I want to tell the hon. member for Sudbury, I will have nothing to say about the office he takes. It will not be anything to do with me at all. There will be offices here for members; there will be cabinet offices. There will be many offices. Of course, the leader of the government at that time, I suppose, will say which cabinet minister takes what office. The Leader of the Opposition will tell his members. Or they will sit down together and sort this space out.

In order to update this building and to do the things you would like down in the front there, and to remove some of the old walls that you know are down there wasting space, we have to move members out of this part of the building into another area until we get this work completed. Then, whoever happens to be the Prime Minister of Ontario at that time, no doubt will sit down with his opposition colleagues and say, "We will take certain space; you will have certain space, and somebody else will have a certain space". Perhaps you and I will not be worrying about it then, I do not know.

**Mr. Sopha:** It will be a two-year wait?

**Hon. Mr. Simonett:** It will a year and a half at least. Well before it is all finished, it will be longer than that.

On vote 1801.

**Mr. J. P. Spence (Kent):** Mr. Chairman, under this vote—vote 1801, item 4, remedial work—is this amount of \$25,000. We are told this is to provide for construction of remedial work to alleviate flooding conditions and erosion of farm lands and other damages and the expenses connected therewith, as may be directed by the Lieutenant-Governor-in-Council. This is a \$25,000 item and there is also an item for municipal drainage of \$4,000.

I was glad to hear the minister say that he is going to make an effort to get rid of this item this year. However, it is in the estimates for this year. There is not a great deal to say about such a small amount of money but it is rather interesting that the annual report of The Department of Public Works, on page 6, says:

Under water control branch, in accordance with the recommendations of the department, a decision was made during the year to transfer this water—

**Hon. Mr. Simonett:** That was last year?

**Mr. Spence:** That was last year? I think so. You turned it over to The Department of Lands and Forests, but is it not in the estimates this year—the \$25,000?

**Hon. Mr. Simonett:** Yes, Mr. Chairman, I am sorry if I misled you there. The branch was transferred but there is a vote of \$25,000 in our estimates and this is what I would like to phase out in another year. Although there were a couple of small programmes going on this year—I believe north of Sudbury and Lake Erie, there was a small project on Lake Erie, there were some grants on some other project. This vote was left over, I think, to clean up this year. Perhaps we will need it all, perhaps we will not. I would like to see both drainage and remedial work go to the departments where they belong.

**Mr. Spence:** We have four more departments in government which cover this water control branch; the Ontario Water Resources Commission, Energy and Resources Management, and now we have it under Lands and Forests, have we not, Mr. Minister?

**Hon. Mr. Simonett:** Mr. Chairman, that is the one reason we would like to get rid of it. I think The Department of Lands and Forests used that service more than any other department for building dams and drainage under its legislation. They, in fact, built a lot of dams in northern Ontario in areas that did not come under conservation authority or the municipalities were not large enough to take care of some of them. That was handled there, and then, of course, the drainage part comes under Municipal Affairs. For remedial works, I would think, under the Department of Lands and Forests. The drainage that is not covered by conservation authorities, of course, comes under Energy and Resources Management.

**Mr. Worton:** Mr. Chairman, I would like to have a little more explanation of this central purchasing. As I understand, in 1966 it was announced that there was going to be—

**Hon. Mr. Simonett:** I wonder, Mr. Chairman, if we could deal with that under vote 1803.

**Mr. Worton:** I thought it was under "purchases" under 1801.

**Hon. Mr. Simonett:** That is general purchases for the department.

**Mr. Worton:** Well, do you have a purchasing department on top of this purchasing department?

**Hon. Mr. Simonett:** We have a branch in our own department for our department's needs, just the same as any other department.

**Mr. Worton:** You have a purchasing department for your department and then a central purchasing department or—it is not “purchasing”, it is a central—what do you call it?

**Hon. Mr. Simonett:** Supply.

**Mr. Worton:** You have a central supply on top of that. And that comes under vote 18—

**Hon. Mr. Simonett:** 1803.

**Mr. Worton:** 1803. Okay.

**Mr. Chairman:** Vote 1801. The member for Etobicoke.

**Mr. Braithwaite:** Through you to the minister, Mr. Chairman, about a week or so ago the minister replied to a question put to him by the member for York South (Mr. MacDonald) in connection with surplus real estate in Etobicoke. The reason I wanted to ask a few questions about this tonight is that it seems awfully strange to me that lands belonging to this government and to the people of Ontario could be purchased by a subdivider or developer and, if not purchased, could be put in such a position that that developer could state in front of the planning board that he pretty well had control of the lands without even—

**Hon. Mr. Simonett:** Mr. Chairman, let me correct the member before he goes any further.

**Mr. Braithwaite:** Could the hon. minister let me finish?

**Hon. Mr. Simonett:** I would like to correct—

**Mr. Braithwaite:** Well now, wait a minute. Will you let me finish? I do not bother you.

**Hon. Mr. Simonett:** Well, we have not done anything with these lands; that is what I am trying to tell you.

**Mr. Braithwaite:** Let me finish, Mr. Chairman.

What seems strange to me is that this could come before the council or the planning department of Etobicoke and come forward with certain plans for developing lands—the council did not know anything about it. The planning board did not know anything about it.

**Hon. Mr. Simonett:** Public Works did not know anything about it.

**Mr. Braithwaite:** Well, that is funny, because the thing that struck me was that these are surplus lands—they come under the minister's jurisdiction—how was it he did not know anything about it? This is why, in a supplementary question at the time this question came up, I asked the minister just what was the policy of his department with regard to surplus lands—we will just say in Metropolitan Toronto; that will be sufficient to start with.

**Hon. Mr. Simonett:** Not in Ontario?

**Mr. Braithwaite:** Now the next thing he did say that he did not have a survey yet, he was going to have these lands surveyed and he would then have more or better knowledge of the acreage and the exact location. Before we go any further, I am going to sit down for a moment and let the minister make a few comments. I would like to know if he has not got a survey now, could he undertake to perhaps send me one when the department gets one. Secondly, I would like to know if he could elucidate here tonight just what the policy of his department is with regard to vacant land?

**Hon. Mr. Simonett:** Mr. Chairman, on that particular property we are talking about I think it was only declared surplus in fact about two weeks ago by The Department of Health. Again, I cannot give you a copy of the survey because it has not been surveyed yet. When it is surveyed, we will be very happy to give you a copy of the survey. I normally what we do in Public Works is work closely with the municipality, wherever surplus land should be. If they have use for it and they are willing to pay our estimated price or a price we can negotiate, I do not think at any time that we would not sell to the municipality. If, for some reason, the municipality has no use for it whatsoever then it is sold by tender.

**Mr. Braithwaite:** Could the minister, perhaps in retrospect, tell me how this developer got his mitts on this land?



**Hon. Mr. Simonett:** He did not get his mitts on it.

**Mr. Braithwaite:** Well, how could he come to the borough of Etobicoke and—

**Hon. Mr. Simonett:** Well, Mr. Chairman, I do not know how you would expect me to answer that, because—

**Mr. Braithwaite:** Why not? He is the minister.

**Hon. Mr. Simonett:** —as I said, it had not been declared surplus by The Department of Health when, evidently, he had been to the council in Etobicoke. We knew nothing about it. It was Health's property, not ours. They declared it surplus. Then it came to The Department of Public Works for disposal. As soon as it is surveyed, we are going to offer it, or we will talk to the municipality; if they are not interested, it will be sold by tender.

**Mr. Braithwaite:** So what the minister is telling me then is this: his department did not see this land—

**Hon. Mr. Simonett:** We did not have it. It was The Department of Health.

**Mr. Braithwaite:** —did not know anything about it, and said nothing about it. What I would like to know is how many other pieces of land were disposed of by other departments before they got to your department?

**Hon. Mr. Simonett:** Well, there is no land disposed of by other departments. When they declare it surplus, then it reverts to Public Works for sale.

**Mr. Braithwaite:** Well, the thing that disturbs me, Mr. Chairman—

**Hon. Mr. Simonett:** With the exception of Highways, let me correct that; with the exception of Highways.

**Mr. Braithwaite:** With the exception of what?

**Hon. Mr. Simonett:** Highways.

**Mr. Braithwaite:** The thing that disturbs me, then, is how this developer could come with proposals, drawings, plans; how he could do this? Developers are usually pretty crafty people; how could he do this? He must have had some definite sort of plan or the chief planner of the Borough of Etobicoke would not have suggested to the council of Etobicoke that they write the Prime Minister asking the Prime Minister to defer any action on that land until the borough of Etobicoke had an opportunity to look into it.

That is the point that I, and the people of Etobicoke, find difficult to understand. The minister said he knew nothing about it. That is the standard explanation for most things that go wrong. But there must be some procedure; if a department has land that becomes surplus, there must be some procedure. It must go to your department; you should be able to control about them. This is the thing I find very difficult to understand.

**Hon. Mr. Simonett:** Mr. Chairman, I do not know whether the hon. member is insinuating that we knew something and that we were not dealing with a developer. This is what you are saying sounds like to me.

**Mr. Braithwaite:** I am not saying that.

**Hon. Mr. Simonett:** Well, that is what you are trying to tell the House, that I am saying something about it—

**Mr. Braithwaite:** Do not put words in my mouth.

**Hon. Mr. Simonett:** —and that we were not dealing with a developer before the land was declared surplus by the department and whose control it was at that time. Look at that, dear man—

**Mr. Braithwaite:** I am not your dear man.

**Hon. Mr. Simonett:** I know many pieces of property in the province of Ontario; I know them just by looking at them the approximate acreage of them. I could visualize in my mind what I would do if I was a developer, what I would like to build on them. I could draw a plan and offer it to any municipality and say, "You have a piece of surplus land here; this is what I would like to develop." Maybe I have even talked to the owner. This goes on every day after day. You do not think that some of these large projects the land is purchased before they have drawn a plan in their minds of what they are going to develop. Definitely not. They have their rough plans on their sketch plans. They know there is an area there, and if they can get any light to go ahead on this, then they will start to purchase the land. I suppose that is what happened in this case; I do not know. I do not know the developer.

**Mr. Braithwaite:** Well the minister is getting a couple of things. First of all, on the Etobicoke planning board; I know a little bit about how developers work. Secondly, the chief planner of the borough of Etobicoke is a very experienced person and would not have gone to all the trouble

suggest that a letter be written to the Prime Minister if he did not think that this developer had his hands on this land, and this is what I am trying to point out.

**Hon. Mr. Simonett:** Well, we have proof that he did not have his hands on it.

**Mr. Braithwaite:** All right now, the minister has given an explanation of it. What I would like to know is could the minister tell us what streets are involved here? Where exactly is this land located in the Thistleton Hospital area?

**Hon. Mr. Simonett:** I am told it is in the northwest quadrant. Now does that convey anything to you? It does not to me.

**Mr. Braithwaite:** Are there any streets adjacent to it? I just want to get some idea of where the lands are.

**Hon. Mr. Simonett:** No, I cannot tell you.

**Mr. Braithwaite:** Perhaps you could direct your staff; perhaps your staff could tell you.

**Hon. Mr. Simonett:** They are not sure of the streets. But I will tell you what I will do for the hon. member. I will find out in the morning, and perhaps we could put it on your desk and you will have it tomorrow afternoon. We are not trying to hide anything, but I just do not know myself, and our people are not sure of the streets.

**Mr. Braithwaite:** Well, I am asking these questions. I do not insinuate anything as far as the minister is concerned, but I have received many communications from constituents who are quite concerned that this land could come into the hands of the developer without the people in Etobicoke knowing about it. I would appreciate the minister furnishing me with further details. And, further, I would appreciate a copy of the survey when his department secures one. Thank you.

**Mr. Chairman:** The member for Hamilton East.

**Mr. Gisborn:** Two questions just for information from the minister in 1801, item 4, grants of \$29,000. Could the minister give me an example of the purpose of this expenditure?

**Hon. Mr. Simonett:** Yes, Mr. Chairman, those are the grants we were talking about. There is \$25,000 and \$4,500 for maintenance on drainage and grants for shoring up creeks and that. The vote I just mentioned is one I would like to get rid of this year when we

are sure we are cleaned up on all our grants that are owing to certain municipalities; that that vote should disappear and go—part of it in Municipal Affairs and part in Lands and Forests, I would think.

**Mr. Gisborn:** Yes, I gathered the explanation by the minister on that section. What would like to have for self-education, and what it could be sent to me, is a list of some of the municipalities that have taken advantage of the remedial works moneys.

**Hon. Mr. Simonett:** I could give it to the member now for 1969—for the past year.

There was wall reconstruction, phase three at Perch Creek, Lambton county, \$21,415.50; and Perch Creek shore protection, Wallingford property, Lambton county, \$2,732.50; township of Mersea, Pulley subdivision, shore protection, Mersea township, Essex county, \$24,183.34; and the townships of Cosmopolitan, Mason and Martland, channel improvement, Wolfe River, Noelville, district of Sudbury, \$1,500—for a total of \$49,831.71.

**Mr. Gisborn:** Thank you.

How about the \$29,000 grant in item 4 in 1801?

**Hon. Mr. Simonett:** That is the money that we are asking to be voted this year because we are phasing out the programme. I believe there are some programmes going that we have to complete during this fiscal year and then the programme, I hope, will be phased out of our department.

**Mr. Chairman:** The member for Windsor Walkerville.

**Mr. B. Newman:** Mr. Chairman, I would like to ask the minister, who decides if equipment is to be made surplus equipment?

**Hon. Mr. Simonett:** That is decided by the different departments. East department would declare its own equipment surplus.

**Mr. B. Newman:** May I ask of the minister why two Polaroid cameras were declared surplus equipment in his department? Would a Polaroid camera be declared as surplus equipment? Surely there must be some use in government departments for that type of equipment, or they would not have purchased it in the first place?

**Hon. Mr. Simonett:** Mr. Chairman, I cannot answer that one at this particular time. But I suppose, if they were declared surplus, maybe somebody found them in a storeroom and they were not being used. As

walk around my own place of business in government, I can find many things in many places that should be declared surplus and removed from the shelf, or off the lot where we are paying storage, which is worth a lot of money now.

What happened in this particular case—unless we had more Polaroid cameras than we needed, which likely was the case—is that perhaps they were old and outdated cameras and we had updated the equipment.

**Mr. B. Newman:** Before any piece of equipment is declared surplus, are not other departments of government circularized and shown that this type of equipment is available, or is being declared surplus, and asked, "Have you use for the equipment?" I cannot personally see why a Polaroid camera would have been declared surplus.

**Hon. Mr. Simonett:** Yes, other departments are circularized, but I would think, sir, on Polaroid cameras, or any camera equipment, anything that would be declared surplus is likely old and outmoded equipment.

As the member knows, Polaroid cameras have changed in the last 10 or 12 years; I have a couple at home I would like to declare surplus, if somebody would give me something for them, because they are useless. I was looking at them yesterday.

**Mr. B. Newman:** Mr. Chairman, the minister may say what he wishes, but a Polaroid camera put in the hands of anyone who knows how to operate a camera, is good indefinitely.

I will leave that for the time being and ask of the minister, does he plan on sand-blasting this building to improve its appearance?

**Hon. Mr. Simonett:** No, we do not.

**Mr. B. Newman:** You are going to leave it looking dirty as it does now?

May I ask of the minister, who was responsible for the construction of the sidewalk in front of the building? It is just two years old—a year and a half old, and has already cracked up.

**Hon. Mr. Simonett:** Mr. Chairman, Public Works would be responsible for the construction. I understand it was done by contract. I have walked over it quite often, but I have not noticed anything particularly wrong with it.

**Mr. B. Newman:** Mr. Chairman, for concrete only two years old, the cracking that

has taken place certainly is indicating some poor workmanship. I think the minister should get after the contractor and that he repair the thing and put it in proper condition.

I cannot see how, after two years of this would have happened. If it happens here, think of other places where the government has offered contracts and types of shoddy workmanship may have place.

**Mr. Chairman:** Vote 1801?

**Mr. MacKenzie:** Mr. Chairman, I just want to ask the minister a question regarding central supply division.

**Hon. Mr. Simonett:** That will be 1803.

**Mr. Chairman:** The member for South.

**Mr. D. A. Paterson (Essex South):** Chairman, remedial works. First I would like to thank the minister and his department for the work done in my particular area in regard to the breakwall that was constructed. But he remarked at the end of the conversation to the member for Hamilton East that that particular section is being transferred to his department, and I wonder into what department of government remedial works would now fall?

**Hon. Mr. Simonett:** The water control programme has been transferred to Lands and Forests and the drainage end of it—we have some moneys in that vote for drainage works that I suppose would come under Municipal Affairs.

I should think the rest of it should be under Lands and Forests, or The Department of Energy and Resources Management, or the conservation authorities branch.

**Mr. Paterson:** Might I ask, does the department have anything further pending in relation to construction in the township of Minto through this department, or would those discussions be under—

**Hon. Mr. Simonett:** The answer is, no.

**Mr. Chairman:** The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Minister, I have two brief questions I would like to ask of the minister. One deals with some material that belonged to an air base that was declared surplus at Pagwa. Apparently it

**Hon. Mr. Simonett:** That is vote 1804.

**Mr. Stokes:** All right. Do I understand correctly, from the minister's answer in reply to the question of the member who has just spoken, that the fluctuation of water and building of retaining walls comes under The Department of Lands and Forests?

**Hon. Mr. Simonett:** Yes, this is a programme that we are phasing out. We have a few dollars left yet, but I think the member would agree with me that with \$25,000 or \$29,000, it does not leave us in a position where we could take on any size project at all, so we feel it should come under The Department of Lands and Forests. Those areas where there are conservation authorities, of course, would come under conservation authorities and be dealt with by Energy and Resources Management.

**Mr. Gisborn:** Why not Municipal Affairs?

**Mr. B. Newman:** Mr. Chairman, the province has a sizeable piece of real estate in the city of Windsor, in the downtown area, on which they have—

**Hon. Mr. Simonett:** That is on vote 1802.

**Mr. B. Newman:** Vote 1802? I will take it up at that time then.

Vote 1801 agreed to.

On vote 1802:

**Mr. B. Newman:** I will continue where I left off, Mr. Chairman.

The piece of real estate is sizeable, it is well taken care of by the local parks department. I was just wondering what plans the government has for that piece of property.

**Hon. Mr. Simonett:** I understand there are no definite plans to develop the property in question at the present time.

**Mr. B. Newman:** At what stage of the game does the department consider that they are paying more rents than necessary, and it would be more economical for them to put up a public building and to centralize all services rather than to rent accommodation in approximately a dozen different locations in the town?

**Hon. Mr. Simonett:** I think, when we are speaking about this property, it was purchased by the government. But I am advised now that it is under lease to the city of Windsor as the greenbelt, so I suppose it is serving a useful purpose to the city. It is not costing the government anything, and again

any of the property could be used for government purposes at some time.

**Mr. B. Newman:** We know it is a greenbelt and it is serving a useful purpose to the community, but I am just trying to get from the minister at what stage of renting facilities in a given community does the department decide it is more economical for it to erect a public building to consolidate offices in the community rather than to be renting accommodation from approximately a dozen different landlords? In other words, a centralized area in the community where government offices would be located, where an individual dealing with the province of Ontario would have to go to one spot or rather than a dozen different locations.

**Hon. Mr. Simonett:** That is good in theory but it does not work well, because we do not have consensus with all departments that they want to be centralized. It is difficult to put Highways, Transport, Agriculture, Health, OPP, and all the many offices that we would have, in one building. We have to have different locations for them because they do not blend in the one type of building. As far as what we feel about whether we should own or lease is concerned, we think we are best off if we are on a 50-50 basis in the area where we have most of our offices. We feel we have to have permanent offices as well as some leased space.

But there are many areas in rural Ontario where I doubt very much if the government would think of building permanent buildings at this time because, as you know, government services are changing, the demand for more space is changing. It would be very difficult to go out of Toronto in all areas and say that we need this type and this size of government building and this is what we are going to build. I think you would find in a few years it would be obsolete as far as the space is concerned or so crowded we would have to go out and lease space.

**Mr. B. Newman:** I am not trying to get from the minister that he should be developing the property and putting up a provincial building on the site. But, at some stage of paying rentals throughout a community, would you think that your department would figure it would be economical for it to build its own accommodation, rather than renting accommodation. Now there must be some department of government that would lend themselves well to centralization; other may not, as the minister mentioned and I believe

that argument. But there must be some point at which you will centralize rather than rent.

**Hon. Mr. Simonett:** Mr. Chairman, I think that point is debatable, but again—and I have emphasized this fact—when you build a building today you are talking about its use for 25 or 30 years, and if you knew for sure that this is the space and the accommodation you needed, then I think government would take a long look at it and say, “We will build” or “We will lease at this time.” If that were the case, if we were sure, I think we would be better to build our own building because we can borrow money and do things just as cheaply or cheaper than some other people.

But again, I have had experience doing both, and there are many times I would sooner lease for five or 10 years, because I have found that you grow out of buildings very fast and then you are stuck with something that has been very costly and it is much more expensive than leasing. Again, on leasing in a community, I think it is good for the government to go out and lease a few buildings. At least it gives the local builder a chance to build, he rents it, and the municipalities like it; many people in the municipalities like it as well.

**Mr. B. Newman:** I will not argue with the minister as to whether many people like it or not, because in my estimation people would prefer to go to a central location to deal with a certain number of government departments rather than run throughout a given community. But has the department undertaken any type of studies in relation to my own community as to the need for a provincial building, as to the economy in having a central location or a building consolidating all government offices. Have any studies of that nature been undertaken?

**Hon. Mr. Simonett:** Mr. Chairman, I think I explained to the hon. member earlier that it is difficult; you cannot get all departments of government in a central building. They do not blend with one another. And I explained earlier that we are a service department; so that if the Minister of Agriculture can prove to me that he wants a building in one area, I will do so. Of course, you are not going to put Highways downtown in Windsor, with their salt, sand trucks and what have you; they have got to have a separate location. The Department of Transport, for its needs, requires a different location. Then you get your government offices, the few that there are—and they are not that great.

I will agree with you that it is nice to have everything centralized. But it is a very difficult thing to do. They just do not blend one another; they are different government departments. Here is the Minister of National Services; you do not want his institution downtown in Windsor either. So, again, you cannot get them to blend together. They have got to be different leases and different buildings.

**Mr. B. Newman:** Mr. Minister, you cannot say that, but you have not undertaken any studies to find out whether it is better for you to have them. The sales tax office could certainly be put into a building on that ground, if you would like to put it in there. There would be no parking in that vicinity for a sales tax office than where it is located now. But unless you have conducted some type of studies to determine whether it is more economical, you cannot be arguing the way you are now. It is not right to speak of The Department of Highways, but we are not asking for The Department of Highways to be in the downtown area. Yet there are enough branches of government that could go there.

**Hon. Mr. Simonett:** You are asking for a central government complex.

**Mr. B. Newman:** The Department of Labour is located at one end of town, the Department of Transport in another; the Department of Social and Family Services is a third; the sales tax office is in a fourth. You have at least nine different locations, and you are not saying that they should be centralized, but up until the time you have conducted some type of studies, you cannot give me a good argument why you should not centralize them.

**Hon. Mr. Simonett:** Mr. Chairman, I am not going to give the member an argument, because these studies are going on continually within our department and other departments. Of course, I explained earlier, priorities are the buildings we build.

**Mr. B. Newman:** Now you are giving me another alibi.

**Hon. Mr. Simonett:** No, I am not. Mr. Chairman, I do not need to give the member an alibi; there is nothing in this tonight to build any centralized building in Windsor, so we are not discussing that.

I told you there are studies going on to find out the reason you cannot centralize all departments. If that does not satisfy

there is nothing being asked for tonight to put any central building in Windsor—

**Mr. B. Newman:** I am not asking for a building to centralize all facilities in the community. I am asking if you conducted studies so that you know it is more economical—

**Hon. Mr. Simonett:** Continually.

**Mr. B. Newman:** —to centralize facilities or not. But apparently your department has not done that. What plans have you for the property that you do own in the city? What long-range plans have you for it?

**Hon. Mr. Simonett:** Mr. Chairman, I answered that. I told him that it was under lease at the present time. When and if we get enough money in this department that we can study Windsor and say to the rest of the departments concerned with space in Windsor that we have money from the Treasury Board, we are willing to build new buildings or lease new buildings, this is when we complete a study. But there are no moneys being voted for anything in Windsor this year. So, again, we are not making studies with the other departments.

**Mr. B. Newman:** Mr. Minister, surely you must have some type of long-range programme throughout your department? Surely you would know that by the year 1980 those grounds are going to be used for housing some type of governmental offices, or never be used. If you do not have intentions of using them, why do you not go ahead and give them to the city so that they could come along and do what they wish to the grounds and add to the open area—I should not say open area because it is an open area now—but maybe they could come along and improve them, put them into better condition than they are today.

**Hon. Mr. Simonett:** I thought they were doing that now. Mr. Chairman, the property we have in Windsor does not belong to the people in Windsor. It belongs to the people of the province of Ontario. If the decision is made by this government to dispose of that property, then no doubt Windsor will get the first opportunity to buy it. If they are not interested, it will be sold for something else. I doubt very much if it is going to be sold in the foreseeable future because I cannot tell you now what might be built in Windsor in the next eight or 10 years.

**Mr. B. Newman:** It is not too long ago that you had grandiose schemes for the construction of a public building. Then after that was changed you were going to put dinosaurs there—cement dinosaurs—and now you do not know what you are going to do. I am very disappointed that the minister cannot come along and give us something concrete for the use of the grounds.

**Mr. Chairman:** Vote 1802. The member for Hamilton East.

**Mr. Gisborn:** Mr. Chairman, through you the minister, during the estimates of the Department of Transport about a week or a half ago, I solicited some information regarding the motor vehicle branches in Hamilton. The Minister of Transport told me that the information would have to come from the Department of Public Works. He promised to get it for me and send it, but I have not received it so I might as well try to get it now.

Prior to the date of opening for the 1979 motor vehicle licences last fall, one of the best motor vehicle branch licence-issuing locations was the Hamilton shopping centre. This was very suitable, adequate parking. Just prior to the opening date—I believe it was December, I am not sure—they closed that branch and established one at the corner of Britannia and Parkdale in Hamilton; I believe it is 199 Parkdale North.

I do not believe that location ever operated. The second time I visited the place it was closed with a sign saying it had moved to Parkdale North at the Consumers' Lumber location.

I wonder if the minister could tell me the reasons for the move from the Hamilton shopping centre. What transpired regarding the lease and cost at the Parkdale and Britannia Avenue location that was not used, and what are the lease terms or contract and with whom at the Consumers' Lumber location in Parkdale North?

**Hon. Mr. Simonett:** Mr. Chairman, through you to the hon. member, we will have to take that question as notice. We do not have that information with us here this evening. The only thing we have on Hamilton for the Department of Transport, I think you have noticed in your blue book, is approval of preliminary plans for a new driver examination centre. It is in "Approved preliminary plans" this year. Regarding the other lease, I would have to get you that information and will be very happy to do that and give it to you tomorrow.

**Mr. Gisborn:** That will be satisfactory. I would like the information, but I think it does come under your department and it has transpired since last fall so it is in your jurisdiction. I would like that information—the reasons for leaving the shopping centre, the terms of the lease at the Britannia and Parkdale location and the similar terms of the present one at the Consumers' Lumber.

I would like to pursue another question with the minister under this vote, Mr. Chairman. A short time ago the member for Riverdale (Mr. J. Renwick) questioned the minister regarding the contracting of cleaning services in some of the buildings. He received a copy of the standard contract for this purpose and a note attached to it explaining some of the provisions.

We were interested, of course, in regard to the protection of wages of the employees under contract terms. Both the contract itself and the note that was sent relate to the conditions and rates of wages and say the rate of wages paid shall not be less than the minimum wages established by the customary standards in the locality of the same or similar class of work. Now that is a firm statement.

The first question is, why does it have to be the minimum standard of wages? Why does it not just say the average standard or up to par with, say, the best rates, similar rates in the county? Why the minimum? I mean, this just lets them pay a rate that is not comparable to the average in the city.

I have got some figures that I have dug out. In fact, in the board of education, in Toronto, their male caretaker is paid \$3 an hour and their female cleaner is paid \$2.50 an hour—\$2.58 an hour. In your building here—and I believe they are not under contract, they are paid by your department—we find the female rate \$2.17 an hour and the male cleaner-helper rate from \$2.45 to \$2.64.

Of course, we have quite a disparity there and, you know, we kind of overlooked our equal pay for equal work laws that exist in the province. Maybe we have to get The Department of Labour to have a look at the situation here.

I know this question has been raised before, and the quick answer I received from the previous Minister of Public Works was that the female cleaners do not do the kind of mopping work that the males do. I do not know whether that is correct or not, but it seems to be quite a differential in the pay. But, in the terms of the contracting out, I do want the minister to answer why they would

only call for the minimum wages established rather than the average, at least.

Another point I want to make about cleaning and caretakers' staff rates here in the building, is that the information I have received is that—and this is after four years of service, I understand—the building caretaker 1 gets \$2.77 an hour; building caretaker 2 gets \$2.88 an hour; building caretaker 3 gets \$2.99 an hour. I would like to know why these jobs have a differential in rate. It does not make sense to me in that kind of an occupation.

A strange thing which comes to light when I cannot find any reason for it in my knowledge of the way rates are established is that helper 1 gets \$2.64 an hour; helper 2 gets \$2.88 an hour; helper 3 gets \$2.99 an hour and helper 4 gets \$3.71. The significant thing is, here we have a rate of \$2.99 for helper 3—oh I see. I thought there had been a change in this. I thought the number 4 was \$3.71 and I was concerned about the drop in the number 4.

But what would be the reason for the differential in helpers? We have four classifications of helpers where the change of rate is 11 cents an hour between 2 and 3 and between 1 and 4 we have \$1.04. Why do we have four rates of helpers—four different classifications of cleaner-helpers? Is there a simple explanation to that?

**Hon. Mr. Simonett:** No, I am afraid not, Mr. Chairman, there is no simple explanation. One explanation is that these salaries were negotiated with the civil service commission. I think your 1, 2, 3 and 4—the steps—I would be graded on the employees' abilities and their responsibilities step up, the same as in all departments of government.

You will notice we have three or four different categories. These salaries are differentiated and, as far as I know, I think most of our cleaning staff around this building are fairly happy with the salaries and the working conditions.

I walk through here quite often and I know to many of them and I know the number of people who would like to get on this cleaning staff here. There are a number of people, or those who for some reason do not have a steady job, who would like to be considered to come to work here.

As far as the cleaners concerned for the buildings that we let out to contract—I understand that in most cases those are union employees. Again, it would be the

negotiating their salaries. We have nothing to say.

You did ask why we had it in our contract that they must at least pay the minimum wages. I would expect that we would do that with anything, and today, in the city of Toronto, I do not think anybody would be working for the minimum wage.

**Mr. Gisborn:** Are you aware as to whether or not the company that has the contract with the department to do the cleaning in these various buildings, has union help or not?

**Hon. Mr. Simonett:** Mr. Chairman, again it does not make any difference to the department. I understand that many of the employees are union employees, but it is not a demand of the department that they be unionized.

**Mr. Gisborn:** I do not think the term that you are trying to protect the employees under the contracting-out regulations holds much water.

What is your answer to the differential between the female cleaners of \$2.17 an hour and the male cleaners \$2.64?

**Hon. Mr. Simonett:** I understand that it is not the same type of work. The male cleaners must do the heavy work and do the climbing and I understand they have their certain jobs laid out for them.

I am told—and, of course, I would not want to say this every place—but I am told that the men are expected to do work that you just would not ask women to do. It is a heavier type of work. That is not so in all cases, but again, their responsibilities are to do the heavy end of the work. If there is any light end to cleaning, the ladies are supposed to be doing it.

**Mr. Gisborn:** It might be wise that you change the occupational term to something a little more accurate, if that is the reason.

**Mr. Chairman:** The hon. member for Ottawa Centre.

**Mr. MacKenzie:** I just have a couple of short questions.

One, does The Department of Public Works own, or have a lease on, the property presently occupied by Addison Motors, on Bay Street?

**Hon. Mr. Simonett:** Yes, Mr. Chairman, we own that property and it is on a short-term lease to Addison Motors.

**Mr. MacKenzie:** Do you plan to build it some time soon?

**Hon. Mr. Simonett:** I would hope so. plans for this year.

**Mr. MacKenzie:** Smiths Falls Hospital—

**Mr. Chairman:** The hon. member for—

**Mr. MacKenzie:** I have three or four questions, Mr. Chairman, if you do not mind.

First of all, Smiths Falls Hospital. The Minister of Energy and Resources Management, I think it was, indicated that there would be some funds provided this year to assist in the sewage disposal plant that is which is overloaded and causing pollution of the Rideau River and down through to the beaches in Ottawa. There is that aspect to it.

The other thing was that the hospital itself has a problem with bypassing, I believe, overloading conditions. I do not see any money in your capital works programme to provide for the relief of this pollution.

**Hon. Mr. Simonett:** Mr. Chairman, I understand that that matter is being negotiated between Public Works and the town of Smiths Falls at the present time.

We are correcting the bypass; we are doing that ourselves. This was an old agreement. I think from the day the hospital was built. The reason you do not see anything in the estimates is that, I think, it is something that came up after the estimates were printed. We are negotiating a new agreement with the town and correcting the bypass.

**Mr. MacKenzie:** The other thing, Mr. Chairman, I noted in your estimates that you carried \$44 million for capital works for construction, but your blue book for capital works only carries \$43.5 million. Could you tell us where the other \$500,000 went?

**Hon. Mr. Simonett:** Yes, Mr. Chairman, the other \$500,000 is earmarked for the administration of justice, to update some of the buildings we have there.

**Mr. MacKenzie:** Why does it not show up in your capital works?

**Hon. Mr. Simonett:** It is the \$500,000 that goes through to pay debenture costs.

**Mr. MacKenzie:** Just a couple more questions, Mr. Chairman.

I talked about management consultants and their high costs to the people of Ontario. I talked about the members' offices here



their inadequacies, as well as the inadequacies of the ones proposed for the future. The question I would like you to consider, Mr. Minister, is do your deputy ministers recommend the management consultants? Do they recommend this office space for the members or is this a unilateral decision by, maybe, yourself and a couple of your colleagues in government?

**Hon. Mr. Simonett:** No, Mr. Chairman. First, I have only one deputy minister. I have many directors in the department and I doubt very much if I ever talk to anyone in government. I think we had to come up with a plan for an area that we had. I might say that they came up with a plan, the first plan, and the minister did not like it; nor did the deputy and some of the directors.

So we sent them back and they came up with a second and we thought it would be much better. This is the project that you had a look at down there. There has been consultation with members now through their whips because we had to make a decision to house members somewhere. We came up with this concept and we wrote all the whips and asked them if they would be happy to move into new premises. I might say we have heard from some of them on the positive side, some on the negative side. Nevertheless, we are going ahead and constructing the offices.

**Mr. MacKenzie:** Mr. Chairman, this is not my question. It was a long talk but the question was, does your deputy minister recommend this office space? That was one question.

**Hon. Mr. Simonett:** Mr. Chairman, I do not think we recommend that office space but we recommend to use the space we have in this building. It is air conditioned, it is heated, it has got all the services in it. The space is there. We have got to house members.

For years the members said they wanted to be housed in the Queen's Park area or in this building, so it is the only area we have to house the members. Again we have the space; good air conditioning, clean space. You are going to love it when it is finished.

**Mr. MacKenzie:** The second question, and this is my last. The second question had to do with building construction by virtue of using the management consultant approach to it. I indicated to you last year that the Minister of Trade and Development (Mr. Randall) and the Ontario housing are using

the turnkey method and have been successful in reducing the costs considerably in building construction.

You are going through the management consultant type of approach to building construction and by-passing the whole tender system, apparently, for general contractors not the trades. To me, it seems that you can only do one thing and that is increase the costs of building construction, while the Minister of Housing is lowering it. The question I asked is does your deputy minister recommend that you follow this course?

**Hon. Mr. Simonett:** Yes, Mr. Chairman. My deputy minister and again my director recommend it. Let me say this though, we are not committed 100 per cent on this because we are calling for tenders on many of our smaller projects through the province of Ontario or projects that would be completed within 12 to 18 months or even up to two years. We feel, and I have discussed this with many contractors, many people, our own people, and I am told that on a project that will go beyond two years we will get a much better price for the province in this province by calling our different tenders.

This is instead of a sub coming in and bidding on a building that will not be completed for three years. He has to estimate today what he is going to pay for his materials and labour three years down the road. I think if I was a sub, I would bid high enough. I would try to protect myself, would you not? Would that not be the logical thing to do?

Again, what happens in the contracting business—and I do not need to tell you—maybe someone bidding today is banking three years from today. Maybe someone who should be bidding today has so much work on his hands he is not interested in any of these larger jobs. I would think that if we called these jobs when they can get started, work on them immediately we will get more contractors sub-bidding on these jobs.

We will get a better price. They will get a better job because they will be able to move in on the job immediately, get the materials, complete it and get away. I know as well as I do, that many subs cannot get on many of these big projects for six months or three years after the contract is let, and that is pretty tough on a sub.

**Mr. MacKenzie:** The hon. minister cannot name a project of that type at all that extends that long—two or three years until he gets

trades going. It is a statement that should not be made. In talking about your complex over here, you have got mechanical and electrical contractors there right now and the project is not yet a year old.

**Hon. Mr. Simonett:** Yes, but listen. Mr. Chairman, I would just like to correct the hon. member there. Do not forget that all the sub-basins were in that building over there, and after we called tenders, we started going up with the steel. Now, you see, you know and I know that when you start on a vacant lot, you have to work underground for many months before many of the trades go to work.

**Mr. MacKenzie:** If you are splitting hairs, look at the Queen Street project and the extension you are talking about. You are talking about an \$11 million building and you are talking about a management contract of \$63,000. If it is a true management contract, you know and I know that \$63,000 will not begin to pay the management—

**Hon. Mr. Simonett:** That is the price, so we are doing well.

**Mr. MacKenzie:** You know certainly that is not it. There is more to it than that.

**Hon. Mr. Simonett:** No. Mr. Chairman, I want to correct that statement. That is the price for the management on that contract.

**Mr. MacKenzie:** The whole \$11 million right to the end—

**Hon. Mr. Simonett:** That is the price, yes.

**Mr. MacKenzie:** And what do you define as management? Total management as far as the project is concerned?

**Mr. D. M. De Monte (Dovercourt):** That is impossible.

**Hon. Mr. Simonett:** Well, there it is. You say it is impossible. That is the price we got.

**Mr. MacKenzie:** The hon. member over there who does contracting is looking with great doubt.

**Hon. Mr. Simonett:** You do not need to doubt it. It is right there.

**Mr. Gisborn:** The projects that are approved for preliminary planning, is there any approximate time when that will be brought about?

**Hon. Mr. Simonett:** No, Mr. Chairman; well, I say there is no approximate time. Once they get approved for preliminary planning,

these are plans that we are trying to ahead on—get them on the shelf, so that the different departments say that they would like to move on this one, at least we have preliminary plans done. Or they are projected and they are going to be in construction would say, inside a five-year period. We have to forecast for five years ahead.

**Mr. Gisborn:** I notice in the blue book that section with regard to the psychiatric hospital in Hamilton, it calls for a master plan for this institution. Does that mean that they are going to revamp the whole complex of Ontario-Hamilton Psychiatric Hospital in much as they are going to replace some of the obsolete buildings and make additions? Is that what it means by an overall plan? Or master plan?

**Hon. Mr. Simonett:** I am advised that that means that we would look at renovating the old hospital and at the same time take a survey of the overall population that might be using that facility in the next few years. Then the decision can well be made as to whether an outright new construction will be built or the old building will be renovated.

**Mr. Gisborn:** I understood from talking with the officials there better than a year ago that they were in hope and anticipation of some moves in the near future to tear out some of the old buildings attached to the old Barrow Building. At the time I was talking with them they were overcrowded and were living in hope that this would take place in the near future. Have you any idea whether there might be something going on shortly in that area?

**Hon. Mr. Simonett:** No, Mr. Chairman, we are not sure yet when. I can understand your point too, but I think the study would have to be finished first as to whether it is to be new construction or remodeling of the old one. Then again, that priority would have to come from The Department of Health. They would not make a decision on that; it will be The Department of Health that makes the final decision.

**Mr. Chairman:** The hon. member from Nipissing.

**Mr. R. S. Smith (Nipissing):** Mr. Chairman, I have a few comments to make in regard to the blue book, on capital works projects. Over the past 10 or 12 years some of these projects have remained at the same place in this book and it usually states that they are "Approved for preliminary planning" or "Approved

working drawings." There are five projects listed in the book for the area that I represent and they have all stayed at that position for the last five years. But there are two in particular. One is the regional offices for The Department of Highways, which has moved up to "Approved for working drawings," but at the same time I understand that your department is negotiating to lease buildings for these people on a 10- or 15-year lease. I cannot understand why you have it in the construction blue book when you are trying to negotiate leases at the same time, and have no intention at all of building the building.

**Hon. Mr. Simonett:** Mr. Chairman, let me say this again. I think the members realize that in order to do the many things that we want to do, and many of them have been in the blue book, we should have had \$60 million this year for construction. We did not get \$60 million, we got \$43.5 million instead, so again we have to cut back. We cannot build some of them, so the other thing to do is to go out and lease and get accommodation until such time as we have moneys for capital expenditure.

**Mr. R. S. Smith:** I would just like to point out to the minister that that building was announced for building in 1959. That is 11 years. That is when you came in here; that is the problem, I guess.

**Hon. Mr. Simonett:** I did not know that I was the Minister of Public Works that long.

**Mr. R. S. Smith:** The second building I would like to talk about is the district courthouse in North Bay. A few years ago The Department of Public Works bought some property adjacent to the present building and tore down 14 housing units, which were all good housing units and could have been used by a good number of people in the area for the last three years. They announced they were going to go ahead—

**Hon. Mr. Simonett:** Just a minute, they were torn down before the government took over.

**Mr. R. S. Smith:** No, you bought the property and then you tore them down—14 housing units.

**Mr. Sopha:** You did not take over the responsibility for the districts.

**Hon. Mr. Simonett:** Oh, I know that.

**Mr. Sopha:** Yes, north of the French River you have had that.

**Hon. Mr. Simonett:** I forgot about sir.

**Mr. Sopha:** Well, we are here for guidance.

**Mr. R. S. Smith:** But anyway, after purchased the land and tore down the property and you made the announcement that the new courthouse would be built, there was nothing done, and it has not progressed that time from the approved preliminary stage—which I would think, according to the way your blue book operates, would be at least another three or four years away.

But in the meantime we have had a number of grand juries, who keep running around and looking at the courthouse and recommending to the government and everybody else that it should be condemned and should be taken out of active use. This year a grand jury went to the city council and complained that the courthouse was a fire trap. The council then initiated an inspection of the courthouse by their chief building inspector, and they sent you a copy of the building inspector's report about 10 days ago, which I am sure you must have received. I will just quote a couple of parts of that report to indicate the condition of the building. The building is owned by the province and which people should not be in use at all. I quote from the report of the building inspector:

The building is with a few exceptions non-conforming to the building bylaw and to the national building code with regard to regulations for fire control. There are non-conforming inasmuch as appropriate fire doors and/or smoke barriers are not existent. The building could, in our opinion, be a real firetrap.

This is the building that you are recommending to reconstruct. It goes on further to regard to the boiler rooms, which are exposed so that there is no fire protection to defend the fire if it starts in the boiler room, and this is against the building code.

**Mr. Ruston:** Always did have trouble with that.

**Mr. R. S. Smith:** It goes on further to a lot of different things until near the end he says:

The foundation walls are cracked at several locations and the cracks are coming up through the first and second floors showing on both the interior and exterior side of the walls.

I would like to point out to you here that the local newspaper, which is quite friendly to you particularly—I could never figure out why, but they are—

**Hon. Mr. Simonett:** I have not many enemies in North Bay.

**Mr. R. S. Smith:** Well, not with the newspaper anyway. They think you are a great fellow; I just cannot understand it.

**Hon. Mr. Simonett:** Ever since I went up there and told them.

**Mr. R. S. Smith:** That was a great speech you made that night. It got a lot of great coverage.

**Mr. W. Ferrier (Cochrane South):** We have been trying to get you to come to Timmins ever since.

**Mr. R. S. Smith:** Some of the cracks in the walls in that building are just about big enough for your head to fit through—

**Mr. Nixon:** They must be big.

**Mr. R. S. Smith:** —and they are big, I will tell you. But anyway the building inspector goes on and states at the end of his report in his conclusions that in view of the inspection that was performed and the observations recorded previously in his report:

It is strongly recommended that the proper authorities engage the services of a professional engineer or architect to conduct a thorough investigation of the building and that corrective measures be carried out immediately thereafter.

You were sent a copy of this report of the building inspector by the city council, along with the resolution of the council requesting some action in regard to this. I would like to know, firstly, when you are going to initiate the inspection of the total building, and secondly, what you are going to do in regard to the results of that inspection?

**Hon. Mr. Simonett:** Mr. Chairman, first let me say that we will inspect the building immediately; we have not inspected it yet but we intend to do that right in the immediate future. The first thing we have to do, I suppose, is to bring it up to meet the safety measures and the regulations of the fire marshal's department.

As far as the new building is concerned, it will not be up to Public Works to move that priority up; it is the Attorney General's department. I suppose if he moves that one up to top priority, it will be the next court-

house that will go. I would just like remind the hon. member that since government has taken over the administration of justice in the southern part of Ontario, have found that there are many of dilapidated, very poor courthouses in the area, and the programme was a much larger programme than I think was anticipated by the department when it took over justice.

**Mr. R. S. Smith:** The point is you had responsibility for these courthouses the last good number of years, and perhaps you should first look after those responsibilities that you have had for so long.

Secondly, there is the cost to renovate bring it within the standards that are required. It is obvious in that building that the costs are going to be so great the best solution would be to start on a new one.

**Hon. Mr. Simonett:** That is right. I am not disagreeing.

**Mr. Chairman:** The hon. member for York South.

**Mr. D. C. MacDonald (York South):** Mr. Chairman, some years ago the minister's predecessor indicated that the basic policy upon which the department was operating was to cut down on permanent staff that might be required for construction and maintenance, and to increase to an increasing extent to let it out by contract, presumably calling tenders. Is this still the basic policy on which the department is operating?

**Hon. Mr. Simonett:** Yes, Mr. Chairman.

**Mr. MacDonald:** To what extent has staff been cut down? What is the permanent construction and maintenance staff now, compared, for example, with five years ago? How far have you gone in the implementation of that policy?

**Hon. Mr. Simonett:** I would not have the figure for five years ago. I could give you the comparison with last year.

**Mr. MacDonald:** Some indication of the trend is what I am really interested in.

**Hon. Mr. Simonett:** We have cut down from 220 to 184.

**Mr. MacDonald:** So the staff now is 184?

**Hon. Mr. Simonett:** Yes, that is on repairs to buildings and the construction of buildings, that is, outside of this area. We find that and I think you would agree with me, that you go into many areas and you have to see

a foreman and different tradesmen, especially in some of the areas where we have to build buildings, and it is much cheaper to get a local contractor right there, where he has his men.

**Mr. R. Haggerty (Welland South):** Are you carrying out that practice?

**Hon. Mr. Simonett:** Pardon?

**Mr. Haggerty:** Are you carrying out that practice locally?

**Hon. Mr. Simonett:** Yes, we are carrying it out in every case that we can, and we are cutting back on department tradesmen who have to be sent out—and there were many of them at one time. Prior to my being the minister, and many years before I was a member, I can recall that Public Works used to build housing for Lands and Forests in our area. Well, that is all contracted.

**Mr. MacDonald:** What would the work force have been, by way of a ballpark figure? Was it 1,000, 2,000, 3,000? It is now down to 184, you say?

**Hon. Mr. Simonett:** I understand it was approximately 3,000 casuals.

**Mr. MacDonald:** Three thousand? And it is now down to 184?

**Hon. Mr. Simonett:** Yes.

**Mr. MacDonald:** Well, let me zero in on one group presumably included in that 184. I understand that in one group of tradesmen, at the moment, there are 20. It has been indicated that it is going to be reduced to six and that those six must become permanent members of the civil service. In many instances, this results in a rather significant cut in pay, because most of these tradesmen are members of unions if they are on casual and the government pays in accordance with the regular union pay schedules.

My information—and I am curious to find out whether this is correct—is that in the instance where you are cutting down this trades group of 20 to six, it is going to be on a seniority basis but they must accept permanent civil service status with all of the loss that involves, and if they are not willing to do that, then it is first come, first served. Is this the way you are whittling down the remaining group?

**Hon. Mr. Simonett:** No, I would not say so, Mr. Chairman. But I would think, when we are cutting down and we need certain

people on the permanent staff, perhaps are some who would not want to be civil servants, but I would think that of them would. At least, they would guarantee steady employment, and they would have all the fringe benefits that anyone who works directly in government has. Now, I have never heard a complaint about that—against them becoming civil servants. I have not had many complaints from that department, but I have had complaints from a member from many people who are on the staff wanting to become civil servants. I have never had it in reverse.

**Mr. MacDonald:** Am I correct in my information that the 20 electricians, at the moment on your staff, are being told that they are going to be reduced to six and that the remaining six are going to be chosen, probably on a basis of seniority, but in accordance with their willingness to come on permanent staff? But that 184 is going to be reduced at least within the electricians' group, is that correct? Is that the procedure? Is that correct?

**Hon. Mr. Simonett:** No, that is not right—and, of course, this has to be solved. They will be told whether it is a full-time job for electricians. We will bring them on permanent staff but we have not resolved that entirely. We are still going over the jobs and the force that we might need.

I am not in a position to answer that now. I can clarify the programme and policy, but I cannot as far as numbers are concerned.

**Mr. MacDonald:** In an instance like the central area in Toronto here, where you have got such a complex of buildings, does the minister still feel that it is a wise move? Suppose for example, you are moving from casual on to permanent staff and you have a permanent electrician. How many—for example—permanent electricians have you on the staff?

**Hon. Mr. Simonett:** This is what I cannot answer. How many will we have when they are complete? I cannot answer that because we are still trying to set it up. The jobs that we have available—work that we would have if we had fulltime employees—we are evaluating. The study is going on now and I am told that within the next 30 days we should be able to give you a definite answer.

**Mr. MacDonald:** Let me explore another aspect of this business of handling it myself, or contracting it out.

What is the arrangement—if I may pick up on the question that was put to you by one of your own colleagues from the back benches a couple of days ago—what is the arrangement with regard to the servicing of elevators and government buildings generally, and in this building? Is it on a contract servicing basis from the company that originally put in the elevator, or do you contract it out, in the same way as you would contract out cleaning, to some particular company that happens to be familiar with that kind of mechanism, or how?

**Hon. Mr. Simonett:** No, they are casual employees. They are trained to service elevators.

I suppose originally they may be perhaps from an elevator company, or, they are electricians who were trained in the installation and maintenance of elevators. I understand they are casual staff now, but eventually they will be coming on the permanent staff.

**Mr. MacDonald:** Am I correctly informed that, for example, your present arrangement to deal with the elevators in the new courthouse downtown is on the basis of a contract that involves \$1,700 a month?

**Hon. Mr. Simonett:** I am advised that was a contract which the city entered into and which we are continuing.

**Mr. MacDonald:** \$1,700 a month to look after six elevators?

**Hon. Mr. Simonett:** Yes, I understand so.

**Mr. MacDonald:** I do not know, I am not a maintenance man, but \$1,700 a month—which is what, about \$20,000 a year?—to look after the maintenance of six elevators, it seems to me that this is ludicrous.

I do not go down to the courthouse often, either voluntarily or otherwise, therefore I cannot speak as to the satisfaction that one gets in using those elevators. But, if they are anything like the elevators we have in this building, it would be little short of a scandal that you are paying \$20,000 a year for the servicing of six elevators.

It seems to me—for the moment, without launching an attack on the basic policy of cutting down staff, resulting in contracting out—here is one case where surely it would be possible to put in two or three people at much less than \$20,000 a year. They could look after, not six elevators, but surely 15 or 20 or 50 or 100 elevators. Does this not make sense to the minister?

**Hon. Mr. Simonett:** Mr. Chairman, again, I know very little about elevator service, but I am told that automatic elevators are something that do require a fair amount of servicing. They require people to be in and around the building, I think, almost on an hourly basis, because there are minor things that go wrong and they need immediate attention.

Again, I know very little about passenger elevators but I have been watching the installation at the Royal York Hotel where they are changing over from the manual type to automatic elevators. They have good equipment; I think it is good equipment that they are buying and I think it is well installed. But even with that equipment, less than six months old, they are having troubles. They are constantly being serviced. I do not know whether it is something that is hereditary, not to this type of elevator, but they seem to require a lot of servicing.

Now on this building down here, the courthouse, I understand at the present time they are studying day labour or labour on a permanent basis and trying to come up with a figure to see if we can save money by putting our own people in.

**Mr. MacDonald:** How long are you committed to the existing contract?

**Hon. Mr. Simonett:** Two years, I understand.

**Mr. Chairman:** The hon. member from Oxford.

**Mr. G. W. Innes (Oxford):** Mr. Chairman, last year the minister intimated to the House that they had constructed several buildings in the province—at least four—that were constructed with faulty bricks. I would like to ask the minister what was the total cost of replacing the bricks, primarily on the labour costs? Could the company that supplied the bricks in any way compensate the government for the loss of the bricks? How many buildings were constructed with problems?

**Hon. Mr. Simonett:** Mr. Chairman, the buildings that experienced problems were Nilestown, Department of Highways parking garage; Cedar Springs, Ontario Hospital, Woodstock, the TB unit, Ontario Hospital, Guelph, the vehicle storage building; Downsview, Department of Highways; and Downsview, Department of Transport.

I understand we have an offer from Milton Brick. I will just read this. The staff I had several discussions with the Milton Brick Company and that company has offered

the department a credit of one brick for every \$1 we have spent on brick repairs on certain jobs, plus one brick for every \$1 we anticipate is required to be spent to complete that programme. This, in effect, amounts to 182,000 bricks for past expenditures, plus 155,000 bricks in the future for a total of 337,000 bricks. We have accepted this offer from Milton Brick.

**Mr. Innes:** What is your total labour cost up to the moment?

**Hon. Mr. Simonett:** Mr. Chairman, we have no estimate as to the labour costs to replace these bricks. I understand though, it is roughly \$337,000. It is \$1 a brick—337,000 bricks—\$337,000.

**Mr. Chairman:** On vote 1802. The hon. member for Sudbury was next.

**Mr. Sopha:** Could the minister ask his assistants if the department still owns that block of land at the corner of McLeod Road and Regent Street in Sudbury?

**Hon. Mr. Simonett:** Yes.

**Mr. Sopha:** You do?

**Hon. Mr. Simonett:** Yes.

**Mr. Sopha:** Are there any plans afoot to construct a government office building on it?

**Hon. Mr. Simonett:** No, Mr. Chairman. I understand there have been several proposals made for different buildings on that lot and other lots in Sudbury, but nothing definite has been decided on any location yet.

**Mr. Sopha:** Do you propose to build under the aegis of the province and the consolidated revenue fund? Do you propose to build a building to house the government offices in Sudbury?

**Hon. Mr. Simonett:** Mr. Chairman, that matter has been under review for, I would think, the past—

**Mr. Sopha:** Twenty-five years.

**Hon. Mr. Simonett:** —well, 11 months, since I have been with the department. I know that.

**Mr. Nixon:** Oh not that again!

**Hon. Mr. Simonett:** The only thing we cannot get them to agree on up there again—

**Mr. Nixon:** Just 10 more to go!

**Hon. Mr. Simonett:** Do you want the f

**Mr. Nixon:** No, just 10 more to go.

**Hon. Mr. Simonett:** Ten more what?

**Mr. Nixon:** Ten more months for you.

**Hon. Mr. Simonett:** Well, maybe that's what you think. I will be here as long as I want to stay as far as you are concerned. I will put me put it that way.

It has been under study, and of course again it is pretty hard to get all departments to agree that they want to go into one complex. Again you have got Highways, and you have a special use for special property; Transport is the same. But I think it is still being studied by our department and with the other departments that are involved; although we have had no decision whether we will build one or what type of building we—

**Mr. Sopha:** Well you went through a lot of activity about inviting proposals, and indeed the revenues of Air Canada increased immensely as these people hived at Queen's Park to see the powers of this department. Now what state is that in? Is that not a nadir?

**Hon. Mr. Simonett:** No, this is what we are working on. We are not negotiating with one, but we are still trying to come up with an overall project for Sudbury of some kind or another.

**Mr. Sopha:** Well would you tell us, if you are not giving away any state secrets, which departments are the ones that show inhibition about being grouped together in a government complex?

**Hon. Mr. Simonett:** I could not say there is any particular department; although it is just as I explained, it is difficult to get Highways in the type of building that perhaps Health or your sales tax people or Social Services or Family Services would require. I cannot say this minister next to me in that complex because his building is something else altogether. Lands and Forests, they want a different location and they need a different type of building, so it is very difficult.

I would think that outside of Lands and Forests, Transport, Correctional Services, Highways, perhaps we should have two other options to step in. I am not sure of this yet.

**Hon. Mr. Sopha:** Well you are familiar with the area, are you?

**Hon. Mr. Simonett:** Yes I am.

**Mr. Sopha:** And you know that Lands and Forests and Highways are down in Broder township; you know that.

**Hon. Mr. Simonett:** Yes.

**Mr. Sopha:** And well housed! They appear to have adequate accommodation down there and you know that those buildings they are in can probably be added onto and that we are only really talking about the other departments?

**Hon. Mr. Simonett:** Well again, Mr. Chairman, I think there is some feeling with some of the people in Sudbury, and this is under study, that they should move perhaps some of the administrative side of Lands and Forests and Highways uptown so they would not have to take that drive that they now have to take. Whether they are right or wrong I do not know, but these things are being studied now with our department and the different departments.

**Mr. Chairman:** Vote 1802.

**Mr. Sopha:** No, I want to pursue. I am just watching the House leader over there, and I have not yet really begun to speak yet on the subject that is dear to my heart.

**Mr. Chairman:** Does the hon. member have considerable to say?

**Mr. Sopha:** Yes, oh yes.

**Mr. Chairman:** In view of the hour, perhaps it would be—

**Mr. Sopha:** I am just getting the preliminaries out of the way.

Hon. Mr. Grossman moves the committee supply rise and report it has come to a certain resolution and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs leave to report it has come to a certain resolution and asks for leave to sit again.

Report agreed to.

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, in moving the adjournment of the House, tomorrow we shall deal with second reading of Bill 61, Business Corporations Act, and proceed with the estimates of The Department of Public Works. If we are through with those the estimates of The Department of Highways will follow.

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

Motion agreed to.

The House adjourned at 10:30 o'clock, p.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Tuesday, May 5, 1970

Afternoon Session

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**

**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 5,

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon in our galleries as guests we have: in the Speaker's gallery the Golden Age Club from Ridgeway; in the east gallery students from Main Street School in Toronto and Centennial High School in Windsor; and in the west gallery from Leaside High School in Leaside. Later this afternoon we will have students from Sarnia Christian School in Sarnia and from College Avenue Public School in Guelph.

This evening there will be the 57th Guide Company and Central Division of St. John Ambulance Cadets in Toronto; the 10th Etobicoke Central Boy Scout Group in Etobicoke; and the 4th Lansing Boy Scout group from Willowdale.

Statements by the ministry.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, as the Prime Minister (Mr. Robarts) indicated in his speech to the Legislature on Wednesday, April 8 last, a meeting is being held this afternoon in the Queen Elizabeth theatre at the Canadian National Exhibition grounds here in Toronto to present "Design for Development: Toronto-Centred Region". In order, Mr. Speaker, that all members of the House may have the opportunity to become familiar with the contents of this report, I am making a simultaneous presentation on the proposed plan for development of the Toronto-centred region and informing all members of its major recommendations. The strategic location of Toronto—

**Mr. E. W. Sopha (Sudbury):** There should be closed circuit TV!

**Hon. Mr. Welch:** I am surprised to hear that comment from the hon. member knowing of his aversion to TV.

**Mr. Sopha:** Shameful! Shameful! A terrible prospect!

**Hon. Mr. Welch:** The strategic location of Toronto in relation to the vitality of North American growth is a major driving force in

shaping the Toronto-centred region. Now four million people now live within a radius of 90 miles of Toronto. The physical character, increasing affluence and technological change have had a profound effect on the development of this region.

The present pattern of trends indicates that growth is still concentrating within and around Metropolitan Toronto, much of it in the form of unstructured sprawl, particularly to the west. Within commuting distance some land is under increasing development pressure and being removed prematurely from agricultural and recreational uses. As a consequence of the concentration, urban communities in the peripheral zone beyond commuting distance are left underdeveloped. This represents a loss of economic and social opportunities. In certain places, recreational development of summer residences has been haphazard and in conflict with providing recreational access to lakefront and scenic areas.

The growth pressure in Metropolitan Toronto is causing severe problems, Mr. Speaker. The shortage of land, especially serviced land, within and near Metropolitan Toronto, in combination with other causes, is causing many families; many good residential neighbourhoods are being disrupted and deteriorated in the face of early redevelopment. The supply of industrial land is decreasing, places the local street system and the water and sewage facilities are becoming inadequate, forcing premature and costly building of water and sewer facilities and roads.

At a time when we are seeking to encourage each region of the province to reach its potential, the present trends in settlement towards the areas where opportunities and levels of living are already high, and away from those parts of the Toronto-centred region which need more development and which offer excellent economic and social opportunities.

To meet the challenge of providing an adequate concept of both present and future needs, this development plan has been guided

by certain principles. As much as possible, we are seeking to align urban centres in a reasonably linear arrangement to take advantage of parallel transportation routes. We are attempting to achieve a system of complementary political, economic and social relationships among all the urban and rural places of the region. We recognize Metropolitan Toronto's influence on surrounding cities and towns, and utilize this influence to encourage selective decentralization—the growth of urban places which functionally are tied to Toronto but geographically are sufficiently far away to attract their own journey-to-work zones. We also seek to provide adequate open space, and to conserve our land, water and air.

For analytical and planning purposes, we have divided this Toronto-centred region into three main planning zones.

Zone 1 extends from Hamilton to Oshawa, reaching inland to include the presently heavily urbanized portions of this shoreline strip, plus space that may become urbanized relatively soon.

Zone 2 is the area from which it is possible to travel conveniently on a daily basis to work in Metropolitan Toronto—in short, a commutershed. This area has been under very heavy development pressure, and that pressure is increasing.

Zone 3 is a peripheral section beyond convenient commuting distance to Toronto but still very closely linked to the economy of Toronto's Metropolitan core. Cities and towns in zone 3 can easily attract their own commutersheds. This zone depends upon Toronto industry to supply components for its manufacturing products and upon Toronto as a market for many of its finished goods. It is also dependent upon Toronto for many specialized retail and wholesale goods and services. Finally, particularly to the north and east, it tends to act as a week-end recreation area for Metropolitan Toronto's growing population.

So, Mr. Speaker, I move to share with the House the recommendations for the Toronto-centred region.

First, along the Ontario shoreline, from Bowmanville in the east to Hamilton in the west, we recommend a two-tier arrangement of cities which will accommodate 5.7 million people by the year 2000.

This is some 72 per cent of the region's 8 million people, compared with 76 per cent of the 1966 population of 3.6 million people. Of this population target of 5.7 million, it is

expected that 3.1 million persons will be within Metropolitan Toronto and an additional 1.85 million to the west and 750,000 to the east. In relative terms, the population of Metropolitan Toronto and the northern fringe will decrease from 71 per cent of the zone 1 total to 55 per cent. The population of Metropolitan Toronto to the east of the zone 1 total to 13 per cent and to the west from 23 per cent to 10 per cent.

The two-tier arrangement of cities along the entire corridor from Hamilton to Oshawa will give the people a wide variety of choices in their urban environment. They can decide to live in small cities, medium size cities or large cities; or in the metropolitan centre.

To offset the excessively heavy development pressures to the west, we expect to encourage growth of the eastern segment of this corridor beyond the boundaries of Metropolitan Toronto. This encouragement will take the form of a number of co-ordinated policies to be announced at a later date.

All people, Mr. Speaker, living in zone 1 will have good access to centres which will provide a diversity of services to them, especially in view of the linear arrangement. People living in local and sub-regional centres will have access to a regional centre, as well, of course, as to the Metropolitan core. The regional centres of Hamilton and Oshawa are also intended to act as terminal cities.

To preserve the individual identity of each city, and to provide open space and service facilities for the people, a parkway belt will separate the two tiers of cities. To the maximum possible degree, this parkway system will incorporate the highly efficient transportation facilities, trunk services, electric transmission lines and other services which will be needed to service this system properly in an integrated way. Secondary north-south parkways will separate neighbouring cities and towns.

Second, policies of urban expansion will be initiated within the northern and eastern segments of zone 3.

By the year 2000 the population living in zone 3 is expected to be two million, compared to a 1966 population of just over 1,000,000. This will increase its share of the regional population from a 1966 share of 10 per cent to 25 per cent.

At the outset, we plan to consider secondary centres as Barrie and Midland as places for immediate expansion in the 1970s. This

a number of co-ordinated policies we expect to encourage growth in this section of Simcoe county. Beyond 1980 we expect to develop another centre of importance, perhaps in the vicinity of Port Hope and Cobourg.

A substantial number of manufacturing firms, services and government facilities could be located as advantageously to the north and east of Toronto as elsewhere. By encouraging such location and stimulating these outlying centres so that they can attract many more residents, we can reduce the increasing congestion within, and now extending mainly westward from, Metropolitan Toronto. At the same time we shall be laying the basic framework for a carefully planned decentralized urban region of the future. These developments are also aimed at better provincial integration by moving towards northern and eastern Ontario.

Third, we expect to assist in structuring the form of urban growth occurring in the western centres of zone 3.

The Waterloo-South Wellington complex of centres is the topic of special study by the Waterloo area planning board and other groups, including the regional development branch. Similarly, research is now being conducted into the role of Brantford. Specific recommendations from those various studies will be sent forward in due time.

Fourth, within zone 2, which as the members will recall is the commutershed, we propose to limit growth to moderate expansion of smaller communities now in existence and to a relatively small urban axis. The population of zone 2 was 160,000 in 1966 and accounted for four and a half per cent of the region's population. By the year 2000 it will be 300,000 and will account for 3.7 per cent of the region's eight million population.

This land, Mr. Speaker, between zones 1 and 3, is urgently needed for purposes of recreation, conservation, open space, and of course agriculture. We do expect to accommodate limited growth in established communities, but our intention is to prevent large scale development and excessive damage to the environment there.

Fifth, the urban axis in zone 2 will reach from Metropolitan Toronto through Richmond Hill and Newmarket to Bradford.

This axis will fulfil several needs. First of all, it will form an efficient means of communication between the central section of zone 2 and Metropolitan Toronto. Second, it will constitute a tie between the highly urbanized Metropolitan core and the emerging

cities in zone 3. Third, it will improve liaison with that part of Ontario beyond zone 3. Finally, it can become a springboard for development of territory beyond zone 3.

Care must be taken that this axis does not become a continuous strip of urban sprawl. Accordingly, only selected, carefully planned centres will be encouraged to develop there.

Sixth, we expect to reserve adequate open space for overall regional needs.

The fast population growth and changing life styles to which I have referred previously carry with them requirements for adequate open space. I have mentioned the park belt for the urban corridor itself; there is also a need to reserve land in key river valleys. Equally important is the conservation of remnants of ravines and of special physical features. We have already completed a thorough survey of the Niagara Escarpment and must bear in mind the results of this study in present planning. The Kawartha Lakes and Lake Simcoe areas must be carefully served.

Finally, the entire Georgian Bay shore, within the Toronto-centred region and beyond, is of immense recreational value. We have already taken action to conserve remnants of this shore and more will be done. Urban development along this shoreline must incorporate the finest features of urban design with minimal environmental damage.

Seventh, we expect to develop a system of transportation facilities which will fulfil basic objectives of the development concept.

Transportation, as I am sure we will agree, is a keystone to regional development. The transportation system which serves the Toronto-centred region will be of the latest technology and designed to operate efficiently and economically.

We are especially concerned with the provision of adequate services for the movement of both people and goods.

Those plans now are in the making. Their features include:

1. A wide range of services within zone 2.
2. Better access to zone 3, and eventually to zone 4.
3. A full range of necessary services between Metropolitan Toronto and southwestern Ontario.
4. Improved direct service between zone 2 and zone 4, bypassing the unpopulated new economic activities in north Simcoe county and Kitchener-Waterloo, and at a later time to the Oshawa, Port Hope-Cobourg area.

We recognize that the location of the new international airport will be a vital consideration in the implementation of the development concept presented today.

And you will note, Mr. Speaker, that while this statement was being read copies of "design for development" were placed on each member's desk.

**Hon. R. Brunelle** (Minister of Lands and Forests): It is my privilege, Mr. Speaker, to briefly outline for the benefit of the members the newly established boundaries of Polar Bear Provincial Park on the shores of James Bay and Hudson Bay.

As you will recall, the provisionally conceived park embraced an area of 7,000 square miles centred on Cape Henrietta Maria and included 60 miles of the Hudson Bay coastline and 135 miles along James Bay to the Ekwan River. This was the home of the polar bear, the breeding grounds of snow and blue geese and numerous Arctic mammals including the bearded seal, walrus and Arctic fox.

Following establishment of the provisional park boundaries, my department and other government departments have conducted intensive investigations over a two-year period. Resulting from these studies, Mr. Speaker, it was found that the purpose of the park could be better served by including a significantly larger segment of the coastal area of Hudson Bay while deleting the portion of the park lying north of the Ekwan River.

These changes will increase the park area to 9,300 square miles and will include 210 miles of Hudson Bay shoreline and will extend from Cape Henrietta Maria a distance of 80 miles down the coast of James Bay.

A small area, including the community of Winisk and the airport, is excluded from the park. The land use in this area is not compatible with the primitive values within the park itself. At Winisk there are excellent guides, as well as a Hudson's Bay Company establishment. There is radio communication with southern Ontario and Winisk will likely serve as a service area for public use of the park.

Finally, Mr. Speaker, we are continuing studies into the special needs of improving the economy of the Indian community of Winisk. It is possible that we will have to rezone several small areas of the park from primitive zone to multiple use to permit the continuation of goose hunting camps and fishing camps which have played an important role in the local economy of the Indians. This

is in line with Ontario's policy of assisting its first citizens.

Planning to ensure the effective management of the park will continue and a comprehensive master plan will be prepared which will specify that no mining exploration or development will be permitted within the boundaries of Polar Bear Provincial Park.

Mr. Speaker, we have copies of the revised boundaries should any member wish to see one.

**Hon. A. B. R. Lawrence** (Minister of Finance and Commercial Affairs): Mr. Speaker, I am pleased to advise the members that substantial additions and amendments have been made to the regulations of The Securities Act, 1966. These will cater to three major areas which have been of interest and concern to

These in summary are:

1. The provision of a simplified form of filing for mining exploration companies to facilitate the initial financing of such companies as was recommended in the Board report.

2. The establishment of a comprehensive system of regulations for each class of dealer registrant, covering minimum free capital bonding and insurance, participation in either a compensation fund or a contingency fund, maintenance of books and records and audit requirements, all of which are designed to afford an adequate level of protection to their public clients.

3. The provision of uniformity of disclosure and restrictions on resale for purchasers under the exemptions from the prospectus requirements found in sections 19(1)3 and 58 of the Securities Act, institutional investors and exempt purchasers and the private placement provisions of sections 19(3) and 58(1) of the Act. These recommendations are in accordance with the OSC merger study recently issued.

A detailed statement, Mr. Speaker, covering these points, is presently being delivered to the members of the House.

**Mr. Speaker:** Oral questions.

**Mr. Sopha:** Mr. Speaker, I am No. 3. I do not try at all.

The ranks are very thin. I should like to know from the Minister of Lands and Forests whether any progress is being made along the Sudbury-Timmins highway to set aside perhaps as many as 15 or 20 townships as a wilderness area?

**Hon. Mr. Brunelle:** Mr. Speaker, the member for Sudbury was good enough



write to me as well. I know he has mentioned this in this House and his suggestions are being given every consideration.

**Mr. Sopha:** Is it permissible within the rules to ask a question of the member for Carleton (Mr. W. E. Johnston) in his capacity as a member of the Ontario Racing Commission?

**Mr. Speaker:** Yes.

**Mr. Sopha:** I should like to ask what recommendations the racing commission has made or what studies it has conducted, if any, in the matter of off-track betting?

**Mr. W. E. Johnston (Carleton):** Nothing has been done about it.

**Mr. Sopha:** As a supplementary question: do I understand that he has made no investigations at all? What does that commission do?

**Mr. W. E. Johnston:** The supervision, in any event, is under the national code of the federal government.

**Mr. Sopha:** Could I ask him a further question? Have any investigations been made to determine whether any drugs can be used with respect of horses running on Ontario tracks which are not discernible by the known tests? Does the member understand the question?

**Mr. W. E. Johnston:** Try it again.

**Mr. Sopha:** Have any studies been made to determine whether there might be drugs used with horses on the Ontario circuit which are not conducive to being ascertained by the tests which are being used? Now does he get it?

**Mr. W. E. Johnston:** Mr. Speaker, not to my knowledge or not to the commission's knowledge. They are not permissible, not even on the racetrack.

**Mr. Sopha:** By way of supplementary, then—

Interjections by hon. members.

**Mr. Speaker:** Order! The hon. member for Sudbury has the floor for a supplementary question.

**Mr. Sopha:** Just to be perfectly clear, may I ask, by way of supplementary, whether the public may be assured in respect of the answer the member has just made, that if drugs are being used with horses running on the Ontario circuit, they are capable of dis-

cernment—100 per cent sure—by the presently being used? Is that a fact of racing in Ontario?

**Mr. W. E. Johnston:** My answer would be, yes.

**Mr. Speaker:** Has the member for Sud completed his questions?

The member for Riverdale.

**Mr. J. Renwick (Riverdale):** Mr. Speaker I have a question of the Minister of Energy and Resources Management.

Does he share the view that the cost of the hearing before the Ontario Energy Board of the proposed takeover of Union Gas Consumers' Gas should be shared by Consumers' Gas and the provincial government rather than be borne by the municipalities which have intervened in that application in the public interest?

**Hon. G. A. Kerr (Minister of Energy Resources Management):** Mr. Speaker would assume that this would be part of a recommendation, or the decision, of the board, and I do not think that I should comment as minister on what the board's findings should be as to cost.

**Mr. J. Renwick:** By way of a supplementary question, Mr. Speaker: Would the minister view sympathetically the suggestion that if the decision of the board is adverse to the proposition that the provincial government should share some of the cost that the provincial government would consider sharing such costs and consider requiring Consumers' Gas, regardless of the outcome, to bear a substantial part of those costs?

**Hon. Mr. Kerr:** I could only answer the first part of that question I think, Mr. Speaker. We certainly would consider the possibility, or the advisability, of the provincial government sharing part of the cost.

**Mr. J. Renwick:** Sympathetically?

**Hon. Mr. Kerr:** Sympathetically!

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Minister of Lands and Forests.

In the redrawing of the boundaries of Polar Bear Park would he outline to the House what negotiations or discussions took place with respect to the Indian band in that area in order to protect and conserve their rights in the area which have been traditional long before the minister and the government thought up Polar Bear Park?

**Hon. Mr. Brunelle:** I would say, Mr. Speaker, that there have been several discussions with the Indian chiefs and members of their bands; especially in Winisk, because Winisk is about the only community located in Polar Bear Park. We have discussed this—for instance, I was up there in January with my officials—and we have the concurrence of the Indian band. That is why Winisk itself, the community and the airport, has been removed from the park. Also, as mentioned in my statement we will also remove from the park certain areas where we will have multiple-use zones, whereby the Indians themselves will be able to carry on with goose hunting camps, fishing camps and other activities related to the economy of the Indian people.

We are very much aware of this and we believe that we can work this in conjunction with the primitive features of the park. The Indians have been consulted and will continue to be consulted.

**Mr. J. Renwick:** Mr. Speaker, by way of a supplementary question: I understood that the minister said that they had the concurrence of the communities or bands in that area. I wonder whether the minister could tell us what form that concurrence took?

**Hon. Mr. Brunelle:** What form it took Mr. Speaker? It takes the form of the usual form of having meetings with the chief and his council. It is very difficult at times.

When we were up there in January, for instance, we met with the chief and one or two members of his council and these are the things that they recommended to us—that they would like to use certain rivers where there is good fishing for commercial purposes. That is why, as time goes on, we will zone certain areas on the multiple-use concept. We are certainly working very closely with the Indians.

**Mr. J. Renwick:** Mr. Speaker, as a further supplementary question: Would the minister tell us whether or not the concurrence with the Indian communities in that area is recorded in a formal sense in any document entered into by the government with the Indian communities in that area, setting out at least the principles upon which these decisions were made in order to avoid continuing controversy or for the purpose of ensuring that the Indian communities in that area have not misunderstood the effect and import of what the minister has stated?

**Hon. Mr. Brunelle:** Mr. Speaker, I would also like to tell the hon. member that we

have also translated into the Cree language our leases on Polar Bear Park. I would be pleased to make available to the member the discussions we have had, but the member must remember there is only one community in this huge 9,300-square-mile area, and that is Winisk, with a population of 300.

**Mr. J. Renwick:** Mr. Speaker, by way of further supplementary question: Does the minister not agree that the Cree Indian community as a whole of the Hudson Bay basin are intimately involved with what determination the minister has made? Will he table what documents there are reflecting the agreement or concurrence or understanding entered into by this government with the Cree Indian community of the Hudson Bay basin?

**Hon. Mr. Brunelle:** Mr. Speaker, as I said, I would be pleased to make this available to the member. Again, I would like to reiterate that we have worked very closely with the Indian population. We are very knowledgeable about their problems and we are doing something about it.

I would be pleased to make that information available to the member.

**Hon. Mr. Welch:** Mr. Speaker, I rise on a point of order. I waited until now so I could refresh myself with respect to the wording of standing order No. 27. I thought, before I left the question period, on the particular point raised by the member for Sudbury—namely, the questioning of a member of a government commission—I would say with the greatest respect that standing order No. 27 talks in terms of questions addressed to the ministry and that subsection (j), if I may read it, says:

A minister to whom any oral or written question is directed may refer the question to another member who is a member of a board or commission to which the question applies.

My point of order, Mr. Speaker, prior to the establishment of any precedent with respect to standing order No. 27, is I would suggest, with the greatest respect, that any question must first of all be addressed to the ministry. Then it is for the minister to refer the reference to the member of the government commission or board.

**Mr. Sopha:** If I may speak to the point of order, I can appreciate the concern of the House leader and I have a glimmering idea of just what is in his mind. I will say this: no damage was done because I did not have any information anyway.

**Mr. Speaker:** I am quite aware of the standing order and it has been one of our orders for some time, it is not new. I have found that in the past the minister, whichever minister the question is addressed to invariably passed it on. I remember the hon. member for Haldimand-Norfolk (Mr. Allan) was the bounce-receiver of several questions here not long ago, and it was my opinion, as the member for Sudbury said, that little damage would be done by dealing with it directly.

However, I will be glad in future to give the ministry the opportunity of refusing to transfer a question to a member of the House who is on a commission and available to be questioned on reference from the ministry.

**Mr. S. Lewis (Scarborough West):** So that was what was in the minister's mind—he wanted to refuse it!

**Hon. Mr. Welch:** Mr. Speaker, with great respect, it is not a case of the minister refusing to transfer it. It is a case that the question in the first place would go to the minister and he would decide to refer it to members of a commission; that is my point.

**Mr. Speaker:** I quite understand the minister's point.

**Mr. J. E. Stokes (Thunder Bay):** I have a supplementary, Mr. Speaker, of the Minister of Lands and Forests. In view of the fact that the minister has stated that no mining activity will be allowed in Polar Bear Park, would this preclude the drilling for oil in the 9,000 square miles that he mentioned?

**Hon. Mr. Brunelle:** Mr. Speaker, the boundaries of Polar Bear Park will be in the regulations. As I said in my statement, no mining exploration will be allowed—

**Mr. Stokes:** No drilling for oil?

**Hon. Mr. Brunelle:**—in this park, as it applies in any other park.

**Mr. R. S. Smith (Nipissing):** Mr. Speaker, does he include in that the multiple-use areas that have been established? Will there be no mining in those areas as well?

**Hon. Mr. Brunelle:** No mining.

**Mr. Speaker:** Supplementary?

**Mr. H. Peacock (Windsor West):** No, a new question.

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

**Mr. B. Newman (Windsor-Walkerville):** Speaker, I have a question of the Minister of Transport. Is the minister's department considering some types of rules or regulations concerning the new type of motorized vehicle that we noticed in this morning's—I think was this morning's *Toronto Globe and Mail*—that is the miniaturized motor vehicle that is becoming so popular with the young people that is the subteenagers.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, I assume the hon. member referring to these so-called minibikes that are really motorized versions of the kiddie bikes of yesterday.

These vehicles present something of a problem, because they might be registered as motorcycles without our knowing it. That would be illegal on the roads and highways in my view, because they would fail to meet the equipment requirements of the various sections in part 5 of The Highway Traffic Act.

To be operated on a public road or highway they would also require to be operated by a driver of 16 years of age or older having a driver's licence endorsed for motorcycles.

**Mr. B. Newman:** A supplementary question, Mr. Speaker. Is the minister considering limiting or requiring a permit to purchase this type of vehicle, especially if an individual under 16 years of age is going to purchase it?

**Hon. Mr. Haskett:** Mr. Speaker, we have not considered that aspect.

**Mr. Peacock:** A question of the Minister of Energy and Resources Management, Mr. Speaker. Can the minister elaborate on reports of yesterday that air pollution monitoring and indexing facilities will be established in Windsor and other major centres outside of Toronto? If so, can he tell us when these will be put in place and whether the same information and warning system will be available to these communities as it is now available in Toronto?

**Hon. Mr. Kerr:** Yes, Mr. Speaker, it is hoped that major urban centres such as Windsor and Hamilton and Ottawa will have the same system as is now in effect in Toronto.

We are now working on Hamilton. We hope to have the system established and up there within a matter of a few weeks. I believe Windsor is next on the list, a

matter of fact, and, as I indicated, we will hope to have the same type of monitoring and the same results that we are getting in Toronto at the present time.

**Mr. Peacock:** A supplementary question, Mr. Speaker: has there been any delay in the establishment of the facilities in Windsor on account of shortages of the telemetering equipment to link Windsor or the other communities with the computer in Toronto?

**Hon. Mr. Kerr:** This could be, Mr. Speaker. It could be a matter of equipment.

**Mr. Peacock:** There has been a delay.

**Hon. Mr. Kerr:** There could be a delay because of that in connecting with Toronto. I know that this is one of the reasons for the delay in Hamilton and we hope to overcome that.

**Mr. D. A. Paterson (Essex South):** Supplementary, Mr. Speaker?

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

**Mr. Paterson:** When the minister is studying the Windsor area, would he consider a monitoring station southward on the river, say in the Lasalle-Amherstburg area, to monitor the air in that area due to the difficulties across the river?

**Hon. Mr. Kerr:** I will take that up, Mr. Speaker, with the members of the air management branch. However—just as a matter of information—when I was down in Windsor last week I was told that Detroit does in fact have a similar type of index. It is not quite the same; it does not measure the same particulates, but they do have somewhat the same type of monitoring system, so I am hoping that—

**Mr. Paterson:** We are getting the dust.

**Mr. Peacock:** We are downwind from them.

**Hon. Mr. Kerr:** Right, right! They have a little bit of pollution there too, but I am hoping that when our index in Windsor reaches, shall we say, a level of concern that we will be able to work with Detroit. They will be able to monitor their own system and have the same type of cutback in that city.

**Mr. Speaker:** Further supplementaries?

**Mr. B. Newman:** Yes Mr. Speaker, I would like to ask of the minister if, in his discussions with the governor of the state of

Michigan, he would take up the problem of the air pollution coming over from the American side, and if and when the pollution—

**Mr. Speaker:** This is not supplementary to the original question, which was the problem—

**Mr. B. Newman:** Yes, Mr. Speaker.

**Mr. Speaker:** No, the original question was the problem of a monitoring station.

**Mr. B. Newman:** This is where I want to bring in the monitoring station.

**Mr. Speaker:** If the member has not asked his question supplementary he may have an opportunity later to ask it if he wishes.

**Mr. B. Newman:** May I start then with the monitoring—

**Mr. Speaker:** No, the hon. member has already asked a question. It is the turn of another member from his caucus, the member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I have a question of the Minister of Agriculture and Food.

Could the minister tell me how many farmers, or approximately how many farmers, lost money in that they did not get paid for their produce when Copaco went into receivership?

**Mr. Sopha:** That one has got him stumped.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** No, Mr. Speaker I cannot tell the member offhand how many farmers were. Just from memory, it seems to be about 54, but I am not certain whether that is the correct number or not.

I must confess I am just not sure.

**Mr. Gaunt:** Was this company bonded and was the bond fully available?

**Hon. Mr. Stewart:** No it was not. The bond had been cancelled by the board of directors of Copaco—that is, the bond was payable to their members for shipping their hogs directly to Copaco. It was a bond that was provided for any hogs that were purchased directly from the hog production marketing board, but because members were allowed to go directly to the processor there was an exemption from the bond provisions for those hogs.

**Mr. E. A. Winkler (Grey South):** I have a supplementary, Mr. Speaker. I would like

ask the minister if the credit of the company was in any way affected by any action of the board of directors prior to its ceasing to function?

**Hon. Mr. Stewart:** I did not catch the first part of that question.

**Mr. Speaker:** Would the hon. member restate his question?

**Mr. Winkler:** I would like to ask the minister if the credit of the company was affected by any unilateral action by the members of the board of directors?

**Hon. Mr. Stewart:** If the credit of the company was affected?

**Mr. Sopha:** Yes, that is what he asked.

**Hon. Mr. Stewart:** I am not sure what the hon. member is coming at, I must confess.

**Mr. Winkler:** The minister might take that as notice and answer it later.

**Mr. Speaker:** Further supplementary? The member for High Park; a supplementary?

A further supplementary?

**Mr. Gaunt:** Do I understand the minister correctly then? Was is the membership, and the membership only, that lost money?

**Hon. Mr. Stewart:** Oh yes, only that!

Several years ago—the time went by so fast—but a few years ago at least, the hog producers marketing board and Copaco were at some difference of opinion as to whether or not hogs could be shipped directly to Copaco. A decision was reached and a mutual agreement was arrived at whereby only members' hogs could be shipped directly to the Copaco plant after a certain date of membership had been established in the co-operative. That is to say that if certain farmers had joined after that particular date, they could no longer ship hogs directly to Copaco. They then had to revert to shipping to the yards, where their hogs were sold on the open market under the guarantee of the hog producers marketing board that those hogs would be paid for.

The membership of Copaco felt—I do not know why—but they continued to ship hogs directly to Copaco, even though they were paying a service fee to the hog producers marketing board. They made that decision.

The rest of us throughout the province of Ontario with hogs to sell have to sell those hogs through the auspices of the hog producers marketing board by auction to the

highest bidder. The membership chose not to do that, but because the board—and I think this is the question that the hon. member Grey South was bringing to our attention the board, I believe, felt that they could relieve themselves of the necessity of requiring a higher bond by advising the members that all hogs shipped to the plant would fall within the terms of the guarantee.

In other words, they were shipping them to the plant on their own cognizance because they were members. I think they reason that since they were members of the board to which they shipped why would they guarantee payment for their own hogs?

**Mr. Gaunt:** Did that allow them to increase their own—

**Hon. Mr. Stewart:** I think that is what the member for Grey South was talking about. So that this, in effect, was done to strengthen in the minds of the chairman of the board and the directors, the financial position of Copaco.

I hope that this answers the hon. member's question. This is what has happened.

The result was that there was no money in Copaco to pay these producers who were shipping directly. The hog producers marketing board produced the agreement in black and white, we also have a copy of the directive that went out from the chairman of the board to the producers, indicating that they were on their own, as it were.

One can ask, why would a farmer continue to ship hogs under those conditions, but suppose that they felt that they were shipping to their own plant as they had always done. I do not know of any other reason—but that is the story.

**Mr. Gaunt:** One final supplementary, Speaker: is the government giving any consideration to reimbursing those farmers who lost money?

**Hon. Mr. Stewart:** Mr. Speaker, I must say that the government has given a very great deal of consideration to this. Were the Treasurer (Mr. MacNaughton) here he could outline all of this in some detail. We have given a lot of thought to this.

But here we find a specific group of creditors, the same as all other creditors of a bankrupt company. If you give special treatment to one group of creditors, no matter how much we feel inclined to do this sympathetically, you simply give them a prefer

position over another group of creditors that are in exactly the same position.

So it seems to me that, as a government, we have to maintain a position of neutrality and see that all creditors are treated alike. I am no lawyer but I think that those who understand corporation law and The Bankruptcy Act would agree that you cannot make preferential creditors out of one group in comparison to another.

**Mr. Gaunt:** The government would have to pay all of their bills if it paid some.

**Hon. Mr. Stewart:** Yes, that is right.

**Mr. M. Shulman (High Park):** I have a two-part question of the minister of Lands and Forests. Mr. Speaker. Were fish served at the fish fry here some 15 days ago, analysed by the F. E. Young Research Laboratories Limited at 222 Adelaide Street West? And part two of the question: Did that analysis show that mercury was present at a concentration of 1.8 parts per million?

**Hon. Mr. Brunelle:** Mr. Speaker, the fish served at the fish fry about two weeks ago had been inspected by the federal fish inspectors, who take five pound samples from every lot that goes on the market. We do not know which particular lot was involved. I can only say that we simply have not had—

**Mr. Sopha:** How did the minister know he was going to ask that question?

**Hon. Mr. Brunelle:** —a lot that was unsuitable for export.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Brunelle.** I think in all fairness, Mr. Speaker, that the hon. member should tell us who submitted these samples? How do we know that the samples that he says were analysed came from that fish dinner?

**Hon. Mr. Stewart:** How do we know?

**Mr. Shulman:** I am being asked a question; may I answer?

**Mr. Speaker:** No. The process cannot be reversed. If the member wishes to ask a supplementary question he is entitled to do so.

**Mr. Shulman:** Yes. I did not get an answer to the first two questions I asked, which were: Were these fish analysed by this laboratory and was that the result? If so, has the

minister any comment on it? Is this level rather high?

**Mr. Lewis:** And what about the member who ate the fish?

**Hon. Mr. Brunelle:** I wish to say, Speaker, that we had heard that someone had taken fish for sampling. We, in turn, sent one to one of our laboratories for analysis, and we should have that result. But in all the perch in Lake Erie that have been sampled by the federal government, the levels of mercury were very, very low. On average, they were certainly less than what they were the very minimum.

**Mr. Shulman:** A final supplementary question: Before the fish fry, were any of these perch sent by the minister's department or by the federal government for analysis, and if so what was the result?

**Hon. Mr. Brunelle:** I am not sure if I understand the question, but I would say that the perch is not analysed. What they do is take certain lots; and in all the lots that have been analysed they found there was a low percentage of mercury.

**Mr. Lewis:** Except one lot, just one.

**An hon. member:** He was not there, does not need to worry.

**Mr. Lewis:** And that was the one served to us.

**Mr. Shulman:** A final supplementary question, Mr. Speaker.

**Mr. Speaker:** The hon. member just announced a moment ago that that was a final supplementary question.

**Mr. C. G. Pilkey (Oshawa):** This is the final question.

**Mr. Speaker:** Does the hon. member mean that this is the final one?

**Mr. Shulman:** This is the final question. I am just not quite sure, sir, were any fish from this group sent for analysis? I know that some were taken from Lake Erie. But from that particular batch that was sent here to the Parliament buildings were any sent for analysis by the minister's department or by the government?

**Hon. Mr. Brunelle:** Yes.

**Mr. Shulman:** And has the minister any results of that as yet?

**Hon. Mr. Brunelle:** Not yet.

Interjections by hon. members.

**Mr. J. P. Spence (Kent):** Mr. Speaker, is the minister aware that the wholesale price on anhydrous ammonia had increased by around \$20 a ton over the wholesale price of 1969? Would the minister be able to give us any reason for such a healthy increase? It is a great concern to many of those in the agricultural industry.

**Hon. Mr. Stewart:** Mr. Speaker, I have heard rumours through representations that have been made to me by farmers in my own constituency that this wholesale price increase did take place. I do not know what the reason for it may be. I assume that last year there were importations made of anhydrous ammonia from the United States to Ontario and that this had a decidedly salutary effect on the price structure of last year. I do not know whether or not this same situation will persist this year. It is too early yet to require anhydrous ammonia.

I would suggest that perhaps with the representations that have been made indirectly to some of the companies involved by myself on behalf of the farmers who use anhydrous ammonia. We are concerned with this proposed price increase—however with the activity that I understand is being carried out by some of the same people who brought in anhydrous ammonia last year from the United States, that there might be not quite such a substantial increase as we are led to believe at this time. It is of concern. I wish we knew an easy answer to it.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, I have a sampling question of the Minister of Energy and Resources Management concerning automobile exhaust emissions.

**Mr. Speaker:** Is the hon. member's question one of urgent public importance?

**Mr. Burr:** Yes Mr. Speaker.

**Mr. Lewis:** That settles that.

**Mr. Burr:** How large a sample of all cars manufactured in Ontario is factory tested to make sure that exhaust emissions conform with pollution control standards?

**Hon. Mr. Kerr:** Mr. Speaker, all cars that are manufactured in Ontario are required to meet our exhaust emission regulations. There is no individual sampling. I understand that

this would be the same as any other feature of an automobile.

As members know, they have this quality control facility, I understand, in that all cars are tested or some of them would be sampled as the hon. member indicates. Assuming that the same type of equipment is installed in all the vehicles, we would assume that all vehicles would perform the same way.

**Mr. Burr:** As a supplementary question Mr. Speaker: would the minister make an inquiry about this and find out at the same time what percentage of the samples are failing the test and whether the tests, or samplings, are done on the night shift as well as on the day shifts?

**Hon. Mr. Kerr:** I will find that out.

**Mr. Speaker:** The Minister of Health advises me he has an answer to a question placed by the member for Sudbury (Mr. Martel).

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, the hon. member asked me, and I again reasked me, about the question of having control pills being dispensed without a doctor's prescription to Indian and Eskimo women. We checked this out and we find no cases of these pills being dispensed without the proper prescription from a doctor being first written.

**Mr. Speaker:** The member for York Centre.

**Mr. D. M. Deacon (York Centre):** A question of the Minister of Energy and Resources Management: why has the minister not introduced the bill that he announced in February he would bring in as soon as the session started, for the provincial control and licensing of disposal dumps with appropriate penalties for offenders?

**Hon. Mr. Kerr:** Mr. Speaker, that bill has been drafted now for a couple of weeks. The hon. member knows, the process is to present the bill to cabinet and then to caucus and frankly I am having a little trouble.

**Mr. Deacon:** A supplementary: why does the minister not merely proclaim the appropriate section of Bill 71 which the Legislature approved in 1967?

**Hon. Mr. Kerr:** Mr. Speaker, that section really is not sufficient to do the things I want to do in this particular piece of legislation. It deals strictly with matters of pu-

health. I want to have a much broader regulation and control of disposal sites, and I think I can promise the hon. member that the bill will probably be given first reading within two weeks.

**Mr. Lewis:** In emasculated form!

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

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have a question of the Provincial Secretary. Could the Provincial Secretary indicate what effect today's announced Toronto-centred region will have on the boundaries that have been set out by the commissions that studied regional government and the surrounding area?

**Hon. Mr. Welch:** Mr. Speaker, I would have to refer that question to the Minister of Municipal Affairs (Mr. McKeough). I am not able to comment on that.

**Mr. R. Gisborn (Hamilton East):** Ask the Minister of Energy and Resources Management.

**Hon. Mr. Kerr:** I do not like that map in there.

**Mr. Deans:** I wonder if the minister is prepared to answer any questions in regard to the statement he made today in the House.

**Hon. Mr. Welch:** Well I would have to hear each question that the member has, and I would be glad to respond to each question.

**Mr. Deans:** Fine!

Might I ask then, what effect the urban areas being separated, the two tiers of the city being separated by corridors, will have on the decision as to where our regional government boundaries will fall?

**Hon. Mr. Welch:** Here once again, in fairness, the member might want to direct specific questions, as they are no doubt being directed right now down at the exhibition grounds, to the ministers who have some responsibility in this area. I think, in looking over the remarks that are being made or which have already been made by the Prime Minister, we have regional development guidelines being announced today. Within this framework the type of decisions to which the hon. member has made reference will be made. I cannot be any more specific than that.

**Mr. Lewis:** The minister is just a ghost reader, is he?

**Mr. Speaker:** I do not think there is anything to be gained by further questioning the House leader with respect to this statement. I would give the floor to the member for Essex South.

**Mr. Paterson:** Yes, sir.

A question of the Minister of Energy Resources Management: can the minister comment on the press report today of the Ontario Medical Association meeting whereby suggested or recommended a new international agency to clean up the Great Lakes and the report of the IJC that they did want to do more of the investigatory work of action, they did not want to have responsibility?

**Hon. Mr. Kerr:** Mr. Speaker, the recommendations of the Ontario Medical Association are not out of line by any means. They are along the thinking of the government. They are right about the role of the International Joint Commission. I feel that there should be some sort of a regulatory body that will be set up after the Great Lakes region solely, and this is one of the things we hope to discuss at this conference. There should be an international body that can act quickly before a crisis develops and in this way leave the actual provision of, say sewage treatment plants, to respective provincial or state agencies. I am hoping, of course, that the Ontario Medical Association itself will not necessarily become involved in establishing some sort of a regulatory body. I think that this should be left to some body of government.

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

**Mrs. M. Renwick (Scarborough Centre):** A question of the Minister of Agriculture and Food: does the minister expect to have the 1994-95 estimated Bill 194 prior to or after the minister's estimates?

**Hon. Mr. Stewart:** That would depend when the minister's estimates are to come before the House, Mr. Speaker.

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

**Mr. B. Newman:** Mr. Speaker, I have a question of the Minister of Lands and Forests: Is the minister considering setting aside areas in provincial parks for the use of the type of motorized vehicles that I have mentioned earlier, in my question of the Minister of Transport?



**Hon. Mr. Brunelle:** Mr. Speaker, I was not paying attention when he asked the question of the Minister of Transport. What type of motorized vehicle is the member referring to?

**Mr. B. Newman:** I am referring to this new type of minibike that you saw in this morning's Toronto *Globe and Mail*. We hope that the minister does not set up these areas and we would like to—

**Mr. Speaker:** Order! The hon. member is entitled to ask a question.

**Hon. Mr. Brunelle:** I would just say, Mr. Speaker, at this time that this is something new and I am sure the parks integration board will look into the matter and will keep the member informed.

**Mr. Speaker:** The member for Thunder Bay.

**Mr. Stokes:** A question of the Minister of Lands and Forests.

Is the minister aware of the disenchantment of the commercial fishermen with the operations of the fish marketing board and would he join with me in requesting that the fish marketing board hold a mass meeting of all those being served by the board to resolve some of the difficulties?

**Hon. Mr. Brunelle:** I would say, Mr. Speaker, that the fish marketing board was only established a year ago, and in Ontario it only applies, as the hon. member knows, to certain parts of northwestern Ontario, and some were only in it for a very short period. At the end of the year the overall operation of the board was most successful, generally speaking. The prices were fairly good and in addition they received bonuses, so we feel at this stage that we should give this marketing board a reasonable time of operation, in order to assess its operation.

I would be pleased to meet with the members of the association of commercial fishermen at some appropriate time to discuss with them some of the problems that they are concerned with.

**Mr. Stokes:** Is the minister not aware that most of the people participating, or sending their fish to the fish marketing board, are near bankruptcy as the result of the decrease in the amount being paid for the fish?

Have they not made any representations to him as they have to me?

**Hon. Mr. Brunelle:** Mr. Speaker, the marketing board, like a lot of other boards, is

for the general good. It is quite true that times there are some commercial fishermen who could be adversely affected, but in general I would say that most fishermen better off as a result. Especially our north Indians, who are getting better prices in better markets. There will be better handling and we see that there will be considerable benefit.

Again I would like to repeat, Mr. Speaker, I would be pleased to meet with the commercial fishermen in northwestern Ontario at some appropriate time and I will invite the hon. member to join us.

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

**Mr. R. S. Smith:** Mr. Speaker, I have a question of the Minister of Energy and Resources Management that he will likely want to send on to the chairman of the Ontario Northland railway commission.

Is the decision to discontinue dining service on the Northland train part of the programme of the government and the Commission to discourage people from travelling by rail?

**Hon. Mr. Kerr:** The only way I can answer that is no, Mr. Speaker.

**Mr. R. S. Smith:** A supplementary question: why was the decision made?

**Hon. Mr. Kerr:** I will pass that to the hon. commissioner of the Ontario Northland Transportation Commission.

**Mr. A. Johnston (Parry Sound):** Mr. Speaker, I have not heard that we are continuing the dining service, so this is news to me too as chairman.

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

**Mr. E. W. Martel (Sudbury East):** I have a question of the Minister of Energy and Resources Management.

Because soil is specifically excluded under The Soil Pollution Control Act and under The Sulphur by Fumes Arbitration Act, is the government's intention to introduce legislation which would bring those who damage soil under the coverage of those Acts?

**Hon. Mr. Kerr:** We are considering that, Mr. Speaker.

**Mr. Speaker:** The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs.

Has the minister asked the Toronto Stock Exchange to report to him on the trading of shares of Erie Diversified Industries Limited over the past 18 months; and if not will he do so?

**Mr. Sopha:** The minister might answer the question I asked him the other day.

**Hon. A. B. R. Lawrence:** I have not asked, Mr. Speaker; and technically I do not think I am in a position, as a minister, to ask the Toronto Stock Exchange for this information.

**Mr. Sopha:** The minister has the power in the Act. The hon. member for Downsview (Mr. Singer) and I wrote it in.

Take it from me—query “Les” over there and he will tell the minister—it is right there somewhere.

**Hon. A. B. R. Lawrence:** However, as I suggested last week in answer to a question from the member for Sudbury, the mere asking of a question like this I will certainly take as a matter of notice to the securities commission to look into the question with the exchange.

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

**Mr. Deans:** Mr. Speaker, a question of the Minister of Lands and Forests.

Can the Minister of Lands and Forests indicate whether recommendations contained in today's tabled study are indicative of the government's attitude toward the preservation of the Great Lakes shorelines?

**Hon. Mr. Brunelle:** The member is referring to the report that the Provincial Secretary—

**Mr. Deans:** Yes, that is the one.

**Hon. Mr. Brunelle:** Mr. Speaker, I could not reply to this. I have not looked at this report.

**Mr. Deans:** May I, by way of a supplementary question, ask if this report had not come before the cabinet before it was tabled?

**Mr. Speaker:** I do not think that is a proper supplementary question. In addition to that it is endeavouring to ask the minister to ask a question which, of course, the member knows he cannot answer.

**Mr. Gisborn:** They have dreamed it up in the last two weeks.

**Mr. Speaker:** Does the member for Sudbury have a question?

**Mr. Lewis:** The minister said yesterday had it under active consideration. Today surrendered it.

**Mr. Speaker:** The member for York Co.

**Mr. Deacon:** I have a question of the Minister of Health.

Would the minister mail out a schedule of approved medical association fees to OHSIP subscribers so that all of them are aware of what these schedules are and to eliminate some of the confusion as to their bills are only being paid to the extent of less than 90 per cent in many cases?

**Hon. Mr. Wells:** Mr. Speaker, I am afraid that it is not my fee schedule; we are paying on the Ontario Medical Association fee schedule.

We have considered this matter. Laymen would not understand the Ontario Medical Association fee schedule, it is a complicated document. For anyone who would like to write us and wishes a copy we will perhaps get one for them.

I have under consideration some type of presentation or small pamphlet with some of the more common procedures listed in it in a manner that the average person can understand. Perhaps we can work towards something like this, but I feel that it would not be of any use to all people in this province; we just have a copy of the OMA fee schedule.

In matter of fact it is not our fee schedule at this time; it is up to the OMA to make it available.

**Mr. Speaker:** The oral question period is now expired.

Petitions.

Presenting reports.

Mr. Winkler presented the final report of the standing committee on private bills which was read as follows and adopted:

Your committee begs to report the following bills without amendment.

Bill Pr25, An Act respecting the Charitable Eleanor Englehart Hospital of the Town of Petrolia.

Bill Pr37, An Act respecting the Town of Fort Erie.

**Mr. Winkler:** I am privileged, Mr. Speaker, if I may, this being the final meeting, to express my gratitude and thanks to all members of the committee for their co-operation.

**Mr. Speaker:** Shall these bills be ordered for third reading?

Agreed.

Motions.

Introduction of bills.

**Mr. Martel:** Mr. Speaker, on a point of personal privilege: this morning, during a meeting of the tourism and information standing committee, I attempted to raise a point of order and at that time the Chairman would not even entertain listening to the point of order.

I would ask Mr. Speaker to advise the Chairmen of these various committees that they at least listen to the point of order and then judge whether it is a point of order or not. But just to rule in a dictatorial fashion that the point of order cannot be raised seems to me to be denying the rights of the members to raise points of order that they feel might be valid. It should remain for the Chairman to rule on it; but to just say "no," *carte blanche* I would suggest is entirely wrong.

**Mr. Speaker:** I would point out to the hon. member, as I have had occasion to do in the past, that the standing committees, while they are meeting, are a body capable of dealing with and responsible for their own actions within the jurisdiction allotted to them by the House. If the committee itself wishes to bring a report to the House, then of course Mr. Speaker would be most pleased to give it his attention. But matters such as the hon. member has raised are, in my opinion—and I will check on it—but in my opinion at the moment at least, entirely within the control of the committee.

The members of the committee have the recourse in their own hands. If they cannot have that recourse, then the committee, of course, can report to the House, and at that time the House and Mr. Speaker will be apprised of it and will take such action as may be deemed necessary.

**Mr. Martel:** May I ask the Speaker a question then: under what set of rules do the committees operate then, in what form of procedure?

**Mr. Speaker:** The standing orders and rules of this House, as I understand it, are those as set out in the motion not so long ago adopted. It is my recollection—and again I am subject to correction—that they do provide that the committees of the House shall operate, as far as possible, on the same rules as the House. So therefore the hon. member would

be quite in order in drawing to the attention of the chairman of the committee the appropriate rule in the rules of procedure standing orders of this House.

Orders of the day.

## THE BUSINESS CORPORATIONS ACT, 1970

Hon. A. B. R. Lawrence moves second reading of Bill 61, The Business Corporations Act, 1970.

**Mr. Speaker:** Is it the minister's pleasure to speak at this time on the bill? I may also, that we are sure of it, on the second reading of a bill the minister may speak first and last, or he may not. I give the floor to the minister if he wishes it now.

**Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs):** Mr. Speaker, it would be of any assistance in the debate perhaps at the very beginning I might point out that I will be asking that this particular bill go to the standing committee on legislation.

**Mr. E. W. Sopha (Sudbury):** Mr. Speaker, in examining the principle of this bill, which is rather lengthy, the reaction one gets to it and the enthusiasm one has for it, I suppose is to a large extent correlative to one's philosophy of government.

My philosophy of government is fashioned in such configurations that I must confess speaking for myself and without offence any dictates of party solidarity, that I have not much enthusiasm for it. I am content to say that, so far as it goes, as a purely mechanistic approach to the management of corporations within the economic framework and commercial life of Ontario, I suppose is all right; which, I guess, is a very qualified—I hope not negative—approach.

To put it in another way: if the business community, which, I assume, is satisfied with the various provisions in the bill and is content that corporate affairs be organized and operated in the fashion that the bill and its some 270 odd sections lays down, I guess it is all right with me. I assume they may be satisfied, because there has not been much in the way of an outcry from any section of the business community, and certainly it is well known that they have had adequate opportunity to study it. It has been some five years in the making, has gone through a variety of processes, has attracted, I suppose

different intensities of scrutiny from all sections of the business community and, as it comes in its final form, it achieves I suppose a consensus.

I observe that the *Globe and Mail* this morning made some reference to the fact that in respect of private companies, it is said in the propaganda disseminated in respect of the bill, that they are abolished in Ontario—but as I shall seek to show, they are not in fact. In respect of private companies, the Parliament of the United Kingdom, at the same time as the select committee was writing its report, was making some provisions in respect of financial disclosure to make, because my friend from Downsview (Mr. Singer) and I, we sat on that committee for two years and we were intensely interested in the experience in the United Kingdom. We had the advantage of having before us the Jenkins report, which was studied with great interest and very intensely and especially by the counsel, the very able people who assisted us—and I refer particularly to Mr. Davies and to Lionel Shipper.

And the other Lawrence, who chaired that committee, and perhaps found this to be the stepping stone to the ministry; it was not this Lawrence, but the other one, who chaired that committee. He got the idea, and it was no doubt sounded in common sense, that it would be a great venture for the committee to go to the United Kingdom, and I think the investigations toward that end with your predecessor indicated that so far as the issue of the warrants and those details that come within the framework of the jurisdiction of your office were concerned, that was all right; the committee might extend its investigations to the United Kingdom, and particularly for the purpose of interviewing Lord Jenkins himself.

It ran aground on the reef of the office, of the personality, of the first minister, the first citizen, who would not countenance it; and we are told, indeed, laid down something the equal of a papal encyclical to the effect that no committee—

**Mr. Speaker:** Might I inquire how this affects the principle of the bill? It may be the principle of what happened in another office, but I am lost so far as the principle of the bill is concerned.

**Mr. Sopha:** Do you really want to know?

**Mr. Speaker:** Yes.

**Mr. Sopha:** Well, I will tell you. Because the *Globe and Mail* this morning criticized

the principle of the bill in respect of lack of financial disclosure on the part of so-called private companies in one of our editorials, and it pointed to the English experience. And I was seeking to show that had the committee been given a flexibility of investigation—now just wait till I finish; you are going for the microphone there—wait a minute till I finish.

I am perfectly serious that had the committee had that flexibility of investigation that might very well have been a recommendation that would have been accepted because one of the basic principles of the bill, as I see it, is the failure of the bill to require the disclosure of the financial affairs of companies that do not offer shares to the public.

**Mr. Speaker:** The hon. member is quite the point now, and he was not before. He will continue on the point, it will be all right.

**Mr. Sopha:** All right. I will just leave to say that it was interesting to note that where we were circumscribed to the south of continental North America, the election law committee went over half the globe before they got finished. They were in the Antipodes, and the United Kingdom all right.

**Mr. Speaker:** The hon. member can join the budget debate if he wishes on other items, but they do not belong to this debate.

**Mr. Sopha:** No, I am quite contented as long as I do not have a debate with you all afternoon.

My lack of enthusiasm for the bill can be found in its emanation from the terms of reference of the select committee. Suppose I have to argue every step of the way as to the relevance; the principles of the bill can be found in the work of the select committee.

Let us examine, in order that we may have a stepping stone into my argument about the deficiencies of this bill—and I will tell you now in parentheses that I and my colleagues are going to vote for it. But that does not mean that we have to be enthusiastic about it. The terms of reference of the select committee were these. I will read only the first paragraphs, so the record will be complete.

On motion by Mr. Robarts, seconded by Mr. Yaremko, that a select committee of this House be appointed to inquire into and review The Companies Act of the province of Ontario and the Companies Act and regulations including The Corporation Information Act and The Mortmain and Char-

Uses Act and to consider the principles of incorporation, operation, management, and dissolution of corporations, including co-operatives, together with the legislation of other jurisdictions relating to such matters.

I just underline the one phrase which to me has significance—"to consider the principles of the incorporation, operation, management . . . of corporations". That is one thing that the committee never did.

Early in its endeavours, I tried to persuade the committee to conduct an investigation into the role of the corporation in the economic life of the province. To find its place, in other words, in the commercial life of Ontario, and the committee declined to do so.

I assert that I was a minority of one on that committee. I lost a good deal of interest in the work of the committee from that point on because I saw that it was a corporate lawyer's paradise. My friend from Riverdale (Mr. J. Renwick) was far better equipped than I am to understand the intricate convolutions of corporate law and the rule in *Foss v. Harbottle* and all the rest of the exotic lore that redounds in that great mansion. It is precisely my belief that, because of the failure to look into the role of the corporation, the bill is deficient in principle.

I feel, if I may put it in this framework, that the corporation, taken as a phenomenon if you speak in terms of the corporation—and this bill is speaking about one—if you stack that up against the concept of the corporation and remember its historical antecedents, and you look around at the environment of the world which you inhabit, you see what a significant part the corporation has come to play in the lives of our citizens. You see how much it impinges itself upon the daily activities of hundreds and thousands of our citizens, in many variety of ways and not only including the management function.

The corporation, of course, has come to have a very preponderant place in the universities, the charitable foundations, in the municipal corporations. Then, of course, we have that group of corporations with which this bill deals.

When you stack this type, the business corporations, up against the others and visualize their place in the life of the province, you immediately begin to see that the corporate role, at the very least, has become blurred and confused. I will try to show you with more clarity just what I mean.

The other corporations that I have enunciated, the charitable foundations, the univer-

sity, the municipal corporation, all have common the concept of service to the public. That is their underlying faith. They exist in a social context because they perform a kind of services, desired, demanded service to the body politic. This one in this bill, of course, it is safe to say—and it is no exaggeration to say—that this one, the business corporation, exists for the sole purpose of deriving a profit.

That is the *raison d'être* of it, the balance sheet, the healthy balance sheet, the comparative increment of earnings from year to year to give it an experience and an incentive. It is because of that contrast of the business corporation against the corporate imagination of other important sectors of our life that I would dare say, if I do not stretch credulity too far, my young friend from Rainy River (Mr. T. P. Reid) encounters such conceptual difficulty about pollution.

If, indeed, as I say, the corporation in the Act is designed primarily for the purpose of deriving a profit, then that entity cannot be made to do things for which it was not designed. The question of pollution to such an entity then becomes nothing more than a potential expense to it and is antithetical to its primary role. If the Minister of Energy and Resources Management (Mr. Kerr), just to nail the point down, calls them thieves when he did, exorcises them—whether here on television—he is asking them to do something he is asking them in effect to go through transmutation for which they are not designed.

**Mr. P. D. Lawlor (Lakeshore):** How do we measure their contributions to the community chest?

**Mr. Sopha:** Yes, I have no doubt that they have many ancillary contacts with the society about them but I am speaking, I say to my friend from Lakeshore, about their main primary purpose.

All right, just to show that I am not alone let me put on the record some words from Thurman Arnold, who said it far better than I in his great essay, "The Follies of Capitalism". He said:

The confusion accompanying most liberal reform movements is due to the fact that they are generally attempts to make an institution practice what it preaches in a situation where, if the ideal were followed, the function of the institution could be performed.

Mr. Speaker, I must confess that it was a little more than naive enthusiasm that

approached the work of the select committee. I wanted to engage in examination of what the proper role of the corporation was in the life of Ontario and how it was performing it. But others who commanded power determined that we should rewrite the statute, improve it.

Ours was not work of adventure. It was a pedestrian chore of improvement of the existing law. Really, what the *Globe and Mail* is complaining about in the editorial—which I cannot seem to find; I am one of those who finds that saying of Junius at the top of their editorial-page so appetizing that when I read what they write below it almost imprints itself indelibly on my mind. They were saying in their editorial this morning that the one thing the Minister of Financial and Commercial Affairs lacked in respect of this statute was an adventuresome spirit. Indeed it is not that!

Now to turn to one section which is as good a place to begin as another. The bill proclaims that the shareholders, the individual shareholder, will be given greater freedom of access by way of investigation into the management of the company. Previously, under the old Act, he had to own, Mr. Speaker, 10 per cent of the issued shares. But now section 186 says that any shareholder may, upon application to the court, and if the court is satisfied that there is enough *prima facie* evidence, cause an investigation to be made into the management of the company.

There is another way of doing it. He can wrestle for proxies—faint hope in most companies—but if he can get enough people to support him, then he can turn that application into a vote, a majority vote of the shares at the annual meeting. Then the investigation is conducted in the name of the company. That is a very unlikely event. So we are left with the former having to make an application to the courts. Really, I think that that is asking too much. It may appear to be a concession, but it is not much of a one, because any shareholder that would pursue that avenue seeking disclosure or seeking a change in management practices would have to be endowed with a tremendous amount of temerity. He would have to be a man, I dare say, who was devoid of onerous demands upon his time—

Mr. Lawlor: And a good deal of dough!

Mr. Sopha: Pardon?

Mr. Lawlor: And a good deal of money.

Mr. Sopha: And a good deal of money friend is right.

So it is unlikely, in spite of the proclamations of the minister and the propaganda has been disseminated that there is progress.

The whole point Mr. Speaker, I protest to you, the whole nub of the matter is in question of disclosure. I happen to believe that what we should be promoting in the statute, above all else, is the fullest amount of disclosure of the affairs of the company so that we make the shareholders and the people in respect of the knowledge they have about what the company is doing and how it manages its business. We should try to do this in Ontario, a group of the shareholding public sophisticated in public operations.

What is the situation today? The situation is that shareholders are obliged to rely on the investigations, the activities, the examinations and the judgements of a group called investment analysts. They are their surrogates; they are the agents of the investing public. They are the ones that attempt to dig up the information from the head offices of the corporation, and in turn form a judgement upon it and purvey that judgement to the investing public.

Now I suppose I would not have to do this very persuasively to convince anyone, if an investment analyst from Pierce, Fenner and Smith, calls up the secretary-treasurer of a large public company, that not only does he know the questions to ask to fill in the voids in the annual financial statement, but what is even more important than that the secretary-treasurer will answer the phone, take the call and attempt to be helpful in answering responsively to the inquiries of him by the investment analyst. It is hardly doubtful that a call would be completed by a person who holds a hundred shares and chose that avenue. It is doubtful that he could tax the time and the attention of a busy secretary-treasurer in one of the large corporate entities. So this bill, as far as requirements for disclosure are concerned, does little to develop the education or the astuteness of the investing public in Ontario.

You may look, sir, at those sections of the section 170 which deal with the content of the annual report. There are two basic areas in which, I protest to you, there should be more disclosure. If I can have the attention of the minister, before the bill reaches its final wrap-up, would he consider the inclusion of disclosure in respect of these two fundamental areas that I now cite?

I submit, sir, that it would be advantageous to the healthy development of the commercial life of this province if there was a requirement for the disclosure by directors in the annual statement, or information circular, of what they owned in other corporations—what equities they own in other corporations. In other words, to put it in a nutshell, the investing public, and indeed all the public in Ontario that is interested, should be entitled to know who owns what in this province. And I am not talking about interlocking directorates. I am not talking about affiliated companies. I am talking about the disclosure of information which would enable the curious to know what persons in positions where they can make economic decisions have an interest in other companies, where they might impart the decision-making process of that company.

To illustrate, I know of a case—and I do not want to put any names on record—where an individual wants to raise a large mortgage loan on a commercial building, something in excess of \$1 million, and he approaches A trust company and asks for the loan. They carry out their normal investigative techniques and he is refused. They decline—I do not think they ever refuse—to grant one. He then goes to B life insurance company. They are tempted and they come to the point where preliminary approval is made. He is encompassed by all sorts of euphoria that he has got the loan. But what he did not reckon on is that A trust company and B life insurance company had a common director, and that is the end of the story.

If it is said that 100 people in Ontario control the decision-making process in respect of 60 per cent of the wealth, we ought to be allowed to know in what way they do it. I am advocating that those sections of the financial statement should require disclosure by the director, where he owns more than a certain minimum, let us say a dollar amount of shares; and do not ask me how much. In that way the critical level could be arrived at.

**Hon. A. B. R. Lawrence:** Whether or not their shares are traded?

**Mr. Sopha:** That is right. Whether or not, there is an affiliation between a common enterprise or anything of that nature.

But what is even more important is another aspect of disclosure I would like to advocate, and in which the bill is entirely depreciable and that is that the accounting procedures adopted by the auditors should

be shown. I am told by those practising the art of investment analysis—and I accept what they tell me—that it is impossible to go from one financial statement to another and apply the same techniques of accounting so as to comprehend what the statement tells you. They have to know the methodology used by the auditors, and invariably they have to get in touch with the auditors to determine from them what methodology approach they used.

I am further informed that, in respect of the designation of a good deal in the financial statement, there is a plethora of labels and the same label will mean two different things to two different accounting firms. Furthermore, and even more important, however, they tell me that the frustration in understanding financial statements is further heightened by the fact that there is a great deal of discretion—hearken to this!—in the auditors as to which methodology they use and what system of labelling they use.

To illustrate, accountants use different methods in determining the identity of an elusive concept “accumulated earned surplus”—that is a great one; that one is as fascinating to me as a reader of baseball sheets for many years. I would be willing to bet a nickel if the minister and I could almost any financial statement and we found on that phrase “accumulated earned surplus” and I said; “Bert, we have got the after-effects off, let us go down to the company and let them to point it out to us, where it is, where we can find it”, that we would be frustrated against the most frustrating experience of our lives. All they could assure us would be “Bert and Elmer, we will give you a solemn word that it is not in that new purchase purchased by the president.” That is as far as they could go. But as to pinning down where it is to be found, there might be an infinite variety of answers.

Just to dwell on that, I am told that some accounting firms will have no part of putting in it such things as good will. Good will is intangible—we are boxing with smoke. They will not put it in at all, but other accounting firms will. And how does it find its way in? They acquire another company. They have taken over another company. They have bought the totality of the assets of another company. One of the items in the purchase was good will and that good will is put up in “accumulated earned surplus”.

I do not have to paint a picture to you that you would never be able to borrow

dime on it from anyone. You would never be able to change it into a cash asset at that point. I think it is a serious problem. I have been looking at balance sheets for at least a decade and a half and it is a serious problem. If the minister goes along, he has got to approach the accounting profession, and he has to say—I hate to use the term—he has to say, “We have to have some guidelines”, in order that no matter what balance sheets you are looking at, you are able to discern the same things from it.

I hope I will not be accused of cynicism—and now I am dealing with the principle to be found in those sections of the Act dealing with the disclosure and the annual financial statement—I hope I will not be accused of too great cynicism when I say that from one point of view the balance sheet, of course, is more interesting for what it hides and what it does not disclose than for what it does, because it is not meant to be a revelatory document. It is not meant to be. It is meant to be a rosy document.

It is meant to be a comparative document. It is meant to show the experience of this company under the very aggressive and intelligent management of the group presently in control. So far as it can be bent to that end, I say to the minister, it has done so.

But our task as legislators, I seek to impress upon the House, is to require the business corporations, as far as humanly and reasonably possible, to make the investing public aware of the financial activities, the management practices, of the corporation. It may be—I did not get through, I see your henchmen over there shaking their heads, if I may make so bold to even notice their presence because they are strangers here.

**Hon. J. H. White (Minister of Revenue):** Hear, hear! He can read a balance sheet, anyway; he has proved that.

**Mr. Sopha:** Now to illustrate the practice, I ask a rhetorical question. Is there such a concept of corporate democracy? Is there intended to be, or do we just cynically, realistically, accept the premise that the corporate activities, the affairs, the practices, are in the hands of management in this province? Whatever is left of the *laissez-faire* doctrine must be left in the hands of management. Management knows this. My friend from York Centre (Mr. Deacon) is going to address some comments on that aspect later and the dangers imposed by some of the amendments here.

Leaving them in the hands of management, that is the attitude of the securities commis-

sion; that is the way they feel about it. I have begun to wonder what the securities commission does precisely. Just what is its role in corporate life? If it is inactive, if the securities commission, when operating within the confines of that statute, fails to fulfil the purpose then are we not obliged in this statute to fill in the gaps, if there be such?

That question is relevant to this consideration, but apparently the securities commission does not want to look into such things as management practices. It takes the position that whatever management does is the business of management and the shareholders. The shareholders have their remedies which they can pursue, and I suppose they may as well that they pursue the remedies under this Act under this new Act.

**Mr. J. E. Bullbrook (Sarnia):** They think the shareholders are not part of the public.

**Mr. Sopha:** That is right. A good argument can be made that the securities commission has the idea that there are some boiler operators operating down on Bay Street and their sole function is to keep an eye on them; that they are sleuths; there is some kind of quasi-mafia criminal element here that would not be the public, and if the securities commission did not keep an eye on them, everything would go to pot.

A good thesis can be made for that. There are lots of people you meet in the lobbies of the Royal York and the King Edward Hotel who will bend your ear for hours on this thesis, that the securities commission thinks that everybody who is not in the gilt-edged corporate world is a thief and a crook and is likely to do infinite damage if it, the securities commission, does not watch them 26 hours a day. All right.

But what is more important in respect of the management practices is if shareholders have rights to make inquiries, to have disclosures made to them, this is the vehicle. This statute is the way we should do it as a legislative enactment. I, of course, reduce to the principle of disclosure—that if you make full and adequate disclosure, only in extreme circumstances would you really have need to use that remedy in section 186. That is my argument.

It is my argument that if the disclosure was there, you would not need to scurry to the courts for relief.

Now just to dispose of the securities commission—certainly, in another aspect they have no role. Apparently when a local company in Canada has made a great success in its end



your within its corporate objectives, when it is a great success—when it has really reached the Everest—the top, you know—the management can sit back and expand their chest and say, “We are the greatest”, like Cassius Clay; and, “We have brought this company from nothing into a tremendously successful enterprise”. How do you know it has arrived at the Everest? You know because the Americans then take it over.

They take it over and the last people to know—and here is my complaint and here is where the securities commission is deficient—the last people to know are the securities commission. They are like the piano player in the bordello. They just bang the piano and they do not know what is going on. But by contrast, the Securities and Exchange Commission, I am told, and my reading tells me that it is right, nobody in the corporate world in the United States makes a move without asking the SEC first. That is where they start; there is the great contrast. When they are thinking of a merger, a consolidation or a takeover, before the pen is taken to any document at all, it is cleared by the SEC. And the SEC lawyers, after they put in their stint there, migrate from there into the very inner echelon of the business world.

That is the way it should be here. If Pabst wants to buy the beer company here; if Rothmans gets the idea that it wants to scoop up a company or two, then I would have it as a matter of governmental philosophy—and I am willing to pitch my tent on this plateau—that the first people they have to check with is the Ontario Securities Commission. They have to clear it with them first for no other reason—I do not need any other pillar to support my argument—than the fact that their activity might influence the price of shares on the market, and the security commission to me is the guardian of the market.

It was with no sense of exultation or stridency, believe me, Mr. Speaker, that I said by way of interjection that my brother from Downsview and I struggled hard to get that section written into The Securities Act, which relates to the supervision of the Toronto Stock Exchange by the securities commission. I think it is somewhere around section 120 something or other, because that is important. I have long ago put away the days of the buccaneer; we have departed of long from *laissez-faire*, when a person could do what he wanted, without restraint, without inhibition. And I need no other philosophical premise to found it on than to say that some of the decisions taken in the corporate board rooms are far more pervasive, far more profound

and far more intimate upon the lives and well-being of the citizens whom we represent than many of the decisions we make here.

**Mr. Bullbrook:** Hear, hear!

**Mr. G. Demers (Nickel Belt):** Free-pressing!

**Mr. Bullbrook:** And they know it.

**Mr. Sopha:** That is so with the Dominion Rubber Company; that is so with Inco and a great many others. There is no democracy in the making of those decisions. All right, let us translate this disclosure down to—

**Mr. Lawlor:** The Tories say that it should be.

**Mr. Sopha:**—my little sortie a week ago Thursday; it is illustrative of the provisions of that Act relating to disclosure. I would better just find those. What are the sections that deal with the contents of financial statements?

**Mr. Lawlor:** Around 170.

**Mr. Sopha:** Yes, 177. That is the very provision of the Act: how the balance sheet to be presented before an annual meeting shall be drawn up. I had the benefit of talking to the ministers and officials this morning; they are very courteous and obliging individuals who work for the public and they greeted me with co-operation and a desire to explain to a person who wanders through the jungle of corporate law, and I told them I know a great deal more about the law of murder and rape than I do about corporate affairs.

**Mr. E. Sargent (Grey-Bruce):** From courtroom experience.

**Mr. Sopha:** Pardon?

**Mr. Sargent:** From courtroom experience.

**Mr. Sopha:** Oh yes, courtroom experience, of course.

Now I asked them to point out to me whether there is any requirement for disclosure in those sections of the Act in respect of non-arm's-length transactions by any member of the board of directors, any member of management with any other organization, whether it corporate or human, which transactions are not at arm's length, and they thought I was going to speak all afternoon about my little sortie last week, down to the meeting in Kam-Kotia. Well, it is only illustrative, only symptomatic to show the deficiency

this Act and how it fails to come to grips with some of the problems which are emergent in the managements of corporations here in Ontario.

The question in Kam-Kotia is very simple, which this Act does not try to correct. The president of Kam-Kotia, Arthur White, the information circular says, owns a private company called Mid-North Engineering Services Limited. That private company supplies management, secretarial, accounting, engineering and ancillary services to Kam-Kotia. Well, it is obvious the transaction is not a darn thing, and the information given to the shareholders is that for the supply of those services Kam-Kotia pays Mid-North \$137,000, a ballpark figure. The question is, even to the most obtuse, is that a fair value for the services contracted for? There is the question. Is it a fair value? Are the services worth \$137,000? I tried to get the securities commission in on the act and, oh boy, you would think that they were being confronted with a case of leprosy, they way they took off.

Put the question another way, as I said to Arthur White: "If the company paid you your salary"—that is what Inco does; Inco pays the president. I think it is something in the hundreds of thousands of dollars they pay him. The member for Nickel Belt could probably tell me how much he gets. I think it is something like \$450,000 they pay him.

**Mr. Demers:** I do not think it is that much.

**Mr. Sopha:** "Like Inco, if the company paid you, Mr. White, then you would be required to disclose what you got; the shareholders would know. But what you are paid is the residue from the \$137,000. That is your payment." Mid-North supplies all the services and presumably what is left over goes to Arthur White, who owns the company. So the shareholders do not know. They are bereft of the knowledge of how much he is paid, and this statute does nothing to correct that.

Disclosure is the key; it is the answer to practically all the ills in the corporate realm. Let the shareholders and the public know—not for curiosity, not for knowledge for the sake of knowledge, though there is nothing wrong with that, but for the pure purpose of letting them decide whether it is a good investment or not. Now who could quarrel? Who could really quarrel with that statement of principle?

Of course, there are other matters. Others, no doubt, will dwell upon the failure to require financial statements from what are now

called companies that do not offer their shares to the public. The minister wants to proclaim that the distinction between private companies and public companies has disappeared; well, section 100 indicates otherwise. The distinction is between those companies that offer their shares to the public and those that do not. If they offer their shares to the public they are required to make a financial statement and if they do not, they are not. Well that is a distinction.

What is in a name? What is in a label? There is still the clear difference. Tomorrow next week, next year, Eaton's—Eaton's is one always seized upon, it is the one member for Riverdale was always captured by. He has a thing for Eaton's; he deals in Simpsons.

**Mr. Demers:** He holds a block of Simpsons shares.

**Mr. Sopha:** Yes, right.

But they will not have to make any disclosure. Of course, as the *Globe and Mail* points out, the British experience is different.

Now why should it be? I will tell you why. Because we live in a world of fiction and the English common law has been a vehicle that has delighted me and has even acted toward the creation of fictions.

The common law has always needed fictions. They are part of the essential wool and woof; the common law could not exist without it. And the mythology, of course, revolves around the fact that the corporate personality, fictionalized as it is, is different than the human personality. It is at once a cloak and shield to insulate and it is, at the same time, an alter ego. Elmer W. Sober Company Limited is different than Elmer W. Sopha by the addition of the suffix, by the magical grant of the authority of incorporation by the minister.

That is the paramountcy of the fiction. Yet we are coming into a world where it is becoming increasingly apparent that there are demands on at least one part of our citizenry, one significant group of our citizens, that there must be recognition of the fact that ultimate responsibility for the reality of human beings make decisions; that there are human beings in the Pentagon and there are human beings in the cabinet at Ottawa, and there are human beings in the managements of corporations.

And I daresay to predict that within a decade has elapsed, that fiction will be available either as an argument or a

defence to the demand for accountability of human beings for their actions toward other human beings. That is one of the earliest fictions that is going to go. But this statute preserves and perpetuates this. And now the minister, who speaks with less than total enthusiasm, in section 5 of the Act he permits one individual—that was a recommendation, I believe, of the select committee—to incorporate himself, whereas formerly he needed at least two to be assistants. One only!

I say I am optimistic enough to believe that we may be moving away from this confusion in respect of the role of the corporation in our society. Certainly I need only point to the fact that many corporations like Dow Chemical and other manufacturers of armaments are certainly coming under review for the actions of humans in their management toward other human beings and the ultimate evil—death, destruction and desecration that may be inflicted by those who have the capability and the facility to do it.

As I say, you must look at this statute within your philosophy of government.

Now, I am pointing to one lack of courage on the part of the statute; it does not go far enough, as far as it might go, to require total, adequate and reasonable disclosure of the affairs of the company.

I turn to another aspect of it: Any person who reads *The Financial Post* or looks at the financial pages of the papers nowadays must come to the conclusion that there is a new breed of *homo sapiens* loose on the planet. That quintessence of zeal is to be found in the personality of the corporate manoeuvrer, the person who takes a tremendous amount of joy and accomplishment out of the accumulation of companies. He accumulates companies the way the Medici used to accumulate late *objets d'art*.

If you look at what is being done, it immediately impacts itself upon you that what you have in many of the mergers creating the conglomerates is an accretion of capital—I repeat, an accretion of capital—but no increase in value.

To illustrate, if Paul Desmarais manages to persuade the shareholders of Consolidated-Bathurst that they should take two shares of Power Corporation for every one of Bathurst, then I say to you that it is extremely unlikely that one more New Brunswicker will be employed by Consolidated-Bathurst the day after. Maybe in the future, but if the deal goes through on Friday, on Saturday there will not be a single New Brunswicker who

will find employment in Consolidated-Bathurst as a result of that deal.

I use it for illustration, but on the other hand the management techniques applied by Power Corporation to the management of Consolidated-Bathurst might mean that in six months' time 100 New Brunswickers might be out of work as a result of management decisions. They might be out because Power Corporation cannot manage Consolidated-Bathurst as well as the previous management did.

So I say, an accretion of capital will increase in value; that is the purpose of this Act does nothing; it does not look at the environmental world in which we live, the world of reality; it does not come to grips with it. There is a tremendous study which the Federal Trade Commission in the United States has reduced to a precis of 20 pages which points out that all the evidence indicates that conglomerates are less efficient than the corporate entity existed apart from the conglomerate. Without getting down to numbers, I happen to believe that a certain hotel in this city operated with more of the efficiency and more efficiency when it was owned by the hotel king than it does since it has been owned by a large communications group. The FTC says the evidence goes that way.

This statute does not in any way touch the world in its verbiage of the realities of the world in which we live. No, as I say, I lack enthusiasm for it, because it is purely mechanistic. It is all right with me if the minister toots his horn a bit and says, "Look at how I amended and brought into date The Corporations Act, and introduced this bill." That is all right with me, but I want to say that at chambers of commerce meetings and that style of taffy pulling, I do not want to be there to heckle him from the gallery. But at the same time I am going to say that I am not going to take a half-hour to sit and dance on the village green about this statute either, because it takes no account of the world of reality. It takes no account of our hopes and our yearnings and our desire that the corporation be brought into a form of civilized behaviour so that it can function with our loftiest desires for the operation of the commercial life of the province. That puts it baldly. That is the way I want to see the corporation. That is how I see it: As a device and only that.

There are some present who were here when I went before that so-called K

committee several years ago, downtown somewhere—I forget where it was; the Lord Simcoe Hotel probably—thank you, the Lord Simcoe. Some of the great Poo-Bahs of the stock exchange were there, and I made this statement in their presence that I had no interest at all in promoting the accumulation of wealth of the brokers or of the professional investors in the Toronto Stock Exchange. I am interested in the Toronto Stock Exchange only so far as it promotes the economic well-being of Ontario. That is its sole valid reason for existence. And so I say the business corporation must be civilized and brought into a proper perspective in the context of the society in which it operates, which is another way of saying that Mr. Sopha, the member for Sudbury, is here proclaiming that not only must corporations be required to show a good business sense, but they must also demonstrate that they have a social responsibility. That is precisely another way of saying what I have been saying.

To turn to another aspect of the Act, I have said that I am not interested in the corporate manoeuvre. Before I leave that, I want to deal with Erie Diversified, which is a good illustration.

If you are going to get Harry Bray and his colleagues to investigate this Erie Diversified, we might have a look at the prospectus issued by that company, Erie Diversified Industries, under the aegis of Cochrane, Murray & Company Limited, on October 1, 1969. Will you mark the date, that is very relevant. A fellow by the name of Litwin back in 1968, the fall of 1968, bought control of the shares of what was then called Erie Flooring Company Limited.

It would be interesting, just by way of interpolation, to illustrate the principle of the emergence of the financial manoeuvre—the Marco Polo of the corporate world. It would be interesting to know, one would want to know, how much money was in the treasury of Erie Flooring at that time when he got control of the shares. I do not have to spell out why that is a very relevant statistic to have.

He got control of the shares of Erie Flooring and he changed the name to Erie Diversified. Then, in October, as I say, he floated \$500,000 subordinated convertible redeemable sinking fund debentures at eight per cent. In October, 1969—mark the date.

If you read this prospectus—you know, I say to my friend from Essex South (Mr. Paterson)—do you know what the business

of the company is all about? It is all about flooring factory in West Lorne. That is activity that the company is engaged in. They are manufacturing flooring in West Lorne.

It proclaims that they have a very successful factory. Their product meets with market acceptability, it is an old firm, of long reputation, widely known, so they say in order to get \$500,000 of public funds in the way of loan on what is called subordinated convertible redeemable sinking fund debentures. You would almost believe that you were in Yorkville, that that is some kind of hippy language. However, those who speak the argot will understand it; I do not.

All right. So here we have this flooring company. On May 1, 1970, just to truncate this story—give them the benefit of the doubt—October-November is two, and December is three; January is four; February, March, April—six months to the day, they are out of the flooring business. The whole village, the people, everybody in West Lorne is dependent upon the flooring factory.

Really, I do not exaggerate. You would not be able to speak the language to be able to wish I had it here—to be able to comprehend it. A whole new argot has been accumulated around it. Litwin says that the company is a programme of diversification—program, what a wonderful phrase. It is like my friend, a year-old blowing her bubblegum to be able to get it out. But he says that because of the programme of diversification the flooring company no longer fits in their plans.

In the six months since the securities commission allowed him to publish this—passed on this when he was in the flooring business—he has gone into fabrics, textiles, furniture. He has bought something called A and A Fabrics; he has bought Stitsky's Tiles; he has bought Lanark Furniture. He says "because of the programme of diversification the flooring factory has played an increasingly diminishing role in our production structure."

I am ready in 1970—on May 5, 1970—I am ready to say here, in my responsibility as a member for Sudbury, that I question the right of Litwin to make those decisions. I do not care how much my adversaries want to have independence and freedom of manoeuvre and the *laissez-faire* aspect, I am ready to question his right.

Because Litwin wants to play around with other companies and he wants to, as he says, diversify, and he does not like the flooring business, then has he, Litwin, got the right

to put 142 people out of work? I question his moral right to do it.

How does this Act circumscribe him in any way? How does this Act require Litwin to justify it to his shareholders? It is a public company, it trades on the Toronto Stock Exchange. How does Litwin have to go down and seek out the Ontario Securities Commission beforehand and say, "Here is what I have in mind; here is what I am going to do"?

I take it that he put his prospectus through the securities commission, of course. I assume he had to do that; did he? Yes, he had to put his prospectus through, take it and examine it. He was in the flooring business, you see, six months ago when he got the \$500,000. But now he is out.

**Mr. Lawlor:** He will be back next year on diversification.

**Mr. Sopha:** Yes. All right.

If you look around you you will begin to see—and I do not exaggerate because I watch these things—the new man. The new corporate renaissance man on the scene is the one who shows his intelligence and his dexterity by the accretion of capital without any increase in value. It cannot be put in a better way.

He is a big wheel because he accumulates a number of companies. He makes deals, he knows how to—what is the argot they use, what is the phrase they use?—they say he knows how to build the deal—a parlay, sure.

I have no criticism of Desmarais, he is a Sudbury boy. I have no criticism of him at all. In many ways I admire Desmarais, but I am aware that Desmarais parlayed Gelco. I watched how it was done—he parlayed Gelco into the empire that he sees built now.

Let me put it even more bluntly. As a legislator I am not interested in that type of dexterity. I am interested in jobs. I am interested in real income for the people who work and provide their labour, their skills. How does this Act inhibit that? Not at all.

Let me turn to another aspect. They had to hurry to get section 47 in. Luckily it had not gone to the printers before the CRTC had brought down their edict about Bushnell. That is what section 47(2) is.

Do not look at me as if you do not believe me. That is precisely what it is. It is an acknowledgement to the CRTC's ruling. It is the first time in the history of corporate legislation in Ontario that notice was ever paid to Canadian content. Agreed, it is a corporation that has imposed restrictions on the transfer of its shares:

—shall not offer its shares to the public unless the restrictions are necessary (or under any Act of Canada or Ontario) as a condition to the obtaining, holding or renewal of authority to engage in any activity necessary to its undertaking.

That is Bushnell and Denison and it arrived there by accident. It arrives there by accident of the federal government.

Here is another major deficiency to be charged upon this statute, because the minister and those who serve the minister are going to examine the social and economic role of the business corporation. It does not acknowledge in any way the right to Canadian ownership, or any sector of the assets or the sources of this country—in no way except the passing salutation of section 47 is made. In the study, I say, encompassed, as the minister for Grey-Bruce would say, "the whole of wax", had they looked at the whole of wax, we might very well have had in this statute some provisions relating to the holding of a minimum proportion of shares of significant sectors of the economy of this country in the hands of Canadians.

It is a funny thing; Mexico can do it, Argentine can do it; the Benelux countries can do it and get away with it; but we can never do it. We can never do it. Implications of the press, of course, pillory those who dare to proclaim it, who dare to advocate the principle that there should be a statutory provision that a certain proportion of the shares must be owned by the people of this country; that the vital management decisions ought to be made by people who have a stake in the life and the well-being of the country.

As a matter of principle, I am not interested here and I will argue with anybody into any hour of the day or night that a Canadian, I resent the fact that a good many decisions that affect my fellow citizens, myself, my family, my children, are made on Wall Street. A great many of them are made. I will never accept that principle as long as these lungs can receive oxygen. I may have to live with it but I will never accept that that is my ultimate fate.

That could be encompassed, had this government been adventuresome; had this government been adventuresome. There could have been some acknowledgement. Two things could have been said. The Toronto press is now saying that the Robarts government has lost all its nerve and courage. They have not got any verve or some spirit at all.

The other thing that ought to be said is one of the myths, deceptions, with which we have to live in regard to the corporate world, is that the free enterprise system, the business corporations, are venturesome bodies—that they are adventurous. That is part of the mythology. I do not hesitate to say that to my friend from York Centre who rubbed shoulders with these people for a good many years. That is part of the myth the chamber of commerce creates that these are bold and daring people.

The evidence is to the contrary. I will put it two ways for my hearers.

The economic development of Canada was actually retarded by the conservative instincts of the business community. The chief leaders of conservatism that have held back the economic development of this country have been the chartered banks; they have been the most guilty of all. The other way that I put it is that anything big in this country that was ever built, anything, was built by government. The airports, the roads, the seaways, the trans-Canada pipeline—

**Mr. R. Haggerty (Welland South):** All handouts.

**Mr. Sopha:**—always built by government and business was always there at the tail end asking for more than its deserts, more than it deserved. Let me illustrate.

We were done out of our rightful heritage when they sold that northern Ontario portion, as I say to my friend from Port Arthur (Mr. Knight), back to Trans Canada Pipe-Lines at cost. We put up the money. It should have been sold back at its proper price as a going concern.

One of the myths we live with which the chamber of commerce promulgates and propagates is that business is daring and adventuresome.

Yet how daring is Roman? He was in Elliot Lake last week and was telling everybody who would listen and that is most in the community—I am glad my friend from Algoma-Manitoulin (Mr. Farquhar) is not here—he was telling them that he is so venturesome that if the Canadian people will pay him \$9 per pound for uranium oxide, he will continue to operate.

**Mr. J. E. Stokes (Thunder Bay):** Yes, just blackmail.

**Mr. Sopha:** He will continue to operate.

**Mr. Demers:** He is an exception—

**Mr. Sopha:** Is he? Ultimately—

**Mr. Demers:**—and a disgrace to our party.

**Mr. Sopha:**—ultimately, the business community has always managed to rush to the state for sustenance. As the member Sudbury East (Mr. Martel) says, in many ways quite correctly, socialism is for the

This bill, mechanistic as it is, does not in any way give Canadian residents in Ontario any hope for the future, or any realization of a proper balance of things, or that there will be a change in the practices so that we may in some way, become the managers of our own destiny. This bill is weak, bereft of strength and therefore it cannot command the enthusiasm. I will vote for it. What does it matter?

**Mr. Bullbrook:** It is a small stand.

**Mr. Sopha:** A small stand! Yes, some day we will change it. Some day, just to include this portion, it will have a pervasive effect in many vital sectors of our economy that there must be 51 per cent Canadian ownership. And the management must be Canadian.

You know I have never been aghast to illustrate because I dislike talking in generalities. I never disliked the concept of going down in the riding of my friend the member for Windsor-Walkerville (Mr. B. Newell) some day, the immigration authorities ought to go to some of those whisky manufacturers with a bible in their hands and say, "We have a little oath of allegiance to Queen Elizabeth."

Many of the managers of those big enterprises and those automobile companies of course, are Americans; they are Americans and they remain Americans. We must some day approach them and say look, "This is the holy writ; let us have a little oath of allegiance to the sovereign monarch and become a citizen". If you went to the States that is what you would have to do.

This is an age of nationalism and I am not a nationalist. These are the things that I believe in and this bill does not excite my nationalism. That is something that is purely mechanical.

Well I think that just about completely I had a few more notes about things—I could find that article, that editorial in the *Globe and Mail* this morning. There were a couple of other points made by somebody else. All right.

Interjection by an hon. member.

**Mr. Sopha:** Yes, you provoked me into that. I do not hesitate, as the member for Windsor West (Mr. Peacock) is often saying and he makes a very valid point, and no doubt—

**Mr. J. Renwick (Riverdale):** Very valid!

**Mr. Sopha:** All right he opens up a very important point. The member for Windsor West, who no doubt will participate in this debate, has made a very valid point in this House on a number of occasions. That is that the inhibiting factor in the proper bargaining of trade unions in the automobile industry should be removed, in that some of those American companies should be required to file a financial statement. That is a proper brief; that they should not be able to hide behind the shroud that they are not incorporated Canadian entities, or are in fact private subsidiaries.

Now brace yourself; the member for Riverdale.

**Mr. J. Renwick:** I do not accept the next conclusion.

**Mr. Sopha:** The same goes for Pittsburgh and the Steelworkers. They should have to file financial statements about their Canadian subsidiaries.

**Mr. P. J. Yakabuski (Renfrew South):** So right you are!

**Mr. Sopha:** Yes, they should. There is nothing wrong. I am perfectly aware that in Sudbury—and again this comes close to home and I do not speak in generalities—but in Sudbury the total cheque of the union goes to Pittsburgh.

**Mr. Yakabuski:** Oh, come now!

**Mr. Sopha:** Oh, yes. Oh, yes, the total cheque goes. Inco issues the monthly cheque and it goes to Pittsburgh and Pittsburgh sends back the Canadian share.

**Mr. Yakabuski:** Is that right?

**Mr. Sopha:** Oh, yes. In Canadian funds.

**Mr. G. Ben (Humber):** It is not even made out to the union, it is made to its treasurer.

**Mr. Sopha:** And that is not right; that is not right! They should be required to disclose.

**Mr. Demers:** Do they send part of it to Toronto?

**Mr. Sopha:** Mr. Deputy Speaker, you have been very kind and have allowed me to range farther afield than others, who have been more than patient in listening to me.

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

**Mr. J. Renwick:** Mr. Speaker, I want to speak briefly about some aspects of this bill which is before us but not at any length.

The bill which is before us, I think, has been under scrutiny from the viewpoint of the reformers (the reforms which were made by the Prime Minister (Mr. Robarts) at the time that he set up the select committee on corporation law back in 1952) because this bill is a direct consequence of the report of that select committee which was then under the chairmanship of the member for St. George (Mr. A. F. Lawrence). The Prime Minister said:

It is anticipated that the committee will do its efforts not only to recommending whatever amendments may be necessary to bring the legislation to date, but will also enter upon a full examination of the fundamental principles of the corporation law in all its aspects—a task which has never yet been undertaken by any legislative body in Canada.

I share with the member for Sudbury the concern that that particular part of the select committee's work has not been accomplished in any depth. It may well have been accomplished, Mr. Speaker, in accepting—and the member of the committee this is the assertion that I make about it—in accepting the basic framework of the corporation law and its role in the Ontario economy and in the business world of the province of Ontario.

In other words, what they have accepted and what the bill reflects is an acceptance that, for practical purposes, it is a fictitious law that it provides a funnel or a mechanism by which capital can be invested in certain protections for those who invest their capital, and a provision that the capital invested will be managed by the board of directors of the company elected by the shareholders.

But in no real sense is there any change in the headlong drive to concentrate the management of corporations in the directors. It is true that some of the rights of the shareholders which shareholders believe themselves to have but with very inefficient procedures for recognition of those rights. These matters that have been improved and strengthened because of more adequate procedures which have been developed for that shareholder protection.

But we cannot get away at all from the very simple fact that the guts of the corporation law is reflected basically in the section which sets forth the responsibilities and devolution of authority which is conferred upon the board of directors of the company. I refer to the key section, in my view, of The Business Corporations Act, section 132, which says:

The board of directors shall manage or supervise the management of the affairs and business of the corporation and may make or cause to be made for the corporation any contract that the corporation may make.

There are many other sections in the Act, which either elaborate upon or deal with the powers of directors and their responsibilities, but that is the key section—that the board of directors shall manage or supervise the management of the affairs and business of the corporation. Then it goes on to say, of course, that no business may be transacted of the corporation by its directors unless there is a meeting of the directors—a physical meeting of the directors—at which a quorum is present.

Again there are provisions dealing with the giving of notice to the directors, to ensure that each director has knowledge that a meeting is going to take place.

Correlative to that section of the Act, and I am only going to refer to these two sections in the course of my remarks, you have the introduction into the bill of a statutory duty of care and a standard of care which will undoubtedly be discussed at some length when the bill goes to committee. Because the government has succumbed to the pressure which was brought upon the government from the business community in order to weaken and to water down the recommendation which was made by the select committee as to the extent and degree of that standard of care, the standards of care which the government has opted for is that every director and officer of a corporation shall exercise the powers and discharge the duties of his office honestly, in good faith, and in the best interests of the corporation, and in connection therewith, shall exercise the degree of care, diligence and skill that a reasonably prudent—and the word used, is “person”—would exercise in comparable circumstances.

The recommendation of the select committee was that those last words—“and in connection therewith shall exercise the degree of care, diligence and skill”—should be the degree of care, diligence and skill that a

reasonably prudent “director” would exercise in comparable circumstances. The distinction is one of substance, it is not one of semantics, because elsewhere in the Act when they deal with the responsibilities in the technical sense of the trustee under a trust indenture, they maintain the basic obligation as we understood it, which was recommended by the select committee in its report—that they require the trustee to exercise the degree of care, skill and diligence that a reasonably prudent “trustee” would exercise in comparable circumstances.

I simply repeat that the distinction which was made is one, not of semantics, but of substance, and is illustrative of the fact that the government was not prepared to substitute the provision which was originally inserted in The Business Corporations Act when it was introduced and died on the committee paper in 1968, because that bill contained the recommendations of the select committee in its precise terms.

I said, Mr. Speaker, we will hear more about that during the course of the hearings when the hearings take place before the committee.

The other point, which relates again to this question of the fundamentals of corporation law, is illustrated by the fact that no matter how, in the mythology of the enterprise which permeates this government attitude toward the business corporation the words “capital” and “labour” are used as if there was some kind of an existent partnership between capital and labour which, somehow or other, was solved through the management of corporations. This is really not a matter of substance or concern to this government, because in The Business Corporations Act, there is, of course, no reference whatsoever to any kind of partnership between capital and labour within the affairs of the corporation in which they have, as many people have, invested their work and their effort, and their time and their energy. Of course, it is precisely that kind of sense that we did not lose sight of the fundamentals of corporation law—that it is not some joint enterprise of capital and labour, but it is a single enterprise of capital which involves the authority to manage capital in an efficient and economic way.

Now it is sometimes said, and also sometimes criticized, where it is said that corporations exist for the purpose of maximizing profits. I am not going to get into an argument about whether that means they maximize profits at the expense of other values.



what I am saying, and what no one can gainsay, is that the managers of a corporation, organized under the kind of corporate law of which this particular bill is illustrative, have one obligation and one obligation only, and that is to provide for the economic use of the capital which is invested in that concern.

It may well be that in the course of making decisions with respect to the economic use of that capital, they may incidentally make use of those ancillary powers which are granted to the board of directors to take certain steps which would be of benefit to the employee force in the particular company, such as providing pension plans, accident insurance, other types of insurance and other types of employee care, to some extent, if one can use those terms in respect of the care which some companies do take of their employees in some circumstances.

I just want to make it perfectly clear that no one can gainsay the proposition that the obligation to manage the business and affairs of a corporation which devolve on its management relate to the economic use of the capital which is entrusted to it. And, therefore, there must, of necessity, be a conflict between the community within which it operates and the corporation itself in the way in which it operates. The community may be the province of Ontario, or it may be Canada, or it may be the area in my riding in the east end of Toronto in the instance of the shutting down of the Dunlop plant. The only way in which, fundamentally, when that conflict surfaces, it can be resolved is by the action of government.

I am going to suggest, Mr. Speaker, that this bill is a traditional bill which, I think, is a good bill in the sense that it has updated and rephrased and restated and eliminated, I trust, a number of very significant problems. It has provided an area of solution to other problems which was lacking in our law, and which again we can deal with when the time comes to deal item by item and section by section with the bill in committee. I am delighted to see in the bill the provisions related to trust indentures. It is a matter of great concern to me that the select committee, when dealing with this matter, dealt with it very much under the gun and our recommendations were quite inadequate. I subsequently expressed myself to that effect, and also at the time when we were considering those items in the select committee. I mentioned that area of concern.

I am delighted to see that one of the results of the delay in proceeding with the bill has

been to improve vastly those particular portions of the bill, relating to obligations of trustees with respect to companies which securities to the public, and the responsibilities and obligations which they must discharge, the degree and the standard of care which they must exercise. I think it is a beneficial change, and detailed examination and discussion of it in committee may well lead to some further refinements and improvements in it.

Mr. Speaker, I want to draw the attention of the House to the kind of problem which is created by the multi-national enterprise—kind of problem with which we are faced in this House at this time when the multi-national enterprise, Dunlop Company Limited of England, decides to shut down the plant on Queen Street. I want to say to the minister that he is going to have to engage immediately in a consideration as to what the legal response, what the response of the government should be to the conflict which has surfaced between the objectives, the independent objectives being pursued by the Dunlop company and the objectives being pursued by the government and by the government of Canada in the sense of their responsibility to the people of the country so far as their employment is concerned, the security of their employment, and in the event of the loss of their employment what the government should do to protect them in ways in which that protection was missing for the men at the Dunlop plant.

Let me just point out the very clear statement which was made about the inability of the government of Canada, and I think of the government of the province of Ontario, to deal with this problem. The hon. Bill Mackasey, the Minister of Labour in the federal government, in replying to a question by Mr. Edward Broadbent, member for Oshawa-Whitby, had this comment to make, and I want to quote Mr. Broadbent's question to the minister, Mr. Mackasey's reply, Mr. Broadbent's supplementary question, and Mr. Mackasey's reply. This appears in the House of Commons debate on April 27, 1974.

Mr. Speaker, I have a supplementary question for the Minister of Labour. Could the minister inform the House whether or not the federal government is giving consideration to legislation that would enable workers in the Dunlop kind of situation to have a more effective way in dealing with decisions that are made outside Canada?

And Mr. Mackasey replied, Mr. Speaker:

The hon. member knows that the Dunlop situation falls within the provin-

field. The federal role, particularly that of the Minister of Labour, is very difficult in this sort of situation. I am afraid that the Dunlop layoff has come about as a result of an international rationalization of an industry. With this type of international labour decision being made outside the country, the labour force and the government are becoming more and more helpless. While these decisions are very deplorable, and do have an adverse effect on the labour market in Canada, we are almost helpless in the light of the situation.

Then Mr. Broadbent put this supplementary:

A further supplementary question. Is the minister saying that there is nothing the federal government can do in this area? This is an important point of clarification.

And Mr. Mackasey had this to say:

I did not say that, Mr. Speaker, I said that appropriate legislation in this field is particularly difficult because of the international connotations of the Dunlop decision.

I am delighted to see that the Hon. Bryce Mackasey has indicated, as late as last night, as reported in the Toronto *Daily Star* today, in a speech which he gave to the Canadian Council of Christians and Jews at the Royal York Hotel, that he does not feel quite as helpless as he did at that particular time. The *Star* reports him as saying:

"Automation will increase mass layoffs in the next 10 years and the affected workers should have some say in how the layoffs will be made."

Mr. Mackasey said in a Toronto interview he will recommend to the federal cabinet that legislation be changed to give them such bargaining power.

That contrasts of course with the position as it then was. Certainly—perhaps it has ameliorated to some extent—when the Prime Minister of the province of Ontario when faced with this identical situation said in a letter to the president of the local union at the Dunlop plant on Queen Street:

At the same time, I believe a businessman must have the right to decide what is best for his company.

That poses very clearly the kind of problem which is involved, because as these conflicts surface, and they are fundamentally problems related to corporate activities in the province, which is the special responsibility now of this minister in addition to his other responsibilities, there is a tendency to just let things drift as if *laissez-faire* was the best policy. Of

course, that is reflected in the sentence which I quoted from the Prime Minister's letter.

I think there has been perhaps some amelioration of that change. But here we have, Mr. Speaker, the kind of situation which is the prototype of the way in which a multinational enterprise operates. The parent company is incorporated in one country and various subsidiaries are incorporated under the particular laws of any number of jurisdictions and you have a very neatly setup within the traditional legal framework.

In other words, as it developed there is a real problem under the corporate law—certainly of the United Kingdom and the United States—for a parent corporation to own shares of another company incorporated in another jurisdiction elsewhere. There is certainly nothing to prevent that company—even though there appear to be separate and distinct regulations imposed on the board of directors of the subsidiary company in the host country—from in fact, exercising a common integrated management policy which is operative throughout the whole of that particular complex.

Of course, when you get that kind of operation, in this country—which is very multinational, in this country, and the province of Ontario in particular, is very much a host province for the operations of multinational enterprises—when you have a company incorporated in various parts of the world, I think the minister has got to be alive and awake and alert about the kind of things which may be done in order to make certain that the traditional tidy, neat compact, the taxpayers' dream of a setup is not one which is used to hide the substance of decisions which are made affecting people in the province of Ontario.

Dunlop Canada Limited is a Canadian company; it operates here. And there are other companies incorporated in Ontario which operate the identical way that Dunlop Canada Limited operates. In fact, the position taken by the parent company in England—that it was the board of directors of the company in Ontario which made the decision—This shows the obsolete nature of the framework, because there is no one who believes for one single moment that, in the area of management of the Dunlop empire in the world, even though there may be a decentralization of decision-making, that decisions made in Canada in the province of Ontario without the knowledge and concurrence of the parent company. It is just naïve to think that anyone would believe otherwise.

Of course, this is exactly what happened, because Dunlop in the United Kingdom, when it made its press release coincident with the press release which was made in the province of Ontario, simply said that—this is the announcement by the parent company:

The board of Dunlop Canada Limited announced that they are to cease the manufacture of industrial rubber products at their Queen Street factory in Toronto.

The company regrets having to take this decision, which has been brought about by the continuing rise in production costs, in particular the escalation of wage rates and by severe price competition from imports. This decision in no way affects the company's principal activities of tire manufacture and marketing located at Whitby, Ontario, where an expansion programme has just been completed. Furthermore, the Dunlop Company's subsidiary, George Angus (Canada) Limited, will continue its activities in the fields of belting, industrial hose, and fire hose.

What has happened is they have shut down one plant and they have agreed that the other subsidiary in Canada, while it is not in the manufacturing field, will pick up the area which has been vacated, but they carefully try to give the impression that, somehow or other, the board of directors, under the legal fiction of the corporation law governing Dunlop Canada Limited, made the decision. And, of course, when Sir Reay Geddes replied to the inquiry made of him he perpetuated the fiction, because he sent a cable back which indicated that the board of Dunlop Company Limited, in London, England, would not review, or saw no reason to review, the decision of the board of directors in the Canadian company.

I say that that is unreal, as is the structure of our companies and our inability to respond in a real sense to the kind of problems created in the province of Ontario and to respond through our corporation Act which allows that kind of mythology to be perpetuated, because it is mythology.

You see the reference in that document that I just read is to the production costs, in particular the escalation of wage rates. There was no escalation of wage rates because the collective agreement was a three-year agreement. It was negotiated by the very management which now uses that as an excuse for curtailing the operations and extinguishing the operations at that plant.

They not only had two years behind them under a collective agreement, they had one

year ahead of them. So it has nothing whatsoever to do with increases or escalation of wage rates, because there was no escalation of any kind taking place. Therefore, if there was an intention to dishonour a collective agreement, it is inherent in the document which has just been made in that document.

The other reason which was given is severe price competition from imports. I do not know what the story is and I do not think this government knows, but I am suggesting that they had better inquire about it. Because immediately preceding the announcement that they were going to shut down the plant on Queen Street, there was the flurry about the fact that it had tendered on a contract to Ontario Hydro and had accepted that contract to a Japanese company, and that they were grossly and widely underbid on the contract.

This is information which I believe is true. I still have not found out the answer as to whether, in fact, hidden behind the corporate veil which led to this contract being given to the Japanese company—not criticizing the Japanese at all. I am criticizing the Dunlop company in this connection.

I want to know, somewhere along the line, whether, in fact, the three miles of belting which was the substance of that contract in fact being produced at a Dunlop plant in Japan. The contract was awarded to Mitsubishi International Corporation Limited for \$275,000, and the Dunlop bid was reported to have been some \$73,000 higher than the Mitsubishi bid.

It is also quite clear that the Dunlop company in Canada advised the Ontario Hydro that they did not want their bid accepted. They did not want the contract. That is perfectly clear.

It is also perfectly clear that the three companies which bid on that contract—Goodyear Tire, United Tire, and Uniroyal—did not bid to specifications, so Ontario Hydro finds itself for practical purposes, one bid and one bid only. Nobody came to me that if I bid on a contract and I bid quietly tell the person to whom I have made the bid that I do not really want the contract that they can give any credence to the way in which I arrived at the price which was tendered.

Mitsubishi International Corporation, of course, was not acting on its own behalf sometimes does; it has an office here in Toronto. But it took the contract as agent

another company in Japan, Mitsuboshi Belting Limited. And somewhere back behind that we find, of course, that the Dunlop Company has a long connection in this whole field of industrial products, through its Japanese operations.

Somewhere along the line I would hope that our corporate law would be such that in these kind of circumstances it would be possible for people to find out whether or not a decision was made by a multinational corporation at the expense of people in the province of Ontario, and at the same time that the multinational corporation would have the benefit of that decision in another part of their empire elsewhere.

The question of value judgment about which way it should be done can only be made after the information is available. You cannot very well make a value judgment any other way, until you know what the situation in fact is.

Sufficient to say that, so far as the decision reflected in the statement issued by the Dunlop Company in England was concerned, it falls apart, until we have adequate information on both counts, as being anything other than specious as to the reasons why they decided to close that particular plant.

All right. What can we think about in terms of this kind of operation and where do we stand at the present time on this kind of operation in Ontario to which we are peculiarly subject? The minister's response, the government's response, the traditional response, has been one of *laissez-faire*.

I think it is fair to say that, for practical purposes, the incorporation of a company under the corporations law of the province of Ontario to carry on operations in the province of Ontario is not dependent in any way upon whether the incorporators of that company have other operations abroad, whether it is a parent company's subsidiary operation or whether it is an indigenous Ontario operation. That is in substance the working out in the law of business corporation of a totally *laissez-faire* attitude toward the problem. And this bill perpetuates that same attitude, and it is confused and the problem is compounded because both in the select committee and on other occasions it has been impossible so far, and the fight is still on—I should not say the fight; the discussions, the argumentation, is still going on—as to whether or not at least this government will at some point require each corporation, in carrying on business here, whether it is incorporated here or elsewhere, when it files its annual return, to show clearly

on it the names of any other corporation it owns, for example, more than 10 per cent of the voting stock or the stock that is capable of controlling that corporation.

It should be possible for a person here in the province of Ontario to go to the business corporations office, which is under the jurisdiction of the minister, and by looking at the corporate file of the annual returns of a particular company, find that X company has 50 per cent of its shares owned by Y company and another 10 per cent owned by Z company. And then, if one has the time and the intention to do so and a reason for it, he should be able to look up Y and Z companies and find out which companies may have a participative interest in each of them.

**Mr. V. M. Singer (Downsview):** Is the member suggesting there be a permanent stock register of all companies here at Queen's Park?

**Mr. J. Renwick:** No, I am not.

**Mr. Singer:** That is what it sounded like.

**Mr. J. Renwick:** No. Perhaps the member could read my remarks tomorrow in *Hansard* and it might help.

**Mr. Singer:** The member does not explain them too clearly.

**Mr. J. Renwick:** That is probably the son, yes.

**Mr. Singer:** Probably.

**Mr. J. Renwick:** Yes. Perhaps if the member stays around for a little while, he will catch the drift of my argument.

**Mr. Singer:** That may be; I am trying to pick it up.

**Mr. J. Renwick:** Is it perhaps because the member has been away—

**Mr. Speaker:** Order, please. The member for Riverdale has the floor.

**Mr. Stokes:** He is probably still in Japan.

**Mr. J. Renwick:** So it should be possible for any person who wants to do so, to construct roughly a corporate tree or the corporate connections of companies which are incorporated in the province of Ontario carrying on business in the province of Ontario. I think this is fundamental in business information which at some point we are going to have to have.

Then I think it is very important for the government to face up to this question:

they going to continue to take the *laissez-faire* attitude, which the Prime Minister expressed in the one sentence of the letter to which I referred a few minutes ago, that businessmen's decisions are businessmen's decisions? And I take that simple statement to mean that it really does not matter to the government of this province where those decisions are made, whether they are made by a company in fact here or by the parent company of a multinational enterprise somewhere else. That is what I would designate as the *laissez-faire* attitude, and I think we and the people of the province of Ontario are entitled to know if that is the continuing policy of this government on this kind of a question.

The other side of that question, or one small step away from that question, of course, is the set of so-called rules of corporate good citizenship which were promulgated some years ago—in 1966, I believe—by the late Robert Winters, when he was Minister of Trade and Commerce. I well recall a debate in this Legislature during the estimates of the minister of the department, which was then called Economics and Trade or Trade and Economics, where we asked him specifically if he agreed with the guidelines—what shall I say, naïve as they were at that time—as to the simple statements made by the Minister of Trade and Commerce about this problem and whether he accepted them as a criterion of corporate citizenship in the province of Ontario. The minister's statement at that time was he did not think any such rules were necessary, that of course they would act in this province quite consistent with whatever the provincial and national interests might be.

I am saying to the government in this debate that I think it is incumbent on this minister to say whether, within the framework of this Business Corporations Act, he still adopts that particular policy and that particular viewpoint, or is he prepared to move some way and to recommend to his colleagues that they move some way toward—at least on an experimental basis, and perhaps on a case-by-case basis; not in terms of individual companies, but in the quality of the problem—dealing specifically with the kinds of decisions that are made which are inimical to the interests of people in the province certainly in the short term and maybe in the long term.

And, of course, I refer to whether or not this minister will consider that his responsibilities as Minister of Financial and Commercial Affairs extend to, and are not limited by other ministers in the cabinet, those areas

where it can be said, "Well, all right. It is a situation in which people have been in this province, either by inadequate or by inadequate severance awards, by inadequate provision for their retraining, by inability of this government to require—the Dunlop company as an example—company to share part of the social cost of relocating and re-establishing these people."

Will he then say: "Well, the reason things take place is because our corporation law has a method of decision-making which permits these decisions to be made and made as a matter of corporate law, are going to say that this omnibus grant of management rights to the management of companies set out in section 132 of The Business Corporations Act, that the board of directors of a company shall manage the affairs and supervise the management of the business affairs of the corporations, will in fact in any way be curtailed?"

It is not adequate to say that it will be curtailed in some other law. I think it is going to be necessary, in the development of our corporation law in this province, to recognize that there are provincial interests which do not coincide with the national interests, and which the rights of management, which are ingrained in the whole attitude traditional to business corporations, must be curtailed when that kind of decision is made; when the board of directors is here, operating in good faith on its own, or whether it is operating within the framework and the myth that somehow or other the decision is made here—in the case of Dunlop, for example, made independently of the views of the parent company in the United Kingdom.

This is not a question of getting the Dunlop out and finding some whipping boy. This is a question of a government discharging its responsibilities of government when it permits companies to use this traditional framework, which I referred to earlier, which enables a multinational corporation to be almost an independent body pursuing its independent objectives in a world which permits it to be incorporated in one country and to own the shares of corporation in various other countries throughout the world. That fiction which we are perpetuating, which is quite rightly for the legitimate purposes which it should be perpetuated, should not allow us to kid ourselves that we can have it or that the people of this province will have the luxury of the kind of decision which is illustrated by the discharge of the employees at the Dunlop plant.

That represents a very symbolic decision, because there are many other types of decisions which can be made; and I may say it rubs both ways.

I think it was very interesting, as the minister is undoubtedly aware, that the Attorney General of Ohio, in filing suit against Dow Chemical Canada Limited—which is a company operating within the province of Ontario, even though it may be a federally incorporated company—decided that he had to join the Dow Chemical Company in the United States, in order, presumably that, should he be able to get a judgement in the Ohio court, he will enforce that judgement in the United States against the parent company with an effect upon the company in Canada.

We have had this argument before, and it is all set out very clearly and very concisely in the Watkins report of the committee which was set up by the hon. Walter Gordon. Many other aspects of this problem are set out in the book, "The American Challenge," by J. J. Servan Schreiber; and there are many other articles which have been written about this.

What I am saying is that when we are dealing with The Business Corporations Act in the province of Ontario, I do not think that we can pretend that it is a water-tight compartment. The grant of powers to management is such a wide grant of powers that it cannot be divorced from reflecting upon the consequences of decisions ostensibly made by the men who manage such companies in the province of Ontario. That applies whether we are referring to the company in West Lorne which shut down; whether we are referring to the Dunlop company; or whether we are referring to the other kinds of corporate decisions which impinge so much on the economic well-being of the province.

It is not sufficient just when times are good to pursue a policy of *laissez-faire*; and when times tend to deteriorate slightly to perpetuate the same *laissez-faire* policy and to suggest for one moment that matters affecting the public and provincial interest and national interest of the people in the province of Ontario can be left to the vagaries of private business decision-making. Those are my comments on the second reading, Mr. Speaker.

Mr. Speaker: The member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I wish to add support to the comments made by my colleague from Sudbury with regard to disclosure provisions. There is no question that considerable and detailed

disclosure is necessary. Prompt disclosure is necessary for people to make judgements about the merits of securities.

It has just been explained by the member for Riverdale that there are many areas where disclosure can be of great value to us. You do have this problem, cited in the *Globe and Mail* editorial, that there are 3,300 companies that could be exposed, there are also 89,000 which could not be exposed. I suggest that we should think including here some provision whereby companies that have net assets valued at capital and surplus in excess of \$1 million, or net earnings in excess of \$100,000 after tax, should be subject to exposure.

This would then bring in the foreign corporations and others so that we can get reports about their positions and they are not secret. They are available for study by their competitors in the same way that our public companies are available for study by their competitors. I think it is important that these large corporations have equal opportunity to examine the details of the others.

We want to encourage companies to come public. We want to expand the opportunity for Canadians to own shares, to have an ownership in the profit-making potential of companies in Canada. We cannot do that unless we have the advantage of this type of disclosure provided to so-called private companies. I was hoping we would see elimination of that in this bill and that would be taken care of this situation.

The next point is a matter of directorial responsibility. I am very concerned about our having provisions in here that litigate against companies being able to attract good, conscientious people to their boards. There is a great need to have directors who are outside management, who are representative of shareholders, who can be needlers in the side of management, and who can question recommendations brought before the board for policy approval.

I am all in favour of what you are doing here to try to be sure that directors recognize their responsibility. They cannot just take the kudos and have the pleasures of office without accepting the full responsibilities. But when people do act in good faith, they should not be open to frivolous action to expose them. It makes it impossible for any prudent manager to say, "I will accept the responsibility of representing the views of shareholders in this corporation." There has got to be protection against some sort against them, and I do not think we have proper protection in this.

I feel that there should be some basis so that a person taking action against a director has to give notice. The director has an opportunity to put before a judge, before any action can be taken—and I do not see that; I have not read it sufficiently yet, but I do not see that provided for—the director has an opportunity to go before a judge and defend himself so that some frivolous action is not launched which will hit the headlines and do great damage to that director's reputation without him having an opportunity to defend and to show where he had exercised due diligence and care in taking or making some decision.

Perhaps it was bad judgement. But if the man is acting in good faith, he should not have to worry about frivolous action which could destroy him, and having no protection against such suits. I do not see sufficient wording in this section 147 to cover that. The principle should be such that a man who intends to act in good faith, has a reputation for that, can be approached and can be expected to accept because he knows he is not over-exposing himself.

I am quite keen to see more of this cumulative voting come in and I am wondering whether we should not have it as mandatory. It is a good idea for substantial minority groups to be able to be represented, if it were to be possible under cumulative voting.

So often a group will have a 51 per cent interest, or even a 45 per cent interest, or even a 40 per cent interest, but that single block of stock can dictate who the board is and there would be no real opportunity for broad shareholder representation, whereas cumulative voting would permit someone, representing a dissident group that is not happy, to get information that is available only to directors, and maybe bring to light items that are very much in the interest of the minority shareholders.

I suggest that this provision just being at the will of the company is not sufficient. Many companies have well entrenched small groups, holding onto their control by far less than a substantial majority support, who would fight any bylaw which would permit cumulative voting. I think we should consider having that principle adopted in this bill.

The third area that has been of great concern to me—and I am sorry to see that the minister has not taken action in it—is in regard to provisions for winding up a company, a voluntary winding up.

In recent months we have heard a great deal about the takeover of Union Gas by

Consumers'. But Union Gas itself did a rather acute takeover a few years ago of a company called United Steel Investment Limited in Hamilton. United Steel Investment had two classes of shares which participated in the profits of the company. One was the common shares which were owned almost entirely by the Union Gas Company; and the other, which the public, had a non-voting but a participating and non-callable share—that means that the public interest, which amounted to the right to own or participate in 44 per cent of the profits although it was non-voting and non-callable, did participate share-for-share in the profits and the growth of this company.

Union Gas decided that it would get rid of these minority shareholders, even though there was a non-callable provision, by winding up the company. Of course, the bidder that had any inside information was in a really good position to wind up the company and buy the company when the assets went on the block, was Union Gas. It, in effect, got rid of a non-callable participating group of shareholders, public, by using the voluntary winding up procedures.

In any provisions for winding up, I think it is important that we be sure it is an honest winding up. The party that is moving the winding up has to have the agreement of the minority and participating shareholders—they be allowed to bid for the assets. They should not have it where those that are interested and know all the details and are in the best position to bid for the assets knowably, are the only ones that really have a chance to win and get those assets. In other words, we should not be allowing corporations to use The Voluntary Winding Up Act as a means of getting rid of minorities.

There is another Act that covers that, and we should always have another Act open to them for clearing out small minorities. The Act has adequate provisions for protection for minorities.

But companies should have to go through those procedures and have to meet those provisions of that Act—I forget the number of them among the federal Acts. It certainly should not be possible for companies to use the device of a voluntary winding up to get rid of their minority shareholders, and I think that provision should be covered in the principle of this bill and a clause included to cover that.

I was pleased to see that there was some provision to be sure that auditors and liquidators will not be the same, but it does allow for the department of liquidators who are officers of the company. It is quite possible that they will not be objective and sure that the best price is obtained, if perhaps there is some relationship they bear to the potential buyers, and I feel that there should be requirements here for disclosure by liquidators as to any possible relationship they have to those to whom assets are sold. I think we want to be sure that there are no inside deals done here.

The restriction on transfer of shares that is now in the bill is a good provision to have there. I am concerned, though, that we still have these private companies where things can be kept so close, with advantages for self-perpetuation in companies of some size, without public knowledge of what is going on.

I think the member for Riverdale and the member for Sudbury have both made very good points about the need for full disclosure of companies, certainly in excessive size, such as I recommended earlier.

**Mr. Speaker:** Are there any other members who wish to speak? The hon. member for Lakeshore.

**Mr. Lawlor:** Mr. Speaker, about 17 years ago, in the year 1953, the present Act, after the usual preliminary bouts with the select committee appointed at that time, came into being. It shows the acceleration in modern conditions that this Act is now outworn and needs to be fairly thoroughly revamped in a number of directions.

I think that if one takes this bill in its narrow sense—that is, as a technical instrument for the operation of companies—it is a good bill. If one takes it, nevertheless, in a wider context of a general social philosophy as to what the ends and aims and purposes of corporations in contemporary life are, then it falls very far short.

You know, this is the minister's first flush of fire, really, before this House. I suppose he comes on this occasion without his belly full of lead, without wishing, really, to make radical gestures. We look forward to what he will accomplish in the future, but this Act, after all, he has inherited. It cannot be said to be really his own and, therefore, whatever paucity of intelligence it may have—however it fails in being farreaching and even really contemporary in its modes, if one reads the contemporary literature on corporations—

however it may be in that way, I will lay it on his head. Let coals of fire rest on his brow for the moment.

The history, as outlined a bit this morning in the *Globe and Mail* editorial on the bill, deserves some wry comment. The select committee appointed for this task was appointed in June, 1965. It reported two years later, in April, 1967. This was the interim report which embodies the share capital type of corporation that we have before us today.

Then, in June Bill 141 was introduced and placed in the limbo of active dialogue. It is hard to understand a fair amount of crossfire error as a result of which some changes were made. Then, a year later, May 17, 1968, another bill, a revamped bill—Bill 125, which came along with Bill 126 at that time—was given first reading and again allowed to lie in lape.

Today, we face the full impact of the bill after a delay of approximately five years, bringing this legislation forward. Its gestation period, for the worth of the document, is greater than the kind of relative mouse that maybe a boa constrictor, that it has brought forth.

The bill fails, in many ways, as has been pointed out during the afternoon, particularly on the heads of disclosure—not only of disclosure, as to the role of a director with a corporation dealing diversely with other corporations and with his own fellow directors but in the direction too of the disclosure to the public of the balance sheets and the operations of corporations, which, again, as we all well know, the *Globe and Mail* was strong on this morning.

I will not bother reading the text—let me be a little less purblind, a little more reasonable, a little more prone to accept a temporary reality. It simply said that public disclosure, if it were made across the board, would not give advantage to one company over another. It is only when you get piecemeal disclosures that companies could be given some way hurt in their mutual business operations.

The then minister, now Provincial Secretary (Mr. Welch), on June 3, 1968, at the University of Waterloo spoke before the conference of the Institute of Chartered Accountants, extolling, of course, his own legislation. He went to some lengths on almost revelling in all those dry words are contained in this bill—Bill 125 as it was. He said that this was a shareholders' bill of rights, and a directors' code of et



I think from what you have heard this afternoon it can hardly be called one or the other.

It does proceed in some areas to give and confer and make explicit to some extent what the law already contains with respect to some shareholders' rights. But as for it being a directors' code of ethics, as in all documents set out in a *laissez-faire* context, it severely fails, because ethics are not really what enters into the situation.

I want to mention for a moment—since this is a new thrust, bringing a new Corporations Act into being, and it does not happen every day—a bit of the background of the historical side of corporations.

They came out of the Middle Ages from Angevin and they grew into the Stuart and Tudor dynasties and they were largely adumbrations of the Crown. The Crown gave special privileges for soap and for various kinds of peanuts and cheeses and tobaccos and what not under Crown charter as a special conference on individuals. This condition continued, the corporations remaining a rather minor part of contemporary life. In the days when they emerged, of course, the church was the chief institution in society, a corporation of a kind itself, and it was the predominant organization.

Contrast that to the point that I am coming to—that the modern, industrial, private corporation, is the symbol, the thing that is the focal point of contemporary society—that single institution in society, as the church was in the Middle Ages; as the universities tended to be at the time of the Renaissance; as charitable foundations or professional associations tended to be in different civilizations. It has now emerged as the chief focal point of our civilization, that which colours our whole life. When people point out our time they will say it was the time of corporations.

This was not always so, Mr. Speaker. The corporation's growth was very severely restricted. As a matter of fact, it won great disfavour in England and in continental Europe after the South Sea Bubble disaster, which I think was about 1752. From then on, with the growing up of that great company, and the horrendous loss and the failure to make disclosures, and the milking of funds by the directorate, the corporation had fallen completely out of tune and did not revive in western thought, however powerful we may think it is today, until the beginning of the last century.

The 19th century was very difficult for corporations. They were tipsy, they were very unsure of themselves and did not have much

rule because of the memory of that disaster of the 18th century. It is only in our times, and only within the past 50 years, really, that the corporations have gained an end. There have been more corporations established since 1953 in Ontario than in other 120 years of our history. The corporation is a very new phenomenon. It is, in a matter of fact, a phenomenon which I would go as far as to describe as the new Leviathan. In its operations, as it goes in a free-wheeling fashion, it is the last outpost, really. This Act does very little to curb it. It is the last outpost of the old *laissez-faire* individualism.

In all other areas of property law, in personal lives and what one may do with one's home, the business of restrictive covenants and in any number of other areas and the merchandising of all kinds, and in the wider field of commercial law, there have been restrictions imposed for the betterment of the whole society, where individuals have to be less of a swatch, but this is simply not the case of the great corporations. It has been mentioned that 132 corporations in the United States control one half of the wealth of that great country.

The development of the direction of the corporations blanching the thought of Brandeis at the beginning of the century. One of the justices of the Supreme Court in the United States, Mr. Justice Brandeis was famous for the types of briefs he used to produce covering every area from sociology to mathematics. He was the enemy of bigness. He felt that when a corporation or a monolith got so big that it lost all contact with the individual, it was supposed to serve, it was no longer supposed to democratize itself, to work out its internal relationships with its people, and he thought this was particularly true with the capitalization and the monopolies that were growing apace in the United States in his time, which Teddy Roosevelt tried to use the big stick to cure. He did a considerable job at that time, but since then monopolistic legislation by and large has gone by the board. The great corporations have surged ahead.

The role of the conglomerate, this is a phenomenon which has grown in the past decade or so, is to provide that type of corporation where men of a peculiar managerial skill, apparently omniscient as any prince of the Renaissance could not possibly be, gather unto themselves and operate over an enormous field of human activity—everything from savings funds, again, to the business of flooring. Apparently Litwin was not too knowledgeable about flooring, so he stepped out of that

I think it is generally conceded that they could not be or begin to be very knowledgeable in a whole host of fields, and the knowledgeability is given off to the subsidiary corporation and run by the branch-manager officers of the corporation, whereas the special technical or financial skill required of the company directorates running the show is a monetary skill pure and simple. It knows little about or is not interested in the operation that it has the control over. It could not matter much what the nature of that operation is, what the materials are, whether or not those materials are beneficial to the public, whether they are waste-producing and whether or not the product that is produced is a luxury, on one side, which ought not to be produced in that quantity using such raw materials and depleting them or rather, on the other hands, it is, as I say, a completely useless piece of business with built-in obsolescence with all the defects.

I say to these gentlemen that this is not their role; it is not their *métier*. They are not interested in that, as they are little interested in other human beings who are employed by them. They work in a metallic world, aseptic of human beings. With monetary values, with a profit mind, with the balance sheet, with the interlocking directorate, with the sheer play of the game; where the garnering in, where the sense of power you get by controlling human lives becomes an extremely heady asset; and the type of madness that infects such men, the kind of weird adulation to which they are held in this wretched civilization comes into play.

They are not interested in politics, these men. We are playboys; we dangle at the end of their strings. They know where the real source of power in this society lies—in their decisions and to the extent that governments, such as the present government, lend themselves as their allies or their lackeys to such institutions and to such beings; to the extent that it plays against the best interest of the population as a whole. Because, again, this weird, impersonal, aseptic type of intelligence that loves the manipulation of fictional entities called corporations, juggles them, interleaves them and by the time they get into a mess, they are so interlocked that no one in the wide world—and this has been the object of half the royal commissions we have had recently—is able to disentangle them. They do not understand the internal operations themselves, by and large, and they pass human intelligence to extricate the various lies in which they get themselves.

The present bill has very little to do anything under these particular heads. I know all know, and I will not labour it, Burnham said many years ago—and he was very favourable to giant American corporations by and large, and a little like Eisenhower even while he had his doubts about the complex—his position was that the modern industrial corporation has very little relationship to the people who are supposedly its owners. That fiction has long ago been exploded. At least by Thurman Arnold's piece of work. The thing was done by Burnham in the managerial revolution of 20 years ago—there is a further development of that and of the megalopolitic corporations so outlined by Burnham in the braith of recent date.

The great industrial military complex of the United States shows again that what we intend we are saying in the Legislature is not what the actualities of the world are quite diverse things. The directorate of corporations is supposedly elected, but in fact it is huge enterprises that can be regarded, but they have any proper perspective on the matter at all, only in terms and in the same perspective as we regard nation states. Dupont, General Motors and the Aluminum Company of America—134 or maybe 200 of them dominate the economic life of that country; therefore the economic life of this one country is more so. Because so far as we are concerned we are a throw off, a periphery and a very great determinant of importance, which I suppose some of them have the moments even of patriotism inside their nation.

But these directorates; who selects them? The fact is it is not the shareholders who select the directorates of the corporation by and large, these directorates are self-elected and self-perpetuating; they bring their playboys in and they groom them—

**Mr. Sopha:** Incestuous!

**Mr. Lawlor:** Incestuous relationship, friend says; and he is perfectly right.

These are the dominant figures; some of them lofty, some of them hidden and ruthless like Howard Hughes. These moguls do not speak, of contemporary life control all the destinies willy-nilly and whether we like it or not. This is the fact of the case.

You ask of corporations of this size, no question so much as to how they got there but who are they responsible to? That question, thank heavens, has been asked all the time since noon—both on the Liberal side of the House and on ours. Who are they responsible



shareholders rather than 10, can hold a meeting or force a meeting of the voting shareholders, and also any one shareholder, by an application to the court, can require a meeting to be held.

As far as their relationship with the directors is concerned, if they find a director completely recalcitrant, they are now given the statutory right to remove any director from office at any time, by a simple majority vote.

Another area which I think is valuable has to do with comparative statements for the corresponding previous period, or the statement of source and application of funds. Mr. Speaker, in the public accounts committee, we have been desirous of having our accounts in this Legislature set up in such a way as to give us comparative statements over against the previous years. We went further than that—we want the actual expenditure set forth in another column too, so that we would have before us for immediate view and prevail for purveyance, a knowledge of the developments and which way it is going. Now, the minister is making it part of his legislation that either annual statements, audited statements or semi-annual ones do be set up on a comparative basis.

The requirement that a shareholder of a holding company may examine the true copies of the financial statements of the subsidiaries is a valuable one; as is the requirement that the holders of 10 per cent of the issued capital of a corporation may apply to the courts for the appointment of an inspector. That is a move forward too, because again it places the directors of a corporation on their toes to a greater extent than previously and it makes a beginning gesture toward giving some safeguards to the rights of shareholders.

Apart from that, the minister extended the right of a shareholder to apply to a court for an order to require a corporation, or any director or officer therefrom, to comply with the Act. The present situation is extended to cover any provision of the articles of incorporation.

**Mr. Ben:** Is the member reading the minister's statement?

**Mr. Lawlor:** No, I am not.

**Mr. Ben:** I just thought he might be.

**Mr. Lawlor:** In regard to the bylaws for incorporation, of course, the switchover under this present legislation from letters patent

corporations, left as a purely discretionary matter in the powers of the minister, is removed and corporations are going to henceforth, established as of right, by one of these articles of incorporation. The article of incorporation will, therefore, be given more credence, and the purpose of that right deposited in a shareholder is that finally may point to the articles of incorporation saying that the company has departed from them, or in one way or another traded them, so that they are no longer open and he can force the company back on the rails, both with respect to its purpose clause and in respect to its internal management.

In this area it is most interesting to see finally the doctrine of *ultra vires* tossed out of the window. It never was very open because as regards the respectable corporations, their purpose clauses left them pretty free-wheeling—they did pretty well what they liked to do as far as I can see. Within the legal profession, having to interrogate and find out what the purposes and intentions of corporations are, as to whether they are operating within the terms of their charters or not, is always a very arduous matter which, as the laws move forward in that direction, has now been eliminated.

I would like to turn for a few moments to what the role of the auditors will be under the new legislation. Up till now, in the case of private companies at least, the auditor has been a very powerful individual inside the company—and in terms of public companies, too. The auditor, first of all, is appointed generally by the board of directors. It is the auditor's job, as one would have thought, to be independent, objective and responsible to shareholders, to the securities commission and to the general public as to the true position of corporations was. I have heard some words from the hon. member Sudbury today as to just how accurate auditing practices are mischievous to some extent and are certainly not uniform.

There are moves abroad to have the audited accounts bring their terms of reference together—set up uniform standards and criteria by which to audit the books of companies. Not only in the areas of undistributed surplus, the areas of sinking funds, but particularly in the area of things like depreciation. The manipulation, the sleight of hand that can be pulled in order to make a company come out of the red into the black is quite marvelous to behold. What the hon. member has to say about this is very important and taken.

I think that maybe the chore of a minister of this department, this part of the commercial affairs of the department, is to look into auditing practices in Ontario. To do what he can in the area of his power, being restricted to the province, to see if he cannot bring common practices into being in this province—to give a true picture of the accounting.

The auditor or the accountant enters in as an independent individual, supposedly representing third party interests. He, of course, becomes cosy with the directorate. The directorate come to rely very much upon him. He goes on the board of directors after a time, and can he any longer be said to hold the company at arm's length? Can he be said

any longer to enjoin a conflict of interest? This has happened in case after case, sums up to a point notorious.

The legislation will prohibit the auditor from having any financial interest in the corporation. That is a considerable move in the right direction. It even goes off on your definition of people related to him on your definition section, which we will discuss in committee.

**Mr. Chairman:** Would the hon. member find this a convenient time to break his remarks?

It being 6 o'clock, p.m., the House stands in recess.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Tuesday, May 5, 1970

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 5, 1970

The House resumed at 8 o'clock, p.m.

**Mr. Speaker:** Before we start the proceedings of the evening, I would like to draw your attention to a group which we have in the west gallery. This is new members' night in the Toronto St. George Young Progressive Conservative organization and we have a representative group from that club. We welcome them to the Legislature.

We were in second reading of a certain bill. The member for Lakeshore (Mr. Lawlor) was speaking. He was not finished yet.

Interjections by hon. members.

## THE BUSINESS CORPORATIONS ACT, 1970

**Mr. Speaker:** Is there anyone else then who wishes to speak before the minister replies? The hon. minister.

**Hon. A. B. R. Lawrence** (Minister of Financial and Commercial Affairs): Mr. Speaker, I will not make any effort this evening to reply in wide-ranging style to the wide-ranging debate that was carried on this afternoon. Late in the evening, a deep discussion of the philosophy of capitalism, socialism and the general modern civilization in which we live and where it is going is to me very enjoyable and, upon occasion, an enlightening way of spending time. But I do not believe it is necessary for me to be drawn into the broad question of the philosophy of capitalism and the free enterprise market and its abuses. I take a much more prosaic and perhaps pedestrian approach to my responsibilities.

They are basically related to the fact that the commercial, industrial and financial community of Ontario has been waiting for five years in one way or another for the gestation period of this particular piece of legislation to culminate. My mind goes back to the report of the Lawrence committee itself, and I might quote briefly from it, Mr. Speaker:

Even within the self-imposed restrictions as to scope, the committee has not been able to include in its interim report recommendations as to mergers and amalga-

tions, the rights of dissenting shareholders in the event of various fundamental corporate changes, the purpose, function and scope of the annual return, the field of corporation finance and the possibility of strengthening the protection of creditors.

The report goes on to suggest, as with the committee, with the select committee, if they were to have before the public in this province, before the Legislature of the province, something concrete and practical to cope with in the way of a revamping of our corporate legislation that they could allow themselves to continue in the broadening field of investigation that was before them. As the House will recall, they recommended, and this House followed the recommendation, that the committee continue its work. Again, this House will recall, the committee under the present chairmanship of the member for Armourdale (Mr. Carter) is carrying on its investigation into the wide fields of corporate law generally that was incapable of being comprehended within Lawrence's report. This in particular, I would suggest, Mr. Chairman—

**Mr. V. M. Singer** (Downsview): Do not "Mr. Lawrence's report"; it was the committee's report, even though Karsh took the picture.

**Hon. A. B. R. Lawrence:** The select committee on corporation law report.

**Mr. Singer:** That is very different and not appropriate.

**Hon. A. B. R. Lawrence:** It seemed to take some of the blood out of it, expressing that way.

**Mr. Singer:** No, the hon. minister expressed it as the Lawrence report. He wrote to the press—

**Hon. A. F. Lawrence** (Minister of Municipal Affairs): No, I did not write to the press; I held a press conference.

**Mr. Singer:** The Lawrence report!

Mr. M. Shulman (High Park): Do not be embarrassed by it; it was a good report.

Hon. A. F. Lawrence: Jealousy will get you nowhere. It was not a Karsh photograph; Karsh is too cheap.

Mr. E. W. Sopha (Sudbury): As you told us, you are a prosaic and pedestrian minister.

Hon. A. B. R. Lawrence: I did not say that, Mr. Speaker. As a matter of privilege, I would suggest that the position I took was that the task I saw in front of me was one that was more pedestrian and more prosaic than one of reaching into the philosophies that we discussed to a great extent this afternoon.

Hon. A. F. Lawrence: You will agree it is the Lawrence bill now.

Hon. A. B. R. Lawrence: Mr. Speaker, I think it is quite within the terms of reference of the continuing select committee on corporation law, dealing as it will be with The Companies Information Act and related legislation with not limited terms of reference, to move as it wishes into the broader fields of the function of the modern corporation in modern society and particularly insofar as this relates to the practical question of disclosure. And I may say that from my knowledge I know that the continuing committee has indeed had some discussion of this question of disclosure.

I do see, as the member for Sudbury would suggest, this legislation as being mechanistic. Whether it has to be or not, of course, is a question of practical assessment as to how long the business community, the commercial and financial and legal community should sit, not knowing what the rules of the game are, what the law is going to be and how long they will have to wait to adjust themselves to modifications, improvements and changes.

With regard to disclosure itself, which I think was the main burden of the main speeches this afternoon, I would say that since Bill 125 was introduced in 1968, so far as I am aware there has been no public outcry at the absence of pertinent legislation relating to this whole question of disclosure. And, again, if I may go back to the source of this question of disclosure and the debate which has been carried on this afternoon, I would like to quote from the interim report of the select committee on company law, on page 114:

The committee does not recommend the financial statements of all companies be required to be filed with the Provincial Secretary, or in any office of public record. No change in existing law is suggested in reaching this conclusion, consideration given to the meritorious argument on both sides of this difficult question. The balancing factor in the committee's conclusion was that there is at present no way of assessing the real social value, from a public interest standpoint, of the requirement that all companies, with few exceptions, disclose their financial statements to the general public.

Mr. Speaker, I think that the evidence of the situation in Ottawa is something that might, as it were, take judicial notice of that we have seen that the federal Parliament has launched itself into a consideration of this stage I do not know how many years the legislation has had on the question of disclosure. As recently as a few weeks ago, I believe, it came up with its five-and-ten-cent cutoff point at which the public interest was to be served by broader corporate disclosure or not. I believe the figure is the capitalization of a corporation of \$5 million with gross revenues turning over at \$10 million annually.

I may say, Mr. Speaker, that although I would suggest, with respect, that this is itself at this stage and particularly in the view of its history is not the vehicle for discussion of disclosure. No one can shut their eyes, particularly after this afternoon's debate, to the fact that the members of this Legislature and the people of the province, who, of course, in the future—as at the federal level—wish to address themselves, both politically and oratorically and legislatively to this question of disclosure.

It might well be that this can be done within the framework of reconsideration of the securities legislation. Whether it be done within the framework of The Companies Information Act, I could not guess.

Having said that, Mr. Speaker, I do think that both parties noted this afternoon that they were supporting the bill for which I was, if those essentially were the terms they put forward, and I would ask that the bill be read a second time.

Motion agreed to; second reading of bill.

Mr. Speaker: Did I understand earlier that the minister that this bill is to go to an appropriate standing committee?

**Hon. A. B. R. Lawrence:** The standing committee on legal bills.

**Mr. J. E. Bullbrook (Sarnia):** Legal and municipal.

**Hon. A. B. R. Lawrence:** Legal and municipal seems to be the vehicle.

**Mr. Speaker:** It is so ordered then, that Bill 61 be referred to the legal and municipal bills standing committee.

**Mr. Singer:** Mr. Speaker, before the order is completed, I wonder what notice the minister is prepared to give to the legal profession, the accounting profession and, by and large, the business public who would be very concerned about the further progress of this bill?

**Hon. A. B. R. Lawrence:** I understand, Mr. Speaker, that with the passage of this bill through second reading, it is possible to get it before the legal and municipal bills committee the day after tomorrow.

**Mr. Bullbrook:** That is not good.

**Mr. Singer:** That is not enough time.

**Hon. A. B. R. Lawrence:** It would seem to me that even if we deal with a few sections, we would do well to start the heavy task involved in studying a bill that has some 270 sections. As my friend from Nickel Belt (Mr. Demers) has said, "Let us begin".

**Mr. Singer:** Mr. Speaker, may I urge upon the minister, with great respect, that some effort be made, first of all, to delay it beyond two days before it goes to the committee. Secondly, to advise the legal profession, the accountancy profession and certainly business leaders well known to the minister and his colleagues, that the matter is about to proceed to committee. I would think that the most intelligent discussion that could emerge in relation to this bill would come from the representative people in the community who are knowledgeable about this bill, and who are going to be affected by it.

**Hon. A. B. R. Lawrence:** Mr. Speaker, I will undertake, and perhaps we can do it tonight—I think we can probably get it underway tonight—to notify the members of the professions mentioned and concerned. But I would hesitate, after the amount of discussion, the amount of representations, the amount of notice, the two years of debates that have gone by—

**Mr. Bullbrook:** There has been no not about Thursday. Let us be frank about that. Nobody knows about Thursday.

**Hon. A. B. R. Lawrence:** No, I am talking about the legislation itself, Mr. Speaker.

**Mr. Singer:** The crunch comes on Thursday.

**Mr. Bullbrook:** Nobody knows about Thursday right now.

**Hon. A. B. R. Lawrence:** They shall be informed immediately, Mr. Speaker.

**Mr. Speaker:** Perhaps the Speaker might be allowed to correct a bit of misinformation he gave at the opening exercises tonight. I introduced a group of what I thought were the young people, the appropriate people, from St. George riding, as being one of the galleries. They have since come into the Speaker's gallery. The group of young people in our west gallery are a Guide group and St. John Ambulance Brigade, also from St. George riding.

**Clerk of the House:** The 18th order, Hon. in committee of supply; Mr. A. E. Reuter in the chair.

## ESTIMATES, DEPARTMENT OF PUBLIC WORKS (continued)

On vote 1802:

**Mr. Chairman:** The hon. member for Sudbury was on his feet when we adjourned.

**Mr. E. W. Sopha (Sudbury):** I want to make a few brief remarks relative to the minister's comments or answers to the questions I asked him about the erection of a government complex at Sudbury. I want to submit to him as persuasively as I can, that there is in Sudbury a fairly large block of land, I think it approaches something like four acres, at the corner of Regent and MacLeod Streets, which he is aware. It has long been a property of the Crown and that community upon which previously was located, I believe, some installations of The Department of Lands, Forests and perhaps some other government departments. That land has lain vacant and unused for quite a period of time. It is hand located to the downtown area and, in my view and in the view of a great many people, would be a very appropriate place for the building of some sort of government complex that would appropriately house all the government departments in the area. I want

draw into focus—I am running into a lot of background, Mr. Chairman—

**Mr. Chairman:** Order, please! Order!

**Mr. Sopha:** I wanted to draw into focus the minister's comments about two important departments, The Department of Lands and Forests and The Department of Highways. We did not have the advantage, during our dialogue last night, of the presence of those ministers, each of whom is in the House now.

They, with me, I am sure, would be willing to recognize that the quarters provided for them in the township of Broder are quite adequate for the present purposes. Of course, there is the opportunity to expand on those plans in relation to any additional necessities that they may have. I am rather surprised, for example, that the Minister of Lands and Forests (Mr. Brunelle)—that is the Minister of Lands and Forests—the Minister of Lands and Forests—

**Mr. V. M. Singer (Downsview):** Who is not taking any notice.

**Mr. Sopha:** —has allowed his administrative staff, that is to say, the district forester and, I believe, the regional forester, to be located on a secondary street contiguous to downtown Sudbury. I had rather expected, long since, that the head offices would be moved down to McFarlane Lake to join the other services that he has located there.

Therefore, what I am saying is we rule out those two departments. The Department of Lands and Forests, perhaps, has the need of nearness to an aeroplane base, waterway, which they have at McFarlane Lake; insofar as their activities are related to air travel, they are well located.

The Minister of Highways' (Mr. Gomme's) forces, of course, have large supplies of machinery and they need a great deal of space to provide the warehousing, as well as the drafting rooms and all of those utility services.

I think the Minister of Public Works (Mr. Simonett) can rule out those two departments in respect of any necessity to be in the downtown area of Sudbury. Now what is the picture in relation to the other departments? It is this—that they are spread out all over the city in every corner of the compass. Some of them are right smack in the heart of downtown; Social and Family Services are on the main corner; The Department of Mines have some of their services around the corner; The Department of Education is out at the shopping centre; The Department of Transport is

up in the north end of the city. There is no rhyme or reason or rationale in regard to the allocation of government services to these several places.

And then, above all else, two things need to be said. We are the capital of the north in the sense that we are the—

Interjections by hon. members.

**Mr. Sopha:** I did not think that statement would evoke any argument. I am the surprised person in the House!

Interjections by hon. members.

**Mr. Sopha:** To get that response compared to the quick and now I am really hurried are the largest metropolitan area in the north far and away—

**Mr. W. Ferrier (Cochrane South):** biggest polluter in the north.

**Mr. Sopha:** What has that got to do with what we are talking about? Do you people always speak from your guts, never from your heads?

Now the other thing is our central location and especially with the opening of the Sudbury-Timmins highway which will give a means of reaching into the north of Sudbury.

An hon. member: And *vice versa*.

**Mr. Sopha:** And bring the north down to us. Then, of course, one has in mind the oratory of the first citizen last Friday when he opened up great visions of our future, the science centre, which I did not have the opportunity to hear but which I have a chance to read. You might say from one point of view that northern Ontario has been discovered—the Premier (Mr. Roberts) discovered a new Columbus and we are—as I read in the print and this has to do with the location of government services—we are to be a province under the czardom of the young man from St. George (Mr. A. F. Lawrence).

Interjections by hon. members.

**Mr. Sopha:** King Allan I of Northern Ontario and we are to be a province like that in the latter days of the Roman Empire. If you read the fine print of those royal oratory exclamations you can see that we cannot hope to be Judean. We are more like Hong Kong.

**Mr. W. Newman (Ontario South):** I have heard of King Elmer I.

**Mr. Singer:** You have not been here long enough; you will.

**Mr. Sopha:** You will be surprised! When we form a separate province I am going to be the first Lieutenant-Governor.

Interjections by hon. members.

**Mr. Sopha:** If, as I understood the remarks of the Minister of Mines, soon to be minister of mines and northern affairs, and the Prime Minister, the emphasis is going to be on communication. They are going to program us in and give every available facility for the dialogue to take place between northern Ontario and the head offices here at Queen's Park—

Interjection by an hon. member.

**Mr. Sopha:** That is all the more reason I am arguing that you get started and build a suitable and adequate government complex in Sudbury. I appreciate, speaking perfectly seriously, and I know that the great road-block to the development of a suitable complex is the Treasurer (Mr. MacNaughton). I know that. He is the great—

**Mr. B. Newman** (Windsor-Walkerville): You know that.

**Mr. Sopha:**—lease man. He believes that everything should be leased and rented. My espionage system on the Treasury Board tells me he has advocated that policy. And he has stuck to it.

**Hon. J. R. Simonett** (Minister of Public Works): You are wrong there. You will—

**Mr. Sopha:** Ah yes, I am told that is exactly the case.

**Mr. W. Newman:** Who told you? Why do you not spell it out?

**Mr. Sopha:** The Treasurer does not believe in buying or building anything. He wants to rent—he wants to rent—

**Mr. B. Newman:** Everything in Windsor is rented.

**Mr. Sopha:** Well, all right. That is an interjection worth recording. Everything in Windsor, says my friend from Windsor-Walkerville, is rented.

An hon. member: Everything?

**Mr. Sopha:** Everything outside the two departments in Sudbury is rented. Everything in North Bay is rented.

**Hon. Mr. Simonett:** I did not think ONR had rented too much in North Bay.

**Mr. Sopha:** Oh, there is a good story about one of the buildings in North Bay, which will not stop to tell. But the Treasurer, I told, has been the proponent of that policy of leasing.

Here in Toronto, of course, they rent premises all over the city.

**Mr. J. P. Spence** (Kent): What he says goes.

**Mr. Sopha:** Well where was Eddy?

I am saying now that is an extremely shortsighted view. You should show an example and use the financial resources of this province to build a suitable and adequate and respectable government building. That is my plea.

In the impact of big government—that is another story that the Prime Minister has been talking about recently; he is talking about big government and its impact upon the people—then it is perfectly conceivable that a person approaching the government at a centre 250 miles away does not want to only see one department. He may want to see two or three.

The sensible thing is to have them housed all under one roof, so that he can approach and get his business done with such people as he wants to deal with. That is a sensible proposition. And especially is it so if you mean what you say that when we are talking about a remote group of people—250 miles from the centre of government.

There is all the more reason then to establish a little Queen's Park. We do not care if you call it that. We call it "little Queen's Park"—

**Mr. W. Newman:** Did not they tell you that they were going to do it?

**Mr. Sopha:**—where you can proclaim to the people "this is the building that houses government services of which you may want to avail yourself—you may want to approach

**Mr. B. Gilbertson** (Algoma): House them at Blind River.

**Mr. Sopha:** That is the way the federal government did it—my friend from Nickel Belt (Mr. Demers) will bear me out—with the erection of a very handsome building on one of the main corners of Sudbury which housed within it all the federal government services.

I do not know where my friend from Nickel Belt stands on this issue. It would be interesting if he joined in the debate and told us just where he stands.

Hon. Mr. Simonett: Main office?

Mr. Sopha: I do not know—

Mr. Paterson: He can speak for himself.

Mr. Sopha: I would like to know where he stands. There may be a good many in Sudbury who would like to know just precisely the position he takes in respect of this. I go so far as to say that if he believes in the Nickel Basin, if he believes in Sudbury, he should be the first who is knocking on the minister's door to encourage him to put up that building.

An hon. Member: What about Sudbury East?

Mr. Gilbertson: What about Blind River?

Mr. Sopha: Yes, I know he has been approached by other people who want to propound the scheme to the minister to furnish the needed accommodation. Well, I do not believe in that. I am against that in principle. I am against the government of Ontario using private entrepreneurs to provide services for us which we could provide for ourselves. And we have the resources with which to do it. All I say to the minister is that what we need is some leadership—after all, that is what the cabinet is all about.

Mr. W. Newman: You have had it for a long time.

Mr. Sopha: That is what it is all about. That is what it means to have the confidence of the Lieutenant-Governor; for the time being you give some leadership. This situation in Sudbury has been up in the air for far too long and it is about time we have a declaration of policy from this government. I seem to remember—somebody will correct me if I am wrong—that in the capital works estimates a number of years ago there used to be an item for approval of drawings for such a building. If I am correct, I notice that item has disappeared, and that instills a great deal of pessimism in me.

The city fathers, I know, want some decision to be made in respect of that block of land that I refer to—the corner of MacLeod and Regent. I end my remarks by saying that I hope I can invite the support of my friend from Sudbury East (Mr. Martel) and my colleague from Nickel Belt on this, so that we can be unanimous in our approach to the

Minister of Public Works in order to have some self-starting mechanism in him, so that the decision will be made in an early and that Sudbury, by the erection of appropriate quarters, will indeed become *jure*, what it is, *de facto*, that is to say the capital of the north.

Mr. Chairman: The hon. member for

Mr. J. E. Bullbrook (Sarnia): I believe the minister wishes to reply.

Hon. Mr. Simonett: Mr. Chairman, I wonder if I might take a minute to reply to the hon. member for Sudbury. I was very pleased to hear him say this evening that he felt that the Department of Highways and The Department of Lands and Forests were well located although perhaps in the future they would need enlarging of the premises there. He says that their location is quite all right to serve the people of the Sudbury area. I have said differently from a few people, but I would agree with him that, in order to have an airbase and to have heavy equipment, the things you must have with highways cannot be in downtown Sudbury.

I think he would agree with me that the Correctional Services are located in an area where they must be. Then we get down to some of the other government services. In our opinion, we do not have enough in Sudbury at the present time, nor in the immediate future, to build a building of four acres downtown. Four acres in downtown Sudbury, I think you will agree me, sir, is very valuable property. Sudbury could use it to a better advantage. This has been studied by The Department of Public Works prior to my being the minister.

Since I have been the minister, we have discussed with several departments located in Sudbury. I might say it is still under consideration. There is nothing in the estimates to build new buildings in Sudbury, as you note, to house the different departments that we have and the personnel we have there in the immediate future and for a short term. Perhaps we could lease premises where we could get them in one area, excluding the departments that I have mentioned.

I like it, sir, when you say, "We like to have the small Queen's Park north". I hear that from Nipissing. I hear from Timmins. I hear it from the Soo. I hear it from the Lakehead. I hear it from the north—well, I hear from Kirkland Lake, too, or Kapuskasing. Then again I hear it from Ottawa; that is getting down to the point I think if you people would agree with

would put it in Kingston, the little Queen's Park, where we had the first Queen's Park, and then we would work out of there. You would enjoy coming to Kingston once in a while.

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

**Mr. Bullbrook:** Mr. Chairman, it is my intention to discuss if I might, sir, with your approval, certain aspects of correspondence that is taking place between the minister's department, other departments and myself. It has not been my policy in the past to discuss correspondence with the ministers of the government. I found, frankly, that I have been able to resolve problems involving my constituents with expedition and direction through the minister's correspondence. However, I want to discuss a matter involving the question of taxes on the county buildings and the provincial responsibility in connection therewith. I feel it incumbent upon me to bring to your attention—

**Hon. Mr. Simonett:** Mr. Chairman, I wonder if I might interrupt the hon. member. First I would like to point out that there are no moneys in our votes for paying taxes on municipal properties that have been taken over by The Department of Justice. Secondly, I would like to say to the House that this matter is before the courts now. I do not think I am in any position to answer any of the member's criticisms, so I would think the question of this should be ruled out of order until after it is settled in the courts, and then it must be dealt with in this House with another department, not this department.

**Mr. Chairman:** I am not certain, in listening to the hon. member for Sarnia up to this point, just what he is going to speak about.

**Mr. Singer:** The minister has anticipated wrongly again.

**Hon. Mr. Simonett:** No, I have not.

**Mr. Singer:** Why do you not wait until you hear him out?

**Mr. Chairman:** Order, please.

**Mr. Bullbrook:** If I might say, the minister is clairvoyant as usual, and I was going to bring to the attention of the Chairman the fact that there was at the present time litigation involving the question of taxes on the county building. It is not the thrust of my argument to deal parochially or directly with the question of the taxes on the county buildings in Sarnia; my intent in discussing these

estimates is to discuss the responsibility of the provincial government concurrent with the takeover of the administration of just facilities and the concurrent responsibility of the Minister of Public Works under section 2 of The Administration of Justice Act.

I might peripherally discuss the question of sections of The Assessment Act that might be subject to litigation. I invite your consideration of the fact that there are very many things digested in this Legislature that do not be the subject of current litigation. I invite you to consider, sir, that this afternoon we discussed at length the question of closure by directors and otherwise in connection with their dealings with corporation and have no doubt that in this province at the present time there is litigation before the courts, or there might well be litigation before the courts, involving this very matter.

I suggest, with the greatest respect, that I am not inhibited, or that I should not be inhibited unduly, purely because there is a lawsuit involved at the present time. It is not my intention, I assure you most sincerely, Mr. Chairman, to discuss the propriety of litigation involving the city of Sarnia and county of Lambton, but rather to discuss the involvement of the province that led to this very litigation.

**Hon. Mr. Simonett:** Well, this is the question of this matter, then. This is the lawsuit.

**Mr. Chairman:** It seems to me that in this matter the hon. member for Sarnia wants to discuss, since it has to do with taxation and assessment, in that respect, of course could not properly be discussed under the estimates. The matter of whether or not a particular building, which I presume is under the control of The Department of Public Works insofar as providing premises is concerned—

**Mr. Bullbrook:** May I rise, Mr. Chairman?

**Hon. Mr. Simonett:** I might say that when we took over the administration of just facilities, we were to take over the levying and assessment of municipal taxes were not mentioned as far as Public Works were concerned, nor have any moneys ever been voted to pay municipal taxes under this department.

**Mr. Bullbrook:** May I rise, sir?

**Mr. Chairman:** If I may just continue—

**Mr. Bullbrook:** Surely.

**Mr. Chairman:**—so that we see each other as we go along. As I understand it, The Department of Public Works is involved only in the matter of the lease of the premises used for the county court buildings in the locality, and only to that extent do I believe that any discussion should take place. Any discussion on that aspect, I believe, would be in order.

**Mr. Bullbrook:** Right, Mr. Chairman. I very much appreciate your ruling. If I might be permitted, in support of the ruling that you have made, to bring to your attention the very words contained in the lease between The Department of Public Works, Her Majesty represented by that department, and the various counties involved in this province, one of the questions that I invite response to at the present time—I do not intend solely to deal with the question of the county of Lambton—or at least at the end of my remarks, is addressed to the minister, through you, Mr. Chairman. How many other counties are there in the province of Ontario that have entered into lease agreements which contain an indemnity clause that reads as follows:

Whereby the province will be responsible for the amount of any real property taxes, local improvements, water and other assessment rates which are, or may be during the term of the said lease or any renewal thereof, required to be paid by the lessor herein, as owner of the said premises, or which may be payable by reason of the occupancy by the lessee herein.

And that, sir, is the very kernel of the connection I wish to make between The Assessment Act, the assessment discussions that I wish to enter into, and The Department of Public Works.

The Department of Public Works, pursuant to its obligation under The Administration of Justice Act, section 2, has undertaken to enter into lease agreements relating to buildings with various counties in this province, in one of which the city of Sarnia happens to be situated, and thus the question of the city of Sarnia is germane. But the real relevance here, the essence of the relation between the obligation of this minister, is the question of the carrying out by the officials of the province of Ontario of responsibilities that were formerly responsibilities of local government.

I invite you, Mr. Chairman, and my colleagues in this House to recognize that the government of Ontario has undertaken a

systematic programme of taking away local government responsibilities that theirs, and local governments have said them in reply to such usurpation, "We prepared to let you do so." I beg you listen, if you would, to a brief presented by this minister's predecessor, in connection with this very thing, where it was said, that the councils of the county of Lambton and the city of Sarnia wish at the very outset to express their profound gratitude to the government with its decision to assume all connection with the administration of justice.

Now, Mr. Chairman, you look quizzical and I can understand why, but I beg your indulgence in this respect. This whole question of the responsibility of The Department of Public Works is concurrent with The Department of Municipal Affairs and The Department of the Attorney General, sir, I cannot direct my remarks to the responsibility of this minister and his department unless I collaterally discuss the takeover of the administration of justice facilities. The Department of the Attorney General, unless I collaterally discuss the obligation and connection with assessment and the question thereto of The Department of Municipal Affairs. But I suggest to you, sir, that in the Act itself the responsibility for the takeover of these facilities was the responsibility of the Minister of Public Works.

**Hon. Mr. Simonett:** Mr. Chairman, it happens to be the matter that is before the courts now, and I do not think we should

**Mr. Bullbrook:** It is not before the courts now.

**Hon. Mr. Simonett:** It is before the courts now.

**Mr. Singer:** You do not understand it because you—

**Hon. Mr. Simonett:** Oh yes, I understand it; it is before the courts now. This is the matter we are talking about; it is assessment.

**Mr. Singer:** No.

**Mr. Chairman:** Order.

**Mr. Bullbrook:** May I say this to you, Mr. Chairman, I say it most respectfully. This is the time since I have been elected that I have said this, that this is a clear example of attempting to be fettered, and I am glad that the matter that is of great provincial importance

**Mr. Chairman:** I wonder if the hon. member would permit me to speak?

**Mr. Bullbrook:** Right, sir.



**Mr. Chairman:** It seems to me that the matter revolves around the government of the province of Ontario taking over the administration of justice. Involved in that takeover of the administration of justice would be certain aspects, such as the assessment or grants in lieu of taxes and so on, which would come under two departments other than this particular department. Now, as I understand it, we are dealing with the estimates of The Department of Public Works, and their only function would be to perform for the Attorney General's department and The Department of Municipal Affairs the leasing of certain buildings to accommodate their operations. So I do not see that this particular department—

**Mr. Singer:** They do the legal documentation.

**Mr. Chairman:**—has the responsibility for whether or not the lease—

**Mr. Singer:** Sure they do.

**Mr. Chairman:**—they have requested to lease by another department might—

**Mr. Singer:** It does not matter whether they have been.

**Mr. Bullbrook:** Mr. Chairman, I am really attempting to direct my remarks to the fact that this ministry has undertaken certain obligations in connection with contracts entered into between itself and counties throughout the province. What I am saying in effect is that, in entering into these contracts, they collaterally have assumed obligations that they do not wish to bear legal responsibility for at this time. I am not talking about the relationship essentially between the county and the municipality in which that county's facilities are situated. That is collateral to it, sir.

**Mr. Chairman:** So then, the hon. member is speaking generally of this sort of arrangement across the province of Ontario? He does not intend to deal specifically with any controversy regarding the situation in his own riding—

**Mr. Bullbrook:** Yes, sir.

**Mr. Singer:** That is it. That is the point.

**Mr. Chairman:**—and therefore intends a general review of the policy of this department in performing its function?

**Mr. Bullbrook:** Right, sir. Thank you.

**Mr. Chairman:** As long as he does not refer to any matters before the courts, I believe it is in order.

**Mr. Singer:** He has no intention of doing that.

**Mr. Bullbrook:** Just as a matter of interest to you, if I might say, it is my intention to relate to certain statutes of this province. Certain statutes of this province might be before the courts. I invite your consideration of the fact that during the debate in this House, time and again, certain statutes that we might relate to, of necessity, might be before the courts concurrent with the debate. Surely we are not in a position to have legislators to be completely shut off—

**Mr. Chairman:** It is a general discussion.

**Mr. Bullbrook:** Thank you, sir.

**Mr. Chairman:** A province-wide discussion.

**Mr. Bullbrook:** Thank you, sir. In connection, section 2 of the Act vested, I will not read it, a certain responsibility on the Minister of Public Works to enter into agreements with municipalities in connection with facilities required for the administration of justice.

I want to say, and this is entirely collateral to the main thrust of my remarks as intended, that we in the city of Sarnia and the county of Lambton had undertaken, approximately 10 years ago, to build a new facility. One of the problems that faced us at the time of the takeover was the fact that there had been no significant equity participation by the people of the county of Lambton and the city of Sarnia in connection with the building of those facilities.

On the other hand, we looked at other communities in our geographic region that had not done this; for example, the city of London. Their facilities are tragic and that would be a most inappropriate adjective to use. It cannot express the untoward circumstances in which the courts operate in the city of London.

We undertook this and expended millions of dollars and these millions of dollars were taken over. Suffice it to say that through some rationalization the government has said, in effect, there will not be compensation to those municipalities who had taken a forward attitude in connection with the facilities that were needed.

I want to record this in the House now and I do not intend to belabour the point or get into the intricacies of a debate. As I understand the attitude of the government it is basically this—that they draw analogies between these types of facilities and sewers. I do not regard them as the same at all. But I want to discuss, Mr. Chairman, if I could, the responsibilities of The Department of Public Works in connection with this total matter of their takeover.

Now, sir, to begin, this matter was brought to my attention originally on November 20, 1969, in a letter directed to me by Mr. Maurice Engels, the deputy city manager of the city of Sarnia, and that is the relationship that I wish to evolve as far as any direct participation of my particular constituency is concerned. I direct your attention, if I might, sir, to the former assessment Act which was previously RSO 1960, chapter 23. In connection with exemptions in relation to assessment, subsection 4 of section 4 of that Act reads as follows:

All the property in Ontario is liable to assessment and taxation subject to the following exemptions from taxation.

Under the exemptions section it says: "Subject to section 43—" which it is not necessary to be read, in my respectful opinion:

—the property belonging to any county or municipality or vested in or controlled by any public commission, including a municipal parking authority wherever situate and whether occupied for the purposes thereof or unoccupied but not when occupied by a tenant or lessee—

I direct your attention, Mr. Chairman, and the attention of the minister and his associates to the words, "but not when occupied by a tenant or lessee".

It was trite law, sir. It was trite law that the city of Kingston, by way of example, could not assess any county buildings owned by the county of Frontenac within its geographic jurisdiction except for the words, "but not when occupied by a tenant or lessee". What happened, in effect, was that pursuant to its obligation under section 2 of The Administration of Justice Act, The Department of Public Works entered into lease agreements.

Part of the lease agreements that they saw fit to enter into contained the indemnity provision to which I refer. The effect of that indemnity provision was that the province of Ontario said to the counties involved, "We will henceforth be responsible for any

local improvement rates, taxes or other concurrent with that part of the price which we occupy henceforth". That is what they said.

It is not my intention to put forward my opinion as to the forthright words of the section of The Assessment Act that I read to you, Mr. Chairman, because that is the subject of litigation at the present time. That is the subject of the tragic circumstances, sir, that the city of Sarnia has to sue the county of Lambton for an interpretation of this statute.

Now I get to the essence of what I want to say, because the essence of what I want to say is contained in the new Assessment Act that we passed last year—not hidden, it, but it passed me entirely. Perhaps I am myself too much justice when I say I am the most stupid person here, but it passed me entirely—I did not recognize the significance of it. But in subsection 9, of section 6 of The Assessment Act of 1968-1969, chapter 6 reads:

Subject to section 35, the property belonging to any county or municipality, vested in or controlled by any public commission or local board, as defined by the Department of Municipal Affairs wherever situate, and whether occupied for the purposes thereof, or unoccupied but not when occupied by a tenant or lessee who is liable to taxation—

Now there are the key words. I had to finish, if I might, the wording:

—except property of the harbour commission used for the parking of vehicles for which a fee is charged.

I invite your consideration, Mr. Chairman, and the consideration of my colleagues in the House—and for that matter, and perhaps I dramatize too much but I will be sure to that for the moment, I invite the consideration of the people of Ontario—of the fact that there was slipped into that statute that saving provision which said, in effect, "by a tenant or lessee who is liable to taxation". So in other words there was an exemption available, "except for a tenant or lessee who was not liable to taxation". Of course, that tenant was, in effect, the province of Ontario, which is never subject to taxation.

So you see what you had, Mr. Chairman. You had a statute which said that the taxes could be assessable where they had a tenant and then you had a lease agreement which said, "We will pay any of your

for which you are responsible." And then you had right away a new statute that said, "except, in effect, the province of Ontario."

The reason I join in the debate is the fact that there goes about the province a triumvirate of people—at least, two great champions of the broadening of the municipal tax base, namely, the Treasurer of Ontario and the Minister of Municipal Affairs (Mr. McKeough)—constantly telling us that it is their desire and their intention to broaden the tax base, and the broadening of the tax base takes place that way. But my main purpose in getting up is this. I began this particular issue with correspondence on November 24, 1969, to Mr. Jamieson, a man whom I admire.

As a matter of fact, let the record show, concerning my vigour in connection with this whole thing, I admire the people involved in The Department of Public Works, The Department of the Attorney General and The Department of Municipal Affairs, I admire them. The problem is that the one hand does not know what the other hand is doing. That is the essential problem, and there is no doubt in that respect.

**Mr. Chairman:** I wonder if the hon. member would allow me. I might say to this point I have not noted that the member has been in breach of any *sub judice* rule. His remarks, I believe, are in order, but I would like very much if he would relate his remarks to The Department of Public Works in a manner in which the members of the committee may understand the relationship thereof.

Has the department entered into some wrong leasing arrangements, or faulty leasing arrangements? If he will please put on the record exactly what his proposition is, we might understand it.

**Mr. Bullbrook:** Yes, thank you, sir. I apologize to you, Mr. Chairman, for perhaps digressing. It has not been usual today that people have digressed.

I took the opportunity on April 20, 1970, to write a letter to the Minister of Municipal Affairs that had to do with this matter. I want to read this letter into the record, if you will permit me, because it synthesizes my position—my concern in this connection. It reads as follows:

Dear Mr. Minister:

I have questioned previously the Minister of Public Works in the Legislature in connection with the possibility of the provincial government assuming responsibility relative to the 1969 taxes on that portion of the county buildings occupied by The

Department of the Attorney General, recognizing that this is a complex matter involving various departments, and recognizing also that the ultimate responsibility would lie with The Department of Public Works. I am interested in assessing whether the opinion of the legal counsel of The Department of Municipal Affairs was to the effect that The Assessment Act, as formerly phrased, did legally entitle the city of Sarnia to assess such leased premises.

As you are aware, the city of Sarnia, by resolution authorized litigation in this connection. It would be, I think, advantageous to the public image of all levels of government if such litigation could be avoided. I must say that I find myself in a position that I go from one department to another and never get any direct statement as to whether or not the province of Ontario will accept or deny such responsibility on the basis of opinions given to the government by their qualified staff.

I recognize further that perhaps the government is entitled to say to me that the opinions given to us are the business of the government and no one else. If you and your colleagues are in a position to advise that an attitude of refusal is taken on the basis of a legal opinion rendered to the ministers, it would seem to me that the only avenue of approach is for the city to seek judicial consideration of the entire question.

If, however, and I frankly say that I feel such might be the case, The Department of Municipal Affairs might well advise that there is a responsibility under law because of the wording of the indemnity provisions of the lease agreement. If the Department of Public Works sees that I might have made a mistake, I ask you to consider that the interests of the public would be better served by accepting responsibility and paying the taxes for one year on behalf of the county. You know that this is not a recurring situation, so you have amended the statute with decisiveness to avoid any responsibility.

I have taken the liberty of forwarding a copy of this letter to the office of the Prime Minister, your colleague, the Minister of Public Works, and the clerks of both municipalities.

The reason I read that into the record, sir, and I appreciate your indulgence in letting me do so—is that for the first time since we have been elected, for the very first time, I felt complete and utter frustration. I could

get from nowhere a direct answer based on a valid opinion. I would not presume to ask any minister of the Crown to divulge to me information of a confidential nature; but, Mr. Chairman, let me ask you this: If we are going to introduce programmes in this province to alleviate responsibility of a financial nature on the part of local municipalities, then, for goodness sake, surely we have a responsibility concurrent therewith to answer these problems as they would on a local level.

Why should I get the runaround from one department to the other? Why should I speak to the Minister of Justice (Mr. Wishart) and the Minister of Public Works and the Minister of Municipal Affairs and never be able to get an answer in this connection? Is the fact of the matter, and I suggest this is it, that they have made a mistake in The Department of Public Works? We do not chastise them for that. Some of us who sit here might be here as a result of a mistake. We do not know that. But we charge them, when they continually resist our questions, put forward in good faith, do they think that we are naive or stupid? Perhaps we are one of them, but we are not both. I can assure you of that.

I close in saying this, too: The main reason I am on my feet today is that in this province there is evolving an urbanization. Everyone realizes this, sir. Basically we are becoming an urbanized society and in our area we feel the friction—we feel the friction between the rural and urban people. It is a tragedy we have to feel that, but we do. And to think that this has to become compounded in a lawsuit by the city of Sarnia against the county of Lambton, to resolve a problem that basically could have been resolved here in Queen's Park with any initiative, with any courage, with any commonsense.

That is why I am concerned about the matter, and I want to ask the minister this in closing: How many lease agreements with how many counties has his department involved itself in? I want to advise the hon. minister through you, Mr. Chairman, that the amount of taxes involved in the particular lawsuit—and I do not discuss the merits of the lawsuit—between the city of Sarnia and the county of Lambton, involves \$79,128.65. I would ask the minister if he can advise this House how much money is involved in the possibility of the validity of lease agreements by his department in connection with such lease agreements. And thirdly, and finally, has he made provisions in his estimates in connection with such possible responsibility?

**Hon. Mr. Simonett:** Mr. Chairman, I am not going to discuss with the House with the member, Sarnia in particular would like to state now that we have entered into 452 lease agreements, I believe.

**Mr. Bullbrook:** Four hundred and fifty

**Hon. Mr. Simonett:** I believe 452 agreements. Yes, some place in that area a few pending. There is one other point I would like to clear up. I think the hon. member would agree with me, that when the motion was proposed to The Department of Public Works by letter and in this House stated at that time that we, as a department would not be responsible for paying tax on buildings taken over by The Department of Justice. I believe he asked me a supplementary question at that time, and I said they were going to be paid it would have to be a government decision, but we had our decision in Public Works. I think you understood it quite well at that time, is that so, you not?

**Mr. Bullbrook:** Yes. In answer to your express question, the minister—

**Hon. Mr. Simonett:** Well, no, and I think, may I say this—

**Mr. Bullbrook:** He just asked me a question. Does he not want a reply?

**Hon. Mr. Simonett:** You said "yes" that is about all I needed at that point.

**Mr. Bullbrook:** I just wanted to make that you understood me at that time. I am entitled to a reply?

Of course, the burden of my question was whether your decision was taken on the basis of legal advice from your advisers.

**Hon. Mr. Simonett:** Mr. Chairman, I may say the answer to the question was that maybe not altogether on the advice of legal advisers, but by me, as minister of Public Works department which had no money in any way nor had moneys ever been voted, or that I had to be voted, to Public Works to pay for it. Now—

**Mr. Bullbrook:** That begs the question.

**Hon. Mr. Simonett:** Just a minute now I will finish my story. If the government had decided to enter into this, as far as taxes are concerned—but that was not The Department of Public Works at that point.

Let me tell you, sir, that in the 452 agreements we had never heard from any

municipality as far as local taxes are concerned. I think most of the municipalities felt relieved when the government took over the operation and maintenance and works of The Department of Justice. I think they were so happy that they did not worry about municipal taxes. We lifted the load off their shoulders and they were quite pleased about that.

Again, Sarnia did not feel that way, so it has gone to litigation. As far as we are concerned, in Public Works—and I am not fighting with the hon. member, after all he represents the city of Sarnia, and I represent The Department of Public Works and all of the people in Ontario at this particular point, as far as dollars are concerned—that is the stand that I take. If the government reverses that issue, or if the courts do, all well and good. Then we will have a decision. If Sarnia is entitled to its municipal taxes, then all municipalities in the province of Ontario are entitled to theirs.

**Mr. Bullbrook:** Would you estimate the amount of money involved?

**Hon. Mr. Simonett:** Over \$6 million.

**Mr. Bullbrook:** Over \$6 million?

**Hon. Mr. Simonett:** Right.

**Mr. Chairman:** Vote 1802.

The hon. member for Cochrane South.

**Mr. Ferrier:** Yes, Mr. Chairman. In two months' time, the new department of mines and northern affairs will be opening information offices throughout northern Ontario. I would like to ask the minister what provisions have been made in his department for the accommodation for such offices; if there is money in this vote; and what can we look forward to in these offices? I would like to invite the minister to come to Timmins, when they open the office there, to cut the ribbon and open the particular office that we will have in Timmins.

**Hon. Mr. Simonett:** I might say that at the present time we have no money in our estimates for any new office of mines and northern affairs. I know that a statement was made by the minister last week that certain offices were going to be opened. No doubt, when that decision is finalized we will be called upon to get leased premises, or premises to house these offices. I do not know how many yet. There has been no estimate given to us, nor are there moneys in our vote at this time.

**Mr. Ferrier:** Mr. Chairman, will the offices be independent from the preliminary offices that are in the various municipalities in the north?

**Hon. Mr. Simonett:** Mr. Chairman, I think the question should be asked of the Minister of Mines, because we have had no request from the Minister of Mines as far as accommodation is concerned, and, as I explained last night, we are only a service department; we do not tell them what they have to do for accommodation.

**Mr. Chairman:** Vote 1802. The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Thank you, Mr. Chairman. There is an item in dealing with the expenditure of a certain amount of money, which has not been established yet, for facilities for The Department of Civil Service for Kempenfelt Bay for a staff training centre to provide additional facilities for staff training on a year-round basis for 60 people, including all support functions. Now, I had the opportunity to spend two weeks at Kempenfelt Bay about a year and a half ago on a total inner course in French, and those facilities seemed to be quite adequate at that time, but the question arose as to the use that was to be put of the golf course that was acquired at the same time as was the lodge at Kempenfelt Bay. Indeed, I asked the question of the appropriate minister quite some time later to what disposition was being made of the golf course, and apparently it had been leased out at so much per year.

I am just wondering if the province owns the golf course or what disposition has been made of it, and just how does the province go about disposing of assets such as that or anything that is considered surplus by way of either land or building?

**Hon. Mr. Simonett:** Mr. Chairman, we own the golf course, or the province owns the golf course, and I am advised that it will be leased to The Department of Lands and Forests and will be operated by Lands and Forests as a golf course.

**Mr. Stokes:** One other question I would like to ask the minister. On page four, there is an amount of \$117,000 plus \$14,000 at various locations for residences for the Ontario Provincial Police. Do you know in advance of any thought or any plans to establish new facilities or to replace facilities that are completely inadequate, and I re-

specifically to the OPP facilities at Nipigon, where apparently a block of land was purchased some time ago by the province to upgrade the facilities at Nipigon, which is a junction point and has become quite an important one. Do you have any advance notice of this, or could this be in the plans without being reported in your annual report of capital expenditures?

**Hon. Mr. Simonett:** Mr. Chairman, in answer to the hon. member's question, all those projects listed on page four have been completed, and I understand that the premises in your last question will be leased quarters, and they will be leased back, as I understand it. So they will be proceeded with in this fiscal year.

**Mr. Stokes:** One final question on this vote. There is a sum of money allocated for the enlargement of the government cabinet room at an estimated cost of \$160,000. Is that to enlarge the present quarters, or just what is entailed in an expenditure of \$160,000 for one room?

**Hon. Mr. Simonett:** Mr. Chairman, we find, or the government has found, when it accommodates the cabinet and the many delegations that we meet, the cabinet room is very crowded. I think you, sir, have been in the cabinet room with the odd delegation where we are practically sitting on one another's knee.

**Mr. M. Makarchuk (Brantford):** Pretty cozy.

**Hon. Mr. Simonett:** It is not very cozy after you have been in there for three or four hours. You have never tried, but if you want to sit in there in cramped quarters for three or four hours, then maybe you could visualize why we would like to enlarge the cabinet room.

**Mr. Makarchuk:** Things get rather personal.

**Hon. Mr. Simonett:** In order to enlarge the cabinet room—

**Mr. Sopha:** Reduce the cabinet.

**Hon. Mr. Simonett:** Or reduce the delegations that come in. In order to enlarge the room there is a bearing wall that goes from the basement through to the roof. This bearing wall has got to be removed and shored up in order to get any additional room there. This is why this amount of money is put in.

We hope that we are able to enlarge the room in order that we might take care of delegations that come in from the province of Ontario, not the cabinet alone. There is plenty of room there for the cabinet, it is all we were concerned about.

**Mr. D. Jackson (Timiskaming):** Might the minister why we built all of these committee rooms over in the Macdonald Block if he is going to build a cabinet room can hold all the delegations? Why do we need all of these rooms over in the Macdonald Block?

**Hon. Mr. Simonett:** Mr. Chairman, of course, the hon. member would not understand why you have a cabinet room. all—

**Mr. Jackson:** I surely do not understand your reasoning.

**Hon. Mr. Simonett:**—there are things discussed in cabinet that we do not like the public to know at that particular time. There has always been a cabinet room here. It will always will be, regardless of who the minister is, because this happens to be a room close to the Prime Minister's office and staff. This is why we have a cabinet room.

Again, I do not think you are asking the cabinet one—all the cabinet—to go to a committee room every time we have a cabinet meeting which is two or three times a week. The cabinet room has to be central. It is in this building. All we are trying to do now, or what we hope to do, is make it large enough to accommodate the cabinet, plus delegations that come from throughout the province of Ontario to meet with the cabinet, and that happens quite often.

**Mr. Jackson:** Mr. Chairman, I am a bit puzzled why 12 or 13 members of the cabinet cannot walk a little bit, when we expect 60 or 60 members of the public to walk.

**Mr. Makarchuk:** We realize they are a bit inert, but surely they can walk across the street!

**Hon. Mr. Simonett:** Mr. Chairman, in answer to the hon. member's question—actually is not a question—I walk across the street many more times than he does. The office happens to be over there. I would like to have cabinet over there.

**Mr. Makarchuk:** Sure, that is why you are so slim.

**Hon. Mr. Simonett:** All I would have to do is go downstairs, but I have to walk across the street for cabinet meetings. Again, the cabinet room will always be close to the Prime Minister's quarters. You can understand that, I hope.

**Mr. Jackson:** All I am saying to the minister is I can understand that we have a caucus room or a cabinet ministers' room close to the Prime Minister's. There is nothing wrong with that, but when he tries to tell us that it becomes a committee room, why should we, as members, walk across the road? What he is really saying is that they have some special privileges as government members and that really is not true. You represent the people the same as we on this side represent the people. The people should be supreme in your mind, and if we are going to make—

**Mr. Makarchuk:** And their taxes particularly!

**Mr. Jackson:** —if we are going to create a privilege situation, then let us create the privilege situation for the people who pay the money, who pay our wages. Instead of asking 50 of them to walk across the street, maybe we should have 12 of the cabinet walk across the street. It just does not make any sense and surely the minister could get up and tell me why?

**Mr. Chairman:** The member for Welland South.

**Mr. Makarchuk:** Mr. Chairman, on the same point: could the minister indicate if his department has done a survey to see how many cabinet meetings there are with delegations from outside this Parliament, and what would be the frequency of usage of the expanded cabinet room?

**Hon. Mr. Simonett:** Mr. Chairman, I do not think my department would make any estimate of that. After all, the cabinet happens to be the government of the province of Ontario and if they say to Public Works, which happens to be the department I am heading now, "We want the cabinet room enlarged," I would think The Department of Public Works would enlarge the cabinet room.

**Mr. Makarchuk:** I realize Parliament is supreme and the government that rules this Parliament is certainly supreme. If they, in their own little minds, desire to enlarge the cabinet, there is very little we can do about this. But in terms of trying to defend the

interests of the taxpayers of the province of Ontario, what I would like to know is whether this is justifiable.

What I am asking the minister over that is about is that there are certainly delegations from outside these Parliament buildings approach the government with briefs and other representations. What we would like to know is how many of them oppose the government? Has the government really sat down and tried to estimate and find out, or tried to weigh in their own minds, for example, the cost of 10 presentations which would create an inconvenience to this particular cabinet room? On the other hand, there are 10 presentations which would cost us \$160,000, or what it is to knock out this wall and put in an enlarged cabinet room. I would like to know whether these things have been considered by that particular department.

**Hon. Mr. Simonett:** Yes, Mr. Chairman, these things have been taken into consideration. Again, if we do spend \$160,000 to enlarge the cabinet room, this is not a one-time expenditure. The government goes on for ever and I suppose the room we are sitting in has been there for 60 years, perhaps. I have no doubt when we enlarge it, in order to take care of cabinets and the work that is done there and to meet the delegations from all over Ontario, it would be there for 60 years. You figure that out, the expenditure is not too great, so at least when you bring your members in, they can have a place to sit in comfort when they are there for two or three hours.

**Mr. Jackson:** I am slightly puzzled by the cause—

**Mr. Chairman:** Order, please! This has nothing to do with The Department of Public Works. This is a request from the cabinet—

**Mr. Jackson:** It surely has.

**Hon. Mr. Simonett:** I have explained it.

**Mr. Chairman:** There will be no further questions or answers on this.

**Mr. Jackson:** Surely it does—

**Mr. Chairman:** Order, please! Order!

**Mr. Jackson:** We want to know why—

**Mr. Chairman:** Order, please! Order! This is the policy decision of someone else. The member for Welland South has been trying to get the floor.

**Mr. R. Haggerty** (Welland South): Thank you, Mr. Chairman. My comments will be short.

I make my comment on the Ontario capital works programme and this is that as of March 31, 1970, The Department of Public Works is authorized to prepare working drawings and specifications for projects listed. These projects have now been approved by the Treasury Board for construction. My comments are to the Niagara regional detention centre, with complete facilities for 120 inmates.

If I can recall, Mr. Chairman, in 1967 this was a joint programme between the counties of Lincoln and Welland and I am sure at that time that plans were prepared by architects for the county for the construction of this jail. I was just wondering, perhaps, if the minister has not taken into consideration that these plans are available.

The other comment, Mr. Chairman, is to the second page, The Department of Tourism and Information and a new tourist reception centre at Homer. I refer to *Hansard* of April 6, 1970, and this is a matter I raised in The Department of Tourism estimates. The minister (Mr. Auld) stated in reports that he had not built a permanent building there because, of course, now with the change of the Welland Canal he was not really sure where it would be and he would not know that for a while. In other words, he was saying he was not sure of the relocation of the Welland Canal and he was not quite sure whether he was going to put the building there or not.

In this report, the Minister of Public Works tells me that they are going ahead with the building of the tourist centre at that location, Homer, at St. Catharines. Is the minister communicating at all with the Minister of Tourism and Information?

**Hon. Mr. Simonett:** Yes, Mr. Chairman, we communicate with all departments practically every day if they have a problem.

**Mr. B. Newman:** Do you speak to the Minister of Tourism?

**Hon. Mr. Simonett:** Yes, we get along very well together. In fact we are next-door neighbours in that part of eastern Ontario so we know one another very well.

Now your first question was regarding what?

**Mr. Haggerty:** The detention centre at Thorold, Ontario.

**Hon. Mr. Simonett:** At Thorold?

**Mr. Haggerty:** Yes.

**Hon. Mr. Simonett:** I understand that has been delayed and another priority given are proceeding with the Ottawa detention centre at this time.

**Mr. Haggerty:** That is not quite the way I interpret it in the capital works project—the blue book. It says that the projects have now been approved for construction by the Treasury Board, and you have this listed.

**Hon. Mr. Simonett:** I have not; look at it again.

**Mr. I. Deans** (Wentworth): Have not?

**Hon. Mr. Simonett:** I have not approved.

**Mr. Haggerty:** Have not; yes, that is right. You are quite correct on that, sir, but the Department of Public Works is authorized to prepare working drawings and specifications for the projects listed below.

**Hon. Mr. Simonett:** Mr. Chairman, I think the hon. member was here last night when I explained that had we got the \$60 million that we would have liked to have received this year for capital construction, we would have been able to proceed with all the projects we had in this blue book. But when we cut back to \$43.5 million, we had to go back to the departments again and say, "Give us your top priorities, some of these will have to be held back for another year." Of course, the drawings are there now, and as soon as another year passes and we have the money, then no doubt this will be proceeded with. But it will be up to the departments to give us their top priorities, not for us to say to them, "Which is your top priority?"

**Mr. Haggerty:** That is quite right, but the point is I said there were plans already prepared by the two counties. Why could these plans and these specifications be used?

**Hon. Mr. Simonett:** Well I cannot say whether those plans were utilized or not. I could find that out for the hon. member, if there were architects' plans, no doubt they have been used, although they have not been used yet; the plans are with the departments.

**Mr. Chairman:** The member for Sudbury.

**Mr. Sopha:** Would the minister—I am afraid the Minister of Highways would like to be in the House—inform us whether there was a little story about the teakwood panelling?



the Downsview offices of The Department of Highways? Could he tell us that story? This teakwood, I understand, is an exotic wood that comes from some faraway land—I am not sure where it is—the depths of the Amazon or India or deepest Africa—and I understand there is a little story to be told about some expensive teakwood panelling at the Downsview offices of The Department of Highways up at the top where the brass are. The story involves—

Interjections by hon. members.

**Mr. Sopha:** What is your trouble?

**Mr. Makarchuk:** We are on your side, Elmer; we are.

**Mr. Sopha:** All right, let me get it out.

**Mr. Makarchuk:** It is just that your members are so silent.

**Mr. Sopha:** I understand—and perhaps you should tell us the story—that the teakwood panelling was put up, and I must say—

**Mr. Makarchuk:** We do not want Red Riding Hood in this story.

**Mr. Sopha:** I say in the interstice that, my goodness, it is difficult to behold the tastes of some of these people; the demands they make on the public purse. But I understood the teakwood—

**Hon. Mr. Simonett:** Mr. Chairman—

**Mr. Sopha:** Will you let me finish?

**Hon. Mr. Simonett:** No, let me answer your question, because again we are going back to 1953 or 1954.

**Mr. Sopha:** This is embarrassing.

**Hon. Mr. Simonett:** Now, in 1953 or 1954 I was not here; the Minister of Highways was not here—

**Mr. Sopha:** This was recent.

**Hon. Mr. Simonett:** No, there has been no teakwood put in The Department of Highways—

**Mr. Sopha:** Will you sit down? Mr. Chairman, will you make him hear me?

**Hon. Mr. Simonett:** I am trying to bring you up to date, but you will not listen to me.

**Mr. Sopha:** I understand that this was very recent, within the last five or six months, that within the vision of witnesses who tell of this

story, this panelling was put up and taken down, and put up a second time. This happened within the last three or four months and one of the witnesses who told me the story said that the rumour around the Downsview offices was—the scuttlebutt had it—that the cost of that was 3,500 pesetas—\$3,500—that little venture. Now, I would like you

**Hon. Mr. Simonett:** This was not recent.

**Mr. Sopha:** This was so recent!

**Hon. Mr. Simonett:** No, there has been

**Mr. Sopha:** I understand that this is recent. Do you confirm this as recent?

**Mr. Makarchuk:** Yes.

**Mr. Sopha:** Yes, this is recent. The minister does not even know what is going on. I would really like to hear the story of the teakwood panelling, and I wish the Minister of Highways would stop skulking in the far corners, reaches there and come in and tell us what he knows about it. I have never even seen the teakwood. I have never even cast an eye on it. I figured you would have to go to the Royal Ontario Museum to see this.

**Mr. B. Newman:** Or the minister's office.

**Mr. Sopha:** And these people up there do it every day. It is a common commodity for them.

**Hon. J. A. C. Auld** (Minister of Tourism and Information): It is very interesting.

**Mr. Sopha:** Here I live in a hutch up on the fourth floor that was furnished in 1896 and has not been changed since, and the furniture is the priests of the infield—boy, oh boy, they are really a strain on the public purse. Now, I would like us the story about why it was put up and then taken down.

**Hon. Mr. Simonett:** I am sorry I cannot tell the member this story.

**Mr. Sopha:** Well, the Minister of Highways could perhaps tell us.

**Hon. Mr. Simonett:** His estimates are coming up next; perhaps he could. Bue we are on Public Works estimates now. If there is a story—will you listen to me? I listened to

**Mr. Sopha:** Yes.

**Hon. Mr. Simonett:** If there is a story, I would like to discuss with our people. I would find out what the story is, because I know nothing about any repairs or any teakwood in any offices in Downsview.

**Mr. Sopha:** You notice there is no denial from the Minister of Highways.

**Hon. Mr. Simonett:** I am not answering for the Minister of Highways. I do not know anything about it. I will find out and give the hon. member an answer. But I cannot do it now, because I know nothing about this matter.

**Mr. Sopha:** All right, then!

Let the record declare that the Minister of Highways is here present in the House and there is no denial about the use of teakwood. I will consult my dictionary and the encyclopaedia and find out what teakwood is, but I am sure it is terribly expensive; terribly, terribly expensive.

**Mr. E. A. Winkler (Grey South):** What would you do with the room, Elmer?

**Mr. Chairman:** The member for Brantford.

**Mr. Makarchuk:** Mr. Chairman, on this same vote, 1802, there is certainly a vote for purchasing, leasing, construction and management of buildings, and so on, that are owned or operated by the province of Ontario. Could the minister indicate his view of the unemployment situation, in view of, shall we say the high-handed behaviour of the policies of the government in Ottawa, and so on?

**Mr. Chairman:** Order, please. There is too much noise.

**Mr. Makarchuk:** Has he considered and weighed the implications of government policies in Ottawa in relation to the employment and the unemployment problems in Ontario, in terms of instigating or starting new public works in the province of Ontario? In other words, could he give us his views, his opinions, and say what is happening in this particular department to alleviate the unemployment problem?

**Hon. Mr. Simonett:** Mr. Chairman, our capital estimate has increased this year from \$39 million to 43.5 million. When you take into consideration increased prices, we perhaps will build about the same in buildings as we built during the last fiscal year. Public Works are working five years ahead on drawings. We have them there, and as I explained to the House last night these priorities are checked with Treasury Board and with all departments every three months. I think if we felt this September, and there was sufficient money, that we needed to start additional government buildings in order to give employment in the province, we would take

a long look at it. This is why we keep drawings ahead, so we have something, the planning board ready to go at all times.

**Mr. Makarchuk:** Mr. Chairman, looking it in terms of changing economics, where government can move in and try to alleviate some of the problems of unemployment, the minister looked at it in terms of unemployment factors through the province.

**Mr. Winkler:** That is a federal problem.

**Mr. Makarchuk:**—and tried to compete and tried to alleviate these problems, tried to see what he can do to eliminate them.

**Mr. Winkler:** It is a federal problem you know it.

**Mr. Makarchuk:**—or lessen unemployment problems?

I am just curious in this respect. Have you really sat down to consider, apart from the fact that in 1969 you spent \$39 million in 1970 you are going to spend \$43 million if this is a satisfactory amount? Have you tried in any way to use government policies to lessen unemployment in the province?

**Hon. Mr. Simonett:** Mr. Chairman, that is what the government is trying to do all the time. We do not need that many buildings that we would have such a great influence on unemployment in the province, provided we had that many who were unemployed. We admit that there are some unemployed in the province of Ontario, but our record is much better—

**Mr. S. Lewis (Scarborough West):** Oh, gracious of you!

**Hon. Mr. Simonett:**—than it is in many of the other provinces. I could tell you perhaps if we could get industry interested in going ahead with their building programmes—and I am very happy to say tonight that it was announced in Kingston yesterday that Northern Electric is all set to come in. They are building a \$20 million plant in Kingston township. That will give eastern Ontario a shot in the arm. Not only are they building a \$20 million plant, they will employ up to 500 people when they start, and this will increase to, I understand, 1,700—

**Mr. Chairman:** Order!

**Hon. Mr. Simonett:** I am just trying to explain what is happening as far as the department is concerned.

**Mr. Chairman:** Order, please!

**Hon. Mr. Simonett:** I do not think we—

**Mr. Chairman:** Order, please! We are really discussing an overall government policy which is not the responsibility of this particular department.

**Mr. Jackson:** Which is not very responsible either.

**Mr. Chairman:** Vote 1802.

Interjections by hon. members.

**Mr. Makarchuk:** On the same point, Mr. Chairman, yes on 1802, on the same point, we—

**Mr. Chairman:** No, the same point has nothing to do with this—

**Mr. Makarchuk:** We are not denying the fact that the government is trying all the time to do something to alleviate the unemployment situation. We are not arguing about that point. The minister did rise and say that he is concerned. As an example, in the Hamilton region there were 16,000 people unemployed up until the end of March, 1968.

**Mr. Chairman:** Order, please! Order, please!

**Mr. Makarchuk:** In this year, there are 24,000.

**Mr. Chairman:** Order, please! This discussion—

**Mr. Makarchuk:** No, no, no. What I am trying to show is that this—

**Mr. Chairman:** Order, please!

**Mr. Makarchuk:** —this particular department in this particular part of the government—

**Mr. Chairman:** Will the member take his seat? Order, please!

What we are discussing now is nothing to do with this particular department. We are talking about overall government policy.

Interjection by an hon. member.

**Mr. Chairman:** No, it is not. The Chairman rules otherwise.

**Mr. Lewis:** On a point of order, Mr. Chairman. On a point of order. I would ask the hon. member what he is attempting to disguise.

**Mr. Chairman:** I have listened—

**Mr. Lewis:** It is classic—it is traditional that The Department of Public Works, at times of a high level of unemployment, must be in terms of—

**Mr. Chairman:** Order, please!

**Mr. Lewis:** I am on a point of order, will you let me finish it, sir, before you—

**An hon. member:** Yes, just bear that mind.

**Mr. Lewis:** It is traditional that in terms of unemployment—

**Mr. Winkler:** Keep your cool, Stephen—

**Mr. Lewis:** I am very cool. In terms of unemployment—

**Mr. Jackson:** Any time you want to retract your maiden speech, you just say so and up—

**Mr. Lewis:** —the Public Works department is that department which classically intervenes to provide jobs through the public sector. That is not something which is unknown—

**Hon. Mr. Simonett:** —in the past.

**Mr. Lewis:** All right. The reality is, Mr. Chairman—what my colleague from Brampton was simply asking was, under the vote giving the capital works that are presently being constructed and planned, it is precisely on the vote where, within those capital works, is there government policy reflecting an intention to employ more people, or is there not a policy?

That certainly is a good question about the expenditure of money—

**Mr. Chairman:** Order, please! I rule that this is a point of government policy. The government would have to be satisfied whether to throw extra money into the capital market through the—

Order, please! Order!

**Mr. Makarchuk:** Well, Mr. Chairman—

**Mr. Chairman:** Order, please! Order, please!

Interjections by hon. members.

**Mr. Chairman:** Order, please! This matter does not make the government policy complete.

**Mr. Makarchuk:** We are just trying to get it out, that is all.

**Mr. Chairman:** The hon. member for Essex-Kent has the floor.

**Mr. R. F. Ruston (Essex-Kent):** Thank you, Mr. Chairman. We are trying to get back a little bit of common sense, now that we have got that settled down.

**Mr. Chairman,** I wonder if you could tell me, through the minister, who owns—if The Department of Public Works—

Interjection by an hon. member.

**Mr. Ruston:** What are you yakking about?

**Mr. Jackson:** Just a bit of sense that is all we ask.

**Mr. Ruston:** You have not got any over there. That is why you are not over here.

I wonder if the minister could tell me—what a lot of rumbling around here.

**Mr. Makarchuk:** You might as well enjoy it, you only have a year left.

**Mr. Chairman:** Order, please!

**Mr. Ruston:** Does the department own the office for The Department of Highways in the city of Chatham?

**Hon. Mr. Simonett:** No, I understand it is a leased building.

**Mr. Ruston:** It is a leased building; I see.

With regard to the tourist centre in Windsor, could you tell me if there are any repairs being made on it—I think this has been brought up before, that maybe you could do this at this time—

**Mr. Makarchuk:** And do not forget that he should ask you about that ditch at the side of Highway 25.

**Mr. Ruston:** —if there are repairs being made to the tourist centre on Huron Church Line in the city of Windsor and how long has it been since the final construction was finished?

**Hon. Mr. Simonett:** Mr. Chairman, I believe that this question—this member did not ask me the other day, but some member over there did, and I requested our department to give me the information on the building.

I understand that there is nothing in our estimates to do any repairs this year, but we will be looking at it. I am sorry I cannot give you the date it was built this evening, but I will be very happy to furnish the information later this week.

**Mr. B. Newman:** Mr. Chairman, I would like to follow up on that building, the tourist reception centre on Huron Church Line.

Something has to be done this year. The condition in which it appears at the present time is a disgrace and it is only a matter of some type of varnish, shellac, or what is used on the outside of the wooden portion of the building.

Coming into the province of Ontario from the States, Mr. Chairman, through you, the minister, and seeing this building, it does not reflect well on the province. I would like the minister to seriously consider spending several hundred dollars to repair it. That all it would take.

**Hon. Mr. Simonett:** We are going to look at it. I thought it was, perhaps, under construction. If it is just painting or touching up, there is no problem there; we have money enough in our estimates to do that.

**Mr. B. Newman:** I do not think there is anything wrong as far as the construction is concerned. Maybe there is, I will not speak for that, but I will speak for its appearance. It does not speak highly of the province or Ontario's ability to maintain buildings. It is just a new building, only, at the most, 10 years old, Mr. Chairman.

**Hon. Mr. Simonett:** We will have it checked.

**Mr. B. Newman:** Right, thank you.

I would like to ask of the minister if he has completed the purchase of all of the properties for the provincial park on Iroquois St. Clair.

**Hon. Mr. Simonett:** I am advised that they have not completed all the purchases.

**Mr. B. Newman:** You have not completed them all?

**Hon. Mr. Simonett:** No.

**Mr. B. Newman:** What is the hold-up?

**Hon. Mr. Simonett:** I understand that the negotiations are carried on when we are trying to assemble parks; they go on all the time. Sometimes it is very difficult to get them closed at any particular time, but I am sure that our people are still negotiating with some of the property owners there.

As you know, if you cannot negotiate with an owner the next step is expropriation. I do not think there has been any—in fact, I know there has not been any thought of expropriation yet.

**Mr. B. Newman:** Are there sufficient properties at present purchased to start some type of development in the park?

**Hon. Mr. Simonett:** Mr. Chairman, I think this is a question that should be asked of the Minister of Lands and Forests, because we have nothing to say about that. We try to get the property for them, but they would have the final say if they have an area they would like to start developing into a park.

**Mr. B. Newman:** You would turn over the park to them, or a part therein, after you have purchased it all? You would not turn it over to them for development if only three-quarters or 90 per cent of the properties were purchased, am I right?

**Hon. Mr. Simonett:** I do not think we would have any problem there, Mr. Chairman—after all, The Department of Lands and Forests and The Department of Public Works are both government agencies—when the actual turnover would take place, I am sure, if we had three-quarters of it purchased, and The Department of Lands and Forests said it would like to start developing it now, there would be no discussion at that point.

**Mr. B. Newman:** May I encourage the minister to move with all haste in the acquisition of the remainder of the properties, because the facility certainly will be put to good use at the north end of Essex county?

May I ask of the minister, at this time, if he has been made aware of the grand jury's report concerning the Essex county courthouse?

**Hon. Mr. Simonett:** Yes. Mr. Chairman, I might say that we get copies of all grand jury reports as they are issued by the grand juries. We have them in our office.

**Mr. B. Newman:** Right. May I ask of the minister if he intends to follow any of the recommendations of the grand jury then?

**Hon. Mr. Simonett:** Mr. Chairman, these reports are under constant study by our department, and we get them from all over Ontario. We have to have priorities and those that are most urgent we work on. We hope eventually we will be able to satisfy the grand jury on all the reports.

This is going to be a very difficult thing to do. I can recall some 20-odd years ago, when I was the warden of the county of Frontenac, a grand jury report suggested at that time that our county jails and our county buildings were not adequate for the county.

We are still using the same jail; that about 23 years ago. We have updated county buildings, so eventually you get around to doing these things.

**Mr. B. Newman:** May I ask of the minister, Mr. Chairman, if he is aware that it is a new building? It was constructed as late as 1963. Some of the recommendations are that they possibly could be implemented without too much expenditure of funds.

**Hon. Mr. Simonett:** Yes, Mr. Chairman, and, as I said, these are under constant study by our department. If there is something we can remedy without going into capital funds, no doubt it will be taken care of.

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

**Mr. Chairman:** The hon. member for Welland South.

**Mr. Haggerty:** Thank you, Mr. Chairman. A question of the minister. What progress has been made on the purchase of the 100 acres of land for the site of the provincial park in Bertie township in Welland county? The announcement was made on September 8, 1968. That is the Point Abino area; is it the Point Abino area?

**Hon. Mr. Simonett:** I understand that we have an option on one property. It is under option to the department now and we are negotiating on the other.

**Mr. Chairman:** The member for Brantford.

**Mr. Makarchuk:** Mr. Chairman, getting back to the original point, can the minister indicate to us whether there was some departmental government policy to limit the expenditure in the field of public works to \$42 million plus or minus a few hundred thousand dollars? Or is it that the department went out and surveyed the immediate needs in the province, and said, "We can get along with so much this year"? Would the minister indicate something of that nature?

**Hon. Mr. Simonett:** Mr. Chairman, I think if the member had been here during the two evenings, I have explained this to him two times now. We asked in our estimates for \$60 million. Of course, once you get into balancing a budget or trying to balance a budget, then certain departments have to be cut. Ours was cut to \$43 million. That was what the Treasurer said we could have for capital construction this year.

**Mr. Makarchuk:** Mr. Chairman, if I have been here for the last couple of evenings

would have been here by myself on Sunday evening, but—

**Hon. Mr. Simonett:** Last night happened to be Monday evening.

**Mr. Makarchuk:** Yes, last night was Monday and the night before that was Sunday and this is Tuesday and I am here.

What I want to know, Mr. Chairman, is once again—as we were trying to pursue earlier and you did not seem to give us the answer—whether you have really sat down with the Treasurer of the province of Ontario, with the cabinet and the Treasury Board, to try to find out whether you are going to use The Department of Public Works as a measure to alleviate some of the unemployment problems in the province?

Now have you done this? If you have done this, would you indicate to this House right now what measures, or rather what projects, you have decided to go ahead with that you would not have gone ahead with if there was not an unemployment problem?

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Chairman, I wonder if I could ask a supplementary?

**Mr. Chairman:** The hon. member for Brant has—I will just deal with the hon. member for Brantford.

**Mr. Makarchuk:** Go ahead. I do not mind the member getting in; this is very reasonable.

**Mr. Chairman:** The member for Brantford is not asking for any response?

**Mr. Makarchuk:** If the member for Ottawa West, I think it is, wants to get in on this particular question, I think it is only reasonable.

**Mr. Chairman:** The member for Brantford gives permission to the Chair to permit the member to ask a question. All right, the member for Ottawa Centre.

**Mr. Makarchuk:** We want to be very reasonable to the whole House.

**Mr. Chairman:** Thank you for your assistance. The member for Ottawa Centre.

**Mr. MacKenzie:** Thank you, Mr. Chairman. In my opening remarks, Mr. Chairman, I pointed out to the minister that he has a programme in Kemptonville of roughly \$1.5 million this year which may assist the depressed city of Cornwall. I also mentioned to him that he has under one of his other

tabs of capital works, four different buildings for the experimental farm at Kemptonville, they are quite sizeable projects in the millions of dollars. I put it to the minister, why do you not take these projects and put them under the management consultant approach which you seem prone to use in all places except where it is needed, and get these projects going this year by using design from Cornwall and contractors from Cornwall?

The minister saw fit to twist this about and say that, "We cannot put the buildings in Cornwall." Which was never asked of him in the first instance. It was asked that he proceed with the buildings under the management consultant type of approach and get people from Cornwall to do it, and aid the unemployment situation there.

**Hon. Mr. Simonett:** Of course, Mr. Chairman, and I do not think I have to tell the member, I think he has heard enough about austerity programmes—federally—

**Mr. Winkler:** What is the federal government doing to help you?

**Hon. Mr. Simonett:** You know we are not posed to slow up this great prosperity we have in the province of Ontario. I have to explain to you tonight that this government, as far as Public Works is concerned, has not slowed up its programmes. We are maintaining at about the same level as we were last year.

It is fine to say, "Why do you not do this why do you not do that?" but our building programmes, as far as the provincial government is concerned, in the province of Ontario—if we built all of the buildings we need this year, if we were able to do it, and the money—are not going to solve all the problems that you are mentioning about unemployment tonight.

Our economy is too great for that. We have to depend, not only on government federal and provincial, but we have to depend on industry, the private sector, to bring things back and cure this unemployment.

**Mr. MacKenzie:** I am not sure what the minister is saying, but really if he wants to ignore the 18 per cent unemployment rate in Cornwall with such a hard attitude—

**Hon. Mr. Simonett:** I am not ignoring

**Mr. MacKenzie:** —that is his business. I just do not think he should. I think he should make an effort and try to convince his colleagues to move and help those people

**Hon. Mr. Simonett:** You look after yourself and never mind us. What are the federal people doing down there?

**Mr. MacKenzie:** To another point, if I could just take a minute, Mr. Chairman.

**Hon. Mr. Simonett:** Lots of time. Lots of time.

**Mr. Chairman:** Order! Order!

**Mr. MacKenzie:** Under the tab "Work completed" in the blue book of capital works, I find the sum of \$27,000, which is listed as, "main legislative building, air conditioning of the Legislature chamber." As I say, that is under "Work completed."

I think there has been a mistake some place. Would the minister indicate to us, if and when he plans to air condition this chamber?

**Mr. Winkler:** It is an austerity measure.

**Hon. Mr. Simonett:** Mr. Chairman, that is money that is spent on cooling this building. I think if you were here last weekend when it was quite warm in some of the other rooms, it was much cooler here.

This building has to be fully air conditioned, but this is cooling in just the chamber.

**Mr. Lewis:** You opened the windows; that does not cost \$27,000.

**Mr. Winkler:** With you around it does not help.

**Mr. MacKenzie:** Mr. Chairman, the point I make is that you have it under "Work completed."

**Hon. Mr. Simonett:** It is completed, getting air in this chamber.

**Mr. MacKenzie:** Another question, Mr. Chairman. The Carleton county jail, I believe, is under the tab of "Under construction" for this year. Could you tell us when you are calling tenders for the Carleton county jail, and when you expect it to be complete?

**Mr. Winkler:** New quarters for Pierre.

**Hon. Mr. Simonett:** I understand that we are ready to call tenders at any time, but there is some problem with the National Capital Commission. As soon as we resolve our problems with them, we will be calling tenders immediately.

**Mr. MacKenzie:** Would this be a hold-up due to the building appearance committee maybe?

**Hon. Mr. Simonett:** Pardon?

**Mr. MacKenzie:** The building appearance committee?

**Hon. Mr. Simonett:** Yes.

**Mr. MacKenzie:** Another question, and last one, Mr. Chairman.

We talked about the management contract approach to building construction what you claim is a very flexible saving to people of Ontario. Could you tell us what will be the total dollars paid to the Construction people for management for Mowat and Hearst buildings by the time project is complete?

**Hon. Mr. Simonett:** Mr. Chairman, the figure that we are paying Pigott is \$150,

**Mr. MacKenzie:** That is the total amount that you will be paying Pigott for management, clerk of works, and the whole she-

**Hon. Mr. Simonett:** That is to complete yes. The total fee.

**Mr. Chairman:** The member for Nipiss-

**Mr. R. S. Smith (Nipissing):** Mr. Chairman, I have one short question in regard to lease-backs that the department seems to be getting into more and more all the time. Does your department not call by public tender for proposals for lease-backs, either a particular building, or for an area that is required by a different department?

**Hon. Mr. Simonett:** Mr. Chairman, in order to call a tender for a lease-back, I think any member would agree with me, it would be a very difficult thing to do. What would you do—

**Mr. R. S. Smith:** It is not difficult.

**Hon. Mr. Simonett:** Just a minute, Mr. Smith. You say it is not difficult but you have not tried it yet. What we try to do is get property or properties that would be appropriate for the department. We want to put certain departments in certain areas. Then we would like to ask for two or three bids.

They are bids by invitation, but you should readily understand that if you call for a tender in a certain area for a certain building, you would have many tenders and you would not be in the area you wanted at that time. I do not know how many tenders we would have and they might be out of town, but can you say no to these people after we have asked them for tender? You do not

any location, so what we do is try to locate in an area where we would like to get a building; get two or three or four bids, if the locations are suitable, and then take the lowest bid.

**Mr. R. S. Smith:** Mr. Chairman, Ontario Housing Corporation do exactly this when they call for tenders. They name the specific area in which they want to build the geared-to-income houses or the houses for elderly citizens. The federal government do this in areas where they want to lease-back a property.

I do not see why it should be so difficult for your department to do, particularly when you go into an area such as a city of 40 or 50 or 100,000. If there are different people who are interested, most of them do not hear until after the three or four people whom you have invited to tender have made their tenders. It is very unfair to the many other people in the area.

**Mr. Chairman:** Vote 1802. The member for Brantford.

**Mr. Makarchuk:** I am trying to get back to the minister's commitment on how he is trying to take care of the current unemployment problem—

**Mr. Chairman:** The hon. minister has answered that in the—

**Mr. Makarchuk:** He said he was interested in the prosperity of the province of Ontario and that his department is not going to solve all the problems all the time, on which we are agreed; that he is not interested in the prosperity. I just wanted to know if something definite and concrete, either statements or agreements or emphasis, is being placed on how they are going to fight some measure of unemployment in this province through the process of creating public works. Would the minister try to indicate if they are really concerned about unemployment? In that case, if they are trying, in that particular area where there is unemployment, to bring about the construction of government buildings and government projects to try to alleviate some of this unemployment. This is what I want to know.

**Hon. Mr. Simonett:** Mr. Chairman, the moneys we are asking for tonight are moneys that are allotted for certain buildings and there are no special moneys in this vote for any special purpose. I would think that if we found by September, or if the government found—not Public Works—that we could

through Public Works do anything to alleviate the unemployed, we would look at some projects. But there are no moneys in this vote for any additional works outside those we have listed here this evening.

**Mr. Makarchuk:** Mr. Chairman, you have money in this vote for building projects and various other projects, new construction. This, in a sense, does provide employment. What I am trying to get from the minister is has there been, on the part of this government, an effort to sit down, to try to reduce unemployment through the means of public works projects? This is what I am trying to get at. Would the minister indicate if this has been considered; whether the minister has made his contributions to this, to try to get the government; whether the Treasury Board has turned him down; whether the cabinet has rejected this thing, or whether the government does not believe in this particular concept of taking care of unemployment?

**Hon. Mr. Simonett:** Mr. Chairman, I think this is the third time I have answered this question. I have already stated that we have \$43.5 million for buildings in the province of Ontario. That is the contribution Public Works is going to make in buildings and, of course, there will be people employed in building the buildings. When I have said this, it will be the third time I have said this—no doubt the government, later this year, if we feel that through public works could assist those who are unemployed, would be looked at. But that will be government policy, not the policy of this department.

**Mr. Makarchuk:** Mr. Chairman, according to the estimates here, it is not \$43 million, it is \$46 million, which I appreciate—

**Hon. Mr. Simonett:** It is \$43.5 million construction.

**Mr. Makarchuk:** It says \$46.37 million going to be spent on design and construction for this particular year. But that is not the question I am asking the minister. When I am asking the minister is whether there is some definite policy on the part of this government to try to use the government Public Works department to try to alleviate some of the unemployment problem. This is what I am asking him.

Surely, this is not an involved question and it does not take an involved answer. I can see what is being spent; it is all in the book. It is here in black and white. I want an answer from the minister whether the government has really taken



account the fact that there is unemployment in this province, and whether the government is prepared to use the means of government spending to build public projects as a means to alleviate some of this unemployment.

**Mr. Chairman:** Well I think the hon. minister has indicated previously that his department has asked for more money than this and that the Treasury Board has provided \$43.5 million. I do not know that the minister can reply in any other manner. The hon. member for Humber.

**Mr. Makarchuk:** Well I think that is a lot of nonsense, Mr. Chairman.

**Mr. Chairman:** Well I do not think it is a lot of nonsense. The member is being very repetitious.

**Mr. Makarchuk:** Well the minister has not—

**Mr. Chairman:** The hon. member for Humber has the floor.

**Mr. G. Ben (Humber):** I have a number of questions to ask, Mr. Chairman. In going over the estimates, under the caption "Under construction" in the Ontario Public Works capital works programme for 1970-1971, I find there is one column for estimated project costs, another column for contract price and another column for budget 1970-1971. I wish to ask the minister, does the contract price indicate the price that was offered by way of tender to complete this project?

**Hon. Mr. Simonett:** Yes, our estimated price is an estimate of the cost by the department and the tender price is actually a tender price; then, in the third column is the amount of money to be spent on that project this year. As you know, it sometimes takes two or three years to complete a project, so that is the amount of dollars that will be spent during this fiscal year.

**Mr. Ben:** Well Mr. Chairman, I would strongly suggest to the hon. minister that he get himself a new group of estimators, for in going through this particular item under construction, I find that only in—I believe it is two instances, or three—two instances was the estimated contract price below the actual tender price. There are two ways of looking at this, Mr. Chairman. The minister could say, "Well, when we put it up to contract, we are so tight on our contract stipulations that we get a price lower than the estimated price," or one could say that the estimators just do not know what they are about and

they are continuously overestimating to make sure that they do not get this illustrious minister into trouble.

**Hon. Mr. Simonett:** Just let me straighten you out there for a minute.

**Mr. Ben:** I do not think you have straightened me out.

**Hon. Mr. Simonett:** On the estimated price that includes the buildings and furnishings. Now the tender price is the building tender price only.

**Mr. Ben:** Well now, I asked in the instance, Mr. Chairman, and the minister answered, whether in fact the contract price was the price for doing the work under the estimated price, and the answer was "No." Now the minister is qualifying it. I do not know how far he can qualify, but in going over these, the gap in some cases is extreme. In Hamilton, at the Mohawk College Applied Arts and Technology, for a technical centre for 2,400 students in the Hamilton area, the estimated project cost was \$12 million. The contract price came in at \$10 million. That is more than 10 per cent off. It is not in itself that extreme, but when you consider that on page 13, under "Osgoode building, 145 Queen Street West," for renovation to provide accommodation for judges and staff located in Osgoode Hall during renovations—which, by the way, are just temporary quarters across the road—the estimated contract cost was \$340,000 and the contract price came in at \$181,000. Now that we do have almost a 50 per cent, or at least a 40 per cent discrepancy.

I just do not know what you have to do for furnishings. The judges in Osgoode Hall all had furnished quarters. I am sure this minister and his underlings are not remiss in their duty to the public that they would just discard all that furniture, rather than take it into these temporary quarters that have been provided for the judges, but just cannot imagine what furnishings they would have to supply in these temporary quarters for the judges and the staff in Osgoode Hall while this renovation was going on. Either you are doing that, and you are spending money needlessly if you are, or you cause the furnishings in the existing quarters would have sufficed for temporary quarters or else your estimating was just completely off. As I say, it is a difference of about 50 per cent.

I am also at a loss to understand why the cost of renovations and additions to the buildings to provide additional court facilities

judges' chambers, jury rooms and offices and so on, for the installation of an air-conditioning system in the building—that is, at Osgoode Hall—should be estimated to cost \$8.25 million. Mr. Chairman, through you to the minister, Metro Toronto put up the new courthouse on University Avenue, which contains more square feet of office space than does Osgoode Hall, for \$11 million.

Hon. Mr. Simonett: This is only \$8 million.

Mr. Ben: This is only \$8 million, but the building is already there. The court spaces are already there; the judges' chambers are already there; central office is already there; master offices are already there; the corridors are already there. You are not going to tear down that edifice. If you do, you are going to have a bigger revolt over tearing that down than the revolt over the fences around Osgoode Hall. Now just tell us, pray, what you are spending \$8.25 million for. It is acknowledged that they need air conditioning, but it is not going to cost \$8 million. The judges have beautiful chambers. Sure they are not in the latest modern Swiss style or Swedish style, but they are chambers and they are airy and they are roomy. Just tell us what you are spending \$8 million for. May I have an answer?

Hon. Mr. Simonett: First I would like to cover the renovations for accommodation for the judges and staff who are vacating Osgoode Hall. We did have a contract there for \$181,000, but a lot of the work we are doing has to be done by our own staff; that is, by day labour. So the difference between the contract and our day labour will bring the price very close to the \$340,000 for the renovations—that is for quarters for them to reside in while we are doing the repairs on old Osgoode Hall. Now the \$8.25 million includes all the things you have read, plus there will be some new structures added to the old building; and I do not know, I could not argue on the price, because I have found since I have been in Public Works—and I check many tenders with our estimates—that the department is running within 10 per cent. On all our estimates and our tenders since I have been there, in fact, we have been running a little bit low on some of our tenders. But that is a good way to be, and I do not think anybody could estimate any closer than 10 per cent when you are considering reconditioning an old building, because you can get into many problems that you would not anticipate in a new building.

Mr. Ben: Mr. Chairman, through you to the hon. minister, if the differences amounted to 10 per cent, I probably would have held my peace. The fact remains that the differences are far in excess of 10 per cent and this is what drew my attention and my ire. You say that certain work is being done by day labour; then why is that cost not included into these estimates?

And I am not satisfied that day labour is doing 45 per cent of the work done at Osgoode Hall. I know that it was anticipated that a structure would rise on the land at the corner of University Avenue and Queen Street West, but then it ought to be shown as a new structure and not as renovation.

Would the minister please explain why so much is supposed to go toward the new structure, what is this structure supposed to be like, where is it going to be located, and how much is going toward supplying air conditioning? And I would point out that to date there has been no need for jury rooms in Osgoode Hall. They do not hold trials at Osgoode Hall, nor have they during the 20 years I have been practising law. So there is no need for jury rooms at Osgoode Hall. They have the masters' chambers, and they have the court of appeal, but no trial court. Would the minister please explain that?

Hon. Mr. Simonett: First, let me say that we do not have the breakdown on that subject here this evening, but I would be very happy to get the hon. member the breakdown. I am explaining what is being spent on air conditioning, what is being spent on new buildings, what is being spent on renovations, and I will show him the plan if he would like to see it. He can readily understand that we cannot show all plans and all estimates in here because I do not know what you would like to see. It would be a very difficult chore. But if you would like to come over to the office and see the deputy or any of the directors, or if you would show you the plans and the breakdown on the prices. I understand that the courts are going to be held in Osgoode Hall, so that is why we have to have a jury room. I am not going to talk any more about the cost because you know more about courts than I do. Need I say more?

Mr. Ben: Mr. Chairman, I want to see you, since I heard the statements from the hon. member for Rainy River (Mr. T. P. Ives). I know soft soap does not work. We do not expect you to have the plans here, but we do expect you to have the answers, since you have

benefit of your advisors sitting in front of you. These things we ought to have.

When you come in here and say you are asking for \$8.25 million, the least you could have, aside from the plan, aside from the specifications, is a breakdown of these particular costs—so much for new structures, so much for renovation. As I see it, \$8.25 million is an extremely large sum. I would still like to know exactly what day labour is doing down there, because I recall that your establishment of day labour was cut down a couple of years ago prior to your assuming this portfolio. Have you now increased the number of temporary-permanent, or permanent-temporary day labour that you have on your payroll? If so by how much?

**Hon. Mr. Simonett:** No Mr. Chairman, we have decreased—and if the member had been here yesterday evening he would have had that figure—we have decreased the number of day labourers in our department. But we still have a number of day labourers—painters, carpenters. They lay rugs and they do everything that you would do to repair the inside of a building.

We do all our own work out in the halls. You will notice these people working here are day labourers. What we are using some of the day labourers down there for is to finish these temporary quarters.

**Mr. Ben:** And you are using about 20 of them down there that you do not normally use down there?

**Hon. Mr. Simonett:** The number would vary depending on what we were doing. Whether you use 20, or whether you have five, you have different tradesmen and you use them as you have work for them and you can use them within a building.

**Mr. Ben:** Look Mr. Chairman, well how-do-you-do. It is nice to see a change. The difference between the estimated project cost and contract price is roughly \$160,000; in fact it is \$159,000. To make a real angel out of you and assume that you are paying the trade labourers \$8,000 per annum, and I just cannot see—

**Mr. L. C. Henderson (Lambton):** He is not an angel—

**Mr. Ben:** You are darn right he is not. I imagine \$2,999, which is below the subsistence level, is more his speed.

**Mr. Henderson:** —and does not pretend to be.

**Mr. Ben:** At any rate, even at the maximum cent sum of \$8,000 per year, you would not have working down at Osgoode Hall people that you do not have working under normal circumstances as skilled labourers.

**Mr. Henderson:** You are getting mixed.

**Hon. Mr. Simonett:** Mr. Chairman, I think the hon. member has not forgotten that we are using labour we have to use materials we have to buy materials. These things cost money.

You do not put the painter in a building and just pay for labour, you have to pay for the material. Or you have to pay for the rug, or you have to pay for the drapes. Or you have to pay for the trim, you have to pay for many things and this is what brings up the cost. It is not all labour. It is labour and materials.

**Mr. N. Whitney (Prince Edward-Lennox):** Anyone should know this.

**Mr. Ben:** Mr. Chairman, the amount the minister is asking for the year 1970-71 is \$225,000.

**Mr. Makarchuk:** Are there any workers involved?

**Mr. Ben:** The amount is \$225,000. Material, aside from paint, would you require?

**Hon. Mr. Simonett:** Mr. Chairman, you need paint and I suppose you need rugs and need drapes. I do not think I can estimate the number of nails and screw-nails, but if you really want it, we would try to do it when it is finished. I do not know.

I do not think that you ever had any idea to do with renovating a building, because surely you do not just hire a man and a woman and say, "There, you go to work." You would he go to work with? You have to have materials. How do you renovate without materials? I do not think you should ask me to get any finer on that question.

**Mr. Ben:** Mr. Chairman, having been inconvenienced by the hit-and-miss method of this minister, whether it be with a hammer or a saw, I assure him that I have a better idea what it would cost to renovate and what an inconvenience that it causes.

I am not going to pursue this any more. Obviously the minister does not know the answers. But one of the items under the programme is the purchase and leasing of property. Does that also include moving property, as distinguished from real property?

**Hon. Mr. Simonett:** No, we are talking about real property.

**Mr. Ben:** So, under this item it does not include works of art?

**Hon. Mr. Simonett:** No.

**Mr. Ben:** Does it include decorations of buildings?

**Hon. Mr. Simonett:** We are talking about the purchase and leasing of property. That is all, the purchase and leasing of property.

**Mr. Ben:** I am just trying, Mr. Chairman, to define what is meant by the word "property."

**Hon. Mr. Simonett:** Real property!

**Mr. Ben:** For example, under this vote we have been discussing the estimates concerning the construction of buildings. Does this include the decoration of these buildings or enhancing their appearance, for instance with murals?

**Hon. Mr. Simonett:** If it is part of the building, yes.

**Mr. Ben:** If it is part of the building. The reason I ask this is that a publication of the minister's department shows the agriculture service building at the Simcoe Horticultural equipment station and has a photograph, and it says below: "A. J. Casson, a member of Canada's famed Group of Seven, views his wall murals during the final stages of installation in the Macdonald Block."

**Mr. Whitney:** That is good.

**Mr. Ben:** Well, the member who interjected says that is good, except that this illustrious artist was never a member of the Group of Seven. Now, who published—

**Mr. Stokes:** Go, George, go.

**Mr. Ben:** Oh no, I have to let him inform himself by his experts; they are having a conversation. I think courtesy requires that.

**Mr. Deans:** Oh, come on!

**Mr. Ben:** Anyway, Mr. Minister, all the newspapers over the weekend—all the Toronto newspapers at least—had some kind of article on the Group of Seven. It seems to be some kind of anniversary here and the *Globe and Mail* on Saturday had an extremely good article referring to an exhibit at the galleries of the work of the Group of Seven—

**Mr. Makarchuk:** He is wondering what Group of Seven is.

**Mr. Ben:** I think he is. Seven natural row.

**An hon. member:** You are right there.

**Mr. Ben:** Anyway, according to this and a lot of others that I have read, my curiosity was aroused, the Group of Seven was composed of J. E. H. MacDonald, who died in 1932; Frank Carmichael, who died in 1945; Frank Johnston, who passed away in 1949; Frederick Varley, Arthur Lismer, who passed away last year; Lawren S. Harris and A. Y. Jackson—A. Y. Jackson was here a

**Mr. M. Shulman (High Park):** What that got to do with Public Works?

**Mr. Ben:** Well, what does it have to do with Public Works? Public Works put out a book, and in it they had a list of artists who were commissioned for certain works enhancing the prestige of our public buildings.

**Mr. Shulman:** Get the Group of Seven that what you are asking him to do?

**Mr. Ben:** It is stated in here that A. J. Casson was a member of Canada's famed Group of Seven. In fact, he was not. He was a real Johnny-come-lately. He did not join the group—

**Mr. Shulman:** He is dead!

**Mr. Ben:** It does not change the fact that this minister—

**Mr. Makarchuk:** You have got to get him back from his grave—

**Mr. Chairman:** Order, please!

**Mr. Ben:** This minister's department—

**Mr. Chairman:** Does the member have a question for the minister?

**Mr. Ben:** I want him to become well informed, but I keep on talking to give him a chance to become better briefed.

**Mr. Chairman:** I think he is ready.

**Mr. Ben:** This minister's department as to the decorations in the Macdonald Block having been completed by a member of the Group of Seven which, in fact, the artist is not.

**Mr. Shulman:** So what? He is stupid, all know that. You are just wasting the time of the House.

**Mr. Ben:** I do not know. You say I am wasting the time of the House, I take strong exception to it. If anybody needs enlightenment it is this ministry, and the least I can do is try to—

**Mr. Chairman:** Order, please! Will the member please direct his question through the Chair to the minister in this particular vote?

**Mr. Ben:** Would the minister please tell us, when was Casson supposed to have been part of the Group of Seven?

**Mr. Singer:** I think he should, I think that is the least he can do.

**Mr. Chairman:** Vote 1802.

**Mr. Ben:** Wait a minute, I have not had an answer.

**Mr. Makarchuk:** Mr. Chairman, on the same point, if the minister is going to indulge in resurrection of dead artists, perhaps he should go beyond the Group of Seven and go back to the Michelangelos and so on that might have greater emphasis. They may have greater effect on the province of Ontario.

What I would like to know, Mr. Chairman, is that since the minister, through the course of his duties as the Minister of Public Works, receives requests from various departments of the government for renovations or modifications of his buildings, does he keep a record of the modifications or changes in the construction of buildings and whether he follows this up in terms of the time it takes for his department to react and the time to complete the particular project that has been requested by the various departments, or the various areas under his jurisdiction?

**Hon. Mr. Simonett:** Yes Mr. Chairman, we keep records of all projects. As I have stated here, we do not originate the projects; they are originated by different departments. When they put them on top priority and we have moneys and have decided to go ahead, we go ahead with planning. It goes to the Treasury Board; it moves through Treasury Board to tender, whichever way we are going to do it. There is a continuing record once we start a project.

These requests, as I stated, can change from month to month as we start out a year. We find the moneys we are going to have for construction and then the departments might change their top priorities from one to another. Of course, this would be the project we would start work on.

**Mr. Makarchuk:** Mr. Chairman, again follow this up in the interests of efficiency. Do you try to develop some index of efficiency? In other words, do you try to put out how fast your department can react to a request by some other department or some other building that is not within your jurisdiction for some change in structure, door or modifications to the washroom something like that? What I want to know is, how fast do you react and how long it take you? Do you keep some record to find out how long it takes you to react to these particular requests?

**Hon. Mr. Simonett:** Mr. Chairman, if we are talking of repairs, we can react very fast—it depends upon the urgency of the request. In fact if it was a repair tomorrow morning at 9 o'clock that had to be looked at immediately, it would be. Many of the requests have had for repairs around this building taken care of within the week, or sometimes within the day of getting the request.

**Mr. Makarchuk:** Mr. Chairman, I know instances where requests have been made. The Department of Health and have gone on for six or seven months with great inconvenience to the patients in the hospitals, so on and nothing has been done about it. I just want to know what record or what effort is being made within your department to follow these things up; in other words, do you see that this particular kind of condition does not persist.

**Mr. Ben:** Is the minister going to answer the question, or can I—

**Hon. Mr. Simonett:** Again, as I said, it would depend on the nature of the request and how urgent it was. If it is something that is really urgent, it would be taken care of just as soon as we have the men to look at it. Usually that is within a very few hours of the time we get the complaint.

**Mr. Chairman:** The member for W. worth.

**Mr. Deans:** Mr. Chairman, as I understand, the minister requested some \$60 million for development building purposes and received some \$43.5 million after going through the cabinet or whatever process goes through. I wonder if he could indicate to me exactly how it is that it is decided what projects are worthy, since he felt in the first instance \$60 million was required and now he is satisfied with \$43.5 million. V

process does the minister go through to determine which of the projects he considered necessary are to be discarded or at least delayed until some coming year? If he might answer that, I have a few other questions regarding specifics.

**Hon. Mr. Simonett:** Mr. Chairman, I have explained this before. The capital budget is approved, and of course we know the carry-over from last year; we know the buildings that are in progress; we know how much it is going to cost on those buildings this year. Then we have to go back to all departments and ask them again for their top priority projects, and perhaps they would have two buildings that might have been built during this fiscal year and they might have cut out one. Then we have to make a final decision; what we will do with the buildings we will build with the balance of our money, taking care of the load we have carried from the previous year. You do not complete a building in any one fiscal year, unless it did happen that way.

**Mr. Deans:** Let me ask the minister some specifics, and if the questions have been answered in my absence, he might indicate so and I will read *Hansard*.

The Ontario Fire College, for example; the \$500,000 that was spent on the new fire technology building. Could the minister indicate how he determined the priority of the fire technology building in regard to the moneys that had to be spent this year?

**Hon. Mr. Simonett:** Mr. Chairman, that would be a priority under The Department of Justice.

**Mr. Deans:** The question really then is this: What kind of discussion does the minister have with the various departments to determine the priorities? For example, under the Ontario Provincial Police I notice that \$131,000 was spent for some eight OPP residences. Now, in this year there is \$100,000 set aside for four houses and \$66,000 for two residences under The Department of Lands and Forests. Under the \$131,000 for these OPP residences, can the minister indicate how the department goes about justifying this type of expenditure for civil servants?

**Hon. Mr. Simonett:** Mr. Chairman, I think the hon. member realizes that in many areas of the province of Ontario it is impossible to rent space for personnel. If you will note, you were talking about the five that were completed—Beardmore, Manitouwadge, Moosonee, Temagami, Shabagua, and it would be

impossible to rent buildings there. In case, the government has to furnish accommodation. These priorities come about through the department, not through The Department of Public Works; but when they realize they have to have staff and they have to house for them, then sometimes the smaller jobs do get top priority in order to house their people.

**Mr. Deans:** Well, is it the practice of the departments to provide accommodation for all of their personnel or are there selected personnel who warrant accommodation for others, and could the minister indicate to what class of personnel appears to justify receiving accommodation at government expense?

**Hon. Mr. Simonett:** Mr. Chairman, of course this is not a policy of our department. The people pay rent for their accommodation. Now, I happen to know in a small hamlet at Sharbot Lake where I live, I think the OPP have housing accommodation that is their own for three men. I believe there are other men who rent their accommodation, but I think it balances out to about the same thing. What priority they give the men who live in government buildings I do not know, but I look after them through renting and the buildings they own.

**Mr. Deans:** Might I ask the minister, then, whether the money that is realized from the rental of the buildings comes back into the Public Works treasury or whether it goes from some other source?

**Hon. Mr. Simonett:** No.

**Mr. Deans:** It goes into another source?

**Hon. Mr. Simonett:** It goes to the Treasury. All the moneys go to the Treasurer.

**Mr. Deans:** Fine; so there is no entanglement far as Public Works is concerned for the setting of costs?

**Hon. Mr. Simonett:** No.

**Mr. Deans:** It is outlay from this department but it may well be incoming to another?

**Hon. Mr. Simonett:** That is right. It is revenue for the Treasury.

**Mr. Chairman:** Vote 1802; the member Humber.

**Mr. Jackson:** On the same point, Mr. Chairman.

**Mr. Chairman:** The member for Humber.

**Mr. Ben:** Mr. Chairman, through you to the minister, how do you go about planning these buildings? Does the department say, "We need so much floor space"; and then you design a building and look around for a site? Or do they tell you, "We have a site and we need an extra building"; and you draw a plan? How do you go about doing that?

**Hon. Mr. Simonett:** Mr. Chairman, a department tells us they need a building in a certain area. Then a decision is made on whether it will be leased or we will build it. Then Public Works looks for a site. We plan through the department's specifications. In other words, we would have to know how many people are working there; what type of office space they need, if it is office space or if it is other space. Then we draw the plans and they would be agreed upon by the department and we go ahead.

**Mr. Ben:** Is that a building for their site, or is that just a nebulous plan and then they try to find a site? How does it work?

**Hon. Mr. Simonett:** There is no site and there is no plan. They tell us they need a building in a certain area, then we have to start the work from scratch.

**Mr. Ben:** Mr. Chairman, may I again refer to the minister's blue book, under "Approval for working drawings." Under The Department of Correctional Services, "Location to be determined, forest camp, accommodation for 50 inmates." How is it that here you have already approved it for working drawings and you do not know where you are going to shove it?

**Hon. Mr. Simonett:** Mr. Chairman, that is not difficult. We know that we need a building and the type of building we need. We know the area or a close proximity to the area they want.

**Mr. Ben:** You mean you know it is in Ontario?

**Hon. Mr. Simonett:** No. We know the area in Ontario. We are not talking about one in Sudbury or one in Kingston. We know the area within a radius of a few miles where

they want this building, so that is not hard to plan.

**Mr. Ben:** But you do not know the site?

**Hon. Mr. Simonett:** That is not hard plan. We do not know the site as yet.

**Mr. Ben:** You do not know whether it is flat, whether it is hilly, whether it is wood or whether it is rocky or whether it is marshy to you?

**Hon. Mr. Simonett:** We could buy topography for our planning.

**Mr. Chairman:** Order, please! The clock has arrived at 10:30. Is there any more discussion on vote 1802.

**Mr. Ben:** No, no.

**Mr. Chairman:** Does 1802 carry?

**Mr. Ben:** No.

**Mr. Jackson:** Mr. Chairman, I would like to speak on that vote, please.

**Hon. Mr. Welch** moves that the committee of supply rise and report progress and then for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the Chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and then for leave to sit again.

Report agreed to.

**Hon. R. S. Welch** (Provincial Secretary) Mr. Speaker, tomorrow we will continue the committee of supply and consider the estimates, to be followed by the estimates of The Department of Highways.

**Mr. R. F. Nixon** (Leader of the Opposition) Then what?

**Hon. Mr. Welch:** Then the Department of Lands and Forests. Can the members leave all that tomorrow?

**Hon. Mr. Welch** moves the adjournment of the House.

The House adjourned at 10:30 o'clock, p.











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Wednesday, May 6, 1970

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 6, 1964

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon in the west gallery we have as guests students from Ryerson Senior Public School in Toronto. Later today, we shall have students from Napanee District Secondary School in Napanee, Ridgetown Public School in Ridgetown and London Teachers' College in London.

Statements by the ministry.

**Hon. A. Grossman** (Minister of Correctional Services): **Mr. Speaker,** the hon. Prime Minister (Mr. Robarts), who is away from the city today, has asked me to make a statement on his behalf to the Legislature.

**Mr. Speaker,** you will recall that on December 4 last, the report of the Niagara Escarpment study prepared under the direction of Professor Leonard O. Gertler of the University of Waterloo, was tabled by the Minister of Lands and Forests (Mr. Brunelle) and chairman of the parks integration board. I am pleased today to announce the plans of the government of Ontario for the implementation of many of the recommendations of the report.

The escarpment, stretching across southern Ontario from Niagara to Tobermory, is one of the great natural features of our landscape. Our recognition of its importance as a source of beauty and recreation and for the production of minerals and employment led us to commission a wide-ranging study with a view to preserving the escarpment for the benefit of future generations.

The report made a number of recommendations for action to ensure that the escarpment would be preserved. Of these, the following are the most important for immediate implementation:

1. A large-scale programme of land acquisition to acquire areas of great natural beauty which would be developed for park and recreational use. It was recommended that the acquisition programme be spread over a period of eight years.

2. The enactment of land-use controls along the whole length of the escarpment to prevent undesirable developments which would tend to destroy its character.

3. Regulation of the extractive industries along the escarpment.

4. Effective co-ordination of the implementation of the programme by the provincial government, conservation authorities, municipalities and private groups such as the Brant Trail Association.

The responsibility for implementing the land acquisition and development programme has been assigned to three existing groups: Niagara Parks Commission, The Department of Lands and Forests, and the conservation authorities of the area.

The Niagara Parks Commission has been assigned responsibility for the area of the first four miles of the escarpment leading west from the Niagara River. From this point to the boundary between the townships of Caledon and Mono, the appropriate conservation authority will be the major implementing agencies. These are the Niagara Peninsula Conservation Authority, Hamilton Region Conservation Authority, the Hamilton Region Conservation Authority and the Credit Valley Conservation Authority. These conservation authorities have accomplished a great deal in recent years. They have acquired key sections of the escarpment lands and are well able to continue this programme with further financial assistance from the government.

There are two exceptions to the control of the escarpment in this area by the conservation authorities. These are an area near Effingham, which has already been partially purchased for development by The Department of Lands and Forests, and an area at the Forks of the Credit. These are large tracts of land that are quite expensive; therefore, the responsibility for acquiring them has been assigned to The Department of Lands and Forests through The Department of Public Works.

From the boundary line between Caledon and Mono townships to a point immediately south of Owen Sound, responsibility for

major development has been assigned to The Department of Lands and Forests. The department already is active in developing the recreational potential of this area, including the Beaver Valley. In this area, there may be small features on the escarpment capable of serving as lookouts or picnic sites, which may be developed by conservation authorities rather than by the department.

The North Grey Region Conservation Authority and the Sauble Valley Conservation Authority will assume responsibility for the section of the escarpment running north from Owen Sound to Wiarton to Colpo Bay. These two conservation authorities have demonstrated a lively interest and involvement in preserving the escarpment in this area.

From Wiarton to the tip of the Bruce Peninsula, an area in which The Department of Lands and Forests already has arranged for purchase of lands and where it has major projects under way, that department will be responsible for the programme.

Both the Niagara Parks Commission and The Department of Lands and Forests already have acquired some of the lands recommended in the report. The programme will continue this year at an accelerated pace.

I am happy to announce that the standard government grant on land purchases has been raised to 75 per cent of the cost for those conservation authorities purchasing approved Niagara Escarpment lands. The additional grant will also be applied retroactively to escarpment lands which these authorities have acquired at the standard grant of 50 per cent since January 1, 1968. This change in policy will enable the authorities to undertake a more active programme and to play a key role in the overall implementation of the report.

The new policy applies only to those lands approved under this programme and to conservation authorities whose areas of jurisdiction include parts of the Niagara Escarpment.

The acquisition of these lands will progress from year to year through the expenditure of funds specially designated for this purpose. This is consistent with the recommendations of the report, being influenced of course by the availability of funds.

One of the recommendations of the report is that the subdivision of all escarpment land be brought under the control of The Planning Act. Most of the 63 municipalities along the escarpment have already passed the appropriate bylaws while a few have not yet done

so. The Minister of Municipal Affairs (McKeough), who has special authority under such circumstances, has established subdivision control over 11 townships in the Niagara Escarpment study area.

As a result, any proposal for subdividing land along the escarpment, whether for the creation of a single new lot or the registration of a plan of subdivision of several lots, will come under review by the municipality, the Department of Municipal Affairs and by other public agencies concerned.

**Mr. V. M. Singer (Downsview):** I hope it is not late than never.

**Hon. Mr. Grossman:** This will ensure any subdivision proposal will be considered in relation to the policies adopted for the escarpment, as well as other matters of provincial concern in the development of the land.

One of the most serious gaps, both in our knowledge of what is happening on the escarpment and control over what is happening to the escarpment, relates to the activity of the mineral extractive industry. The escarpment itself is a unique geological formation which for many years has been the site of a thriving quarrying and aggregate industry.

This industry, which is necessary for the growth of Ontario and which itself has enormous potential for expansion, is threatening the recreational use of the escarpment, if it is permitted to expand in a planned and uncontrolled manner. Large blocks of land have been assembled and are being assembled for what we believe are pit and quarrying purposes.

For much of the escarpment area, the existing municipal controls over the mineral industry are non-existent. The Department of Mines has no control and little knowledge about what is occurring because most of the escarpment area is now private land. The existing legislation extends only to the land.

It had been the government's original intention to utilize some form of general legislation, as indicated in the report to the Minister of Mines (Mr. A. F. Lawrence), to have the mineral resources committee, as a vehicle for imposing some measure of control over the mining industry in the escarpment area.

We believe that immediate action is required so that the industries concerned and the people of Ontario will know the c

rules and concepts that the government desires to see established to preserve the escarpment.

The Minister of Mines will introduce today The Niagara Escarpment Protection Act.

**Mr. Singer:** That will give them a right to know.

**Hon. Mr. Grossman:** This bill will require a permit from the Minister of Mines before mining operations can proceed. The minister will provide details of this limitation.

The Niagara Escarpment Protection Act is intended to be temporary legislation until more comprehensive legislation can be brought forward. In the meantime, it will impose a measure of strict control over the area. It will give the government the power to prohibit any new mining operation of a type or in an area that we feel will endanger the future recreational use of the escarpment area. The bill is also designed to reinforce the control which some of the municipalities have imposed by means of their official plans.

The implementation of the escarpment programme will be co-ordinated through the Ontario Parks Integration Board. Day-to-day administration will be carried out by the departments involved.

The programme for the preservation of the Niagara Escarpment is a unique experience in land management. Our experience with this programme will assist us in the preservation of other important geological and recreational areas.

In his report, Professor Gertler described the diversity of the escarpment and the necessity of developing its recreational potential as an integrated system.

Professor Gertler went on to say:

The advance phalanx of demand attracted to the escarpment will undoubtedly be for camping, picnicking, hiking and skiing. But in addition the forests and cliffs and hills and plants and animals and streams of the escarpment will provide opportunities for many specialized interests for the scientist and naturalist who wishes to observe relatively undisturbed natural communities, for the city school child learning about the "web of nature" as he now does from his base at the Albion Hills Conservation School, for the bird-watcher and for the fisherman.

In what is set out today, I am confident that the objectives of Professor Gertler and his committee are well on their way to being met. Indeed, I believe we are responding to the

desires of the people of Ontario to protect and preserve the escarpment. We all have an obligation to preserve it for future generations.

Mr. Speaker, on behalf of all who enjoy the Niagara Escarpment in the year ahead, I express the appreciation of the government of Ontario to Professor Gertler, members of his Niagara Escarpment study group, the extractive industries study group and the interdepartmental subcommittee on the Niagara Escarpment. Their work has led to this announcement, work which will increase in importance as each year goes by.

**Hon. C. S. MacNaughton (Provincial Treasurer):** Mr. Speaker, I should like to announce an anniversary. This morning, Treasury Board, the management committee of the executive council, held its 1,000th meeting since it began sessions as a separate board in September, 1955. Although the board was created in 1886 in The Act to provide for the Auditing of Public Accounts of the Province, it rarely met then, and when it did so during the regular meetings of the executive council. Only after it was given new responsibilities by The Financial Administration Act of 1954 did it begin to meet as a separate committee.

As can be readily calculated, Treasury Board meets on the average of 75 times a year to co-ordinate the financial and administrative operations of this government. Such co-ordination is essential if government services are to be provided to the public as efficiently and as effectively as possible.

Several decades ago, when government was chiefly concerned with public safety and regulation, there was less need for administrative co-ordination in the public service. But today, when the government of Ontario has much greater responsibility for regulating social activity, and for directing and executing social change, more effort must be devoted to the integration and co-ordination of the many facets of government activity. In its years of operation as a separate board, Treasury Board has guided the introduction and implementation of many new programs and has made many positive contributions to the improvement of Ontario's public administration in general.

Because of the special contribution demanded of board members—these men already have a substantial load to carry—I should like to pay tribute to those members of the government, past and present, who have served Treasury Board so faithfully and so well.

Since its first meeting on September 1, 1955, 21 persons have served on the board. They include the Prime Minister and his predecessor, the hon. Leslie M. Frost; former members of the executive council: William Goodfellow, William Griesinger, the late Dana Porter, Robert William Macaulay, Kelso Roberts, Wilfrid Spooner, William K. Warrander; my predecessor, the member for Haldimand-Norfolk (Mr. Allan), the member for York West (Mr. Rowntree), the Minister of Justice and Attorney General (Mr. Wishart), the Minister of Municipal Affairs, and my colleagues on the present board, the Minister of Correctional Services (Mr. Grossman), the Minister of Transport (Mr. Haskett), the Minister of Tourism and Information (Mr. Auld), the Minister of Public Works (Mr. Simonett), the Provincial Secretary and Minister of Citizenship (Mr. Welch), the Minister of Financial and Commercial Affairs (Mr. A. B. R. Lawrence), the Minister without Portfolio, the member for Stormont (Mr. Guindon).

I feel sure, Mr. Speaker, that the House would not wish the occasion of the 1,000th meeting of the Treasury Board to go unnoticed.

Interjections by hon. members.

Hon. Mr. McNaughton: I have another statement.

Mr. Speaker, I am pleased to announce salary revisions which have been negotiated for the employees of the general services category in the Ontario public service. The increases will cover the two-year period from January, 1970, to January, 1972. The increases for approximately 90 per cent of the 1,400 employees affected will be nine per cent in the first year and six per cent in the second year. The bulk of these employees are in clerical, typing, stenographic and secretarial positions. Typical increases for the remaining 10 per cent of the employees range between nine per cent and 14.5 per cent in the first year and six per cent the second year.

Included in the latter group are investigators of the Ontario Securities Commission, fire services personnel and transportation inspection personnel. For the second time in the past six months, agreement was reached by direct negotiations between the parties with the assistance of a mediator. This is an encouraging confirmation that true collective bargaining can and does take place in the public service of Ontario.

Mr. C. G. Pilkey (Oshawa): The minister cannot be serious?

Hon. Mr. MacNaughton: Yes, I am serious.

Mr. Pilkey: He is not serious surely?

Hon. T. L. Wells (Minister of Health) Speaker, I would like to inform the House that last week rubella vaccine for use against German measles was licensed by the federal food and drug directorate. The Ontario Department of Health is now putting in effect the programme which we had on drawing board for the control of German measles, which is known as rubella, in this province.

Rubella is generally a mild illness when it affects children it is of little consequence. But if the infection is acquired by a woman in the early months of pregnancy the foetus may be seriously affected. Therefore, preventing infection of the foetus is the principal objective of the rubella control programme. This can best be accomplished by eliminating the transmission of the disease among children who are the major source of infection for susceptible pregnant women.

Children, both boys and girls, in the grades of elementary school should be given initial priority for immunization. As the history of rubella illness is usually not recalled by all children in the selected grades should receive the vaccine. It is not known, Mr. Speaker, to what extent infection of the foetus with attenuated viruses might be prevented by immunization, or what danger to the foetus could result. Therefore, routine immunization of adolescent or adult women should not be undertaken because of the danger of inadvertently administering the vaccine before pregnancy becomes evident.

Mr. Speaker, control of the disease is best accomplished by immunizing all Grade 1 and 2 children the first year; Grades 1 and 2 the second year and Grade 1 only each year in an on-going annual programme. Mr. Speaker, over a period of time the risk of infection in elementary school children will be greatly reduced and we feel that within a three-year period, all children in Grades 1 to 5 will have been immunized.

The first shipment of the new vaccine has been received and the required number of doses for local programmes will be sent to our medical officers of health in the various health units as soon as possible. The units will be carrying out the programme in their own units. Local programmes, Mr. Speaker, may be carried out either in the spring or next fall, depending on the



ference of the local medical officer of health and his health unit.

I might also say, Mr. Speaker, just to dispel any confusion, this rubella programme is for German measles. This is not to be confused with red measles which have been brought into prominence in the newspapers recently. I might just say to the House with regard to the reports indicating that an epidemic of red measles now exists in Toronto, I have determined that while the reported incidence of this disease indicates more cases this year to date than since 1967, we certainly do not consider this a serious outbreak. I am advised that the number of cases of measles reported varies widely from year and year and is characteristic of the cyclical nature of the disease.

I might also remind the House, Mr. Speaker, that an immunization programme for red measles has been carried out in Ontario since 1965, when it began with family physicians. Since 1967, local health departments have carried out a complementary programme. Red measles is not a minor childhood disease and it must be kept in mind that a percentage of children with measles develop serious complications. For this reason we would emphasize again that parents should make sure that red measles vaccine is given to their children to prevent the development of such unnecessary tragedies—

**Mr. M. Shulman (High Park):** Why not distribute it free instead of making them pay so much?

**Hon. Mr. Wells:**—and to this end they should consult their physician or their public health service, where it is distributed free.

**Mr. Speaker:** Oral questions.

**Mr. Singer:** Mr. Speaker, I have a question of the Minister of Municipal Affairs.

In light of the statements made yesterday relating to "Design for Development: The Toronto-Centred Region," could the minister advise the extent to which it is intended to allow the boundaries of Metropolitan Toronto to be expanded on the north, east and west and the method by which this is going to be effected?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Oh I think our position on that will become known in due course, Mr. Speaker. We have had a number of lengthy statements this afternoon, so perhaps this would not be the best time, but I think in due course these matters will be made available to the hon. member.

**Mr. Singer:** By way of supplementary, Mr. Speaker. Would it be fair to assume that the minister's previous position that Metropolitan Toronto would not be extended has now been changed?

**An hon. member:** A pretty fair assumption.

**Hon. Mr. McKeough:** Well, of course, the member is putting words into my mouth which may not have just come out that way. Let me say that the government, and my hon. member in particular, are always flexible people.

**Mr. R. C. Hodgson (Victoria-Haliburton):** Wait till tomorrow morning.

**Mr. Singer:** Mr. Speaker, I have a question of the Attorney General.

Has the Attorney General changed his opinion about the use of juries in civil trials in light of recent comments by Chief Justice Gale of the province of Ontario?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, all that the Attorney General said in this House was that the bill which he had in preparation might contain—

**Mr. J. R. Breithaupt (Kitchener):** The minister said "probably."

**Hon. Mr. Wishart:** Might—well, probably.

**Mr. Breithaupt:** That is different.

**Hon. A. F. Lawrence (Minister of Municipal Affairs):** Probably might!

**Hon. Mr. Wishart:** All right—I have not changed anything that I said or any of my thinking, and if the hon. member cares to speak to Mr. Justice Gale, fine; but he was reported correctly either.

**Mr. Singer:** By way of supplementary, Mr. Speaker: could I ask the Attorney General if it is his intention to introduce a bill which would do away with the use of juries in civil trials in Ontario?

**Hon. Mr. Wishart:** This is a matter of government policy, Mr. Speaker, which the government will decide and announce in due course.

**Mr. Singer:** Mr. Speaker, I have another question of the Attorney General.

Does the Attorney General approve the recent remarks by Mr. Justice Stewart in relation to the wisdom of the Legislature passing The Landlord and Tenant Act in the form it did?

**Hon. Mr. Wishart:** Well Mr. Speaker, the hon. member is not going to get me disagreeing here with judges who talk to

newspapers. If the gentleman from the bench and I were to discuss the matter, I would probably find that his remarks were perhaps not as they appeared in any event.

**Mr. Brithaupt:** Everybody is wrong!

**Mr. Singer:** Everybody is wrong!

I am not doing very well today, Mr. Speaker. I have a question of the Minister of Health.

Could the Minister of Health advise whether or not he was consulted by the Ontario Medical Association prior to their announcement that they were going to raise their fees, and if the consultation related in any way to the announcement?

**Hon. Mr. Wells:** Well Mr. Speaker, of course if the hon. member had read the *Globe and Mail* this morning, which carried a very accurate account of this, he would have got—

**Mr. Singer:** I would like to get my information in the Legislature.

**Hon. Mr. Wells:**—the answer to that question. I have been carrying on meetings with the Ontario Medical Association for the last three or four months, and they did inform me of the proposition that they were going to put to their general council about a week and a half ago. They laid it before us and told us they were going to do it; we took their proposal and said we would be happy to look at it.

Our position was that the fee schedule should be a matter of consultation between us. This we still hold, and this is what I have communicated to the Ontario Medical Association before their council meeting. I know they will come back in and discuss this proposal in greater detail with us. They are going to do this, and as I said in the *Globe* this morning, I hope that the Ontario Medical Association has not taken a definitive position, because I feel that the consultation and the consultative process is still on.

**Mr. Singer:** Mr. Speaker, by way of supplementary: in the event that the medical association does not choose to consult and takes action unilaterally, is the minister or the government prepared to take any action to control medical fees?

**Hon. Mr. Wells:** Well Mr. Speaker, I think that my learned friend, being a lawyer, knows that when you are in the middle of consultation on these matters you do not suggest what will be the ultimate thing that will be done

at the end. This could prejudice negotiation or consultation.

I am hopeful that all parties concerning this matter will come to it in a spirit of goodwill to arrive at a satisfactory answer to the people of this province.

**Mr. Singer:** Mr. Speaker, by way of supplementary: do I understand correctly that the minister is presently in consultation with them; or is he not? His first answer indicated he hoped he would be in consultation.

**Hon. Mr. Wells:** Mr. Speaker, the member may have taken the wrong impression from my first statement. I said that we planned another meeting. I had asked him to come back and consult. We have another meeting set up, and I hope we will not need another few meetings.

**Mr. Speaker:** Has the member for Riverdale Park a supplementary?

**Mr. Singer:** Mr. Speaker, I have a question of the Minister of Energy and Resources Management, but he is not here. I think it is all the questions I have.

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

**Mr. J. Renwick (Riverdale):** Mr. Speaker, I have a question of the Minister of International Services.

In the light of the statement which he made at the opening about the Niagara Escarpment study, would the minister advise us as to what has happened to the balance of the terms of reference of the study which led to the Niagara Escarpment study? I refer to the study related to the Niagara fruit belt, in part to delineate the area of the Niagara Escarpment which would be reserved for agricultural purposes and to determine the present use of the fruit belt area in the Niagara region, particularly with a view to establishing the extent of non-agricultural development in the area, and so on, which were part of the original terms of reference.

**Hon. Mr. Grossman:** Mr. Speaker, in view of the fact that my colleague, the hon. Minister of Mines, will be presenting a bill dealing with this matter this afternoon I suggest that this question would be better directed to him either at that time or at this time.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker a supplementary to the same matter in regard to a statement—

**Hon. Mr. Grossman:** That was the Minister's statement.

**Mr. Paterson:** The Prime Minister's statement! Is the expenditure of funds going to be deleted from the \$200 million announced three or four years ago for the purposes of acquiring parks and lands in the province? Are the funds coming from this particular amount of money?

**Hon. Mr. Grossman:** Mr. Speaker, I would refer this question to the hon. Treasurer.

**Hon. Mr. MacNaughton:** I do not know that they are going to be assigned to any specific fund. The fund will be provided for in the normal way that funds are provided for everything.

**Mr. J. Renwick:** Mr. Speaker, I have a question now of the Minister of Mines in connection with the Niagara fruit lands.

Would the Minister of Mines explain to the House why the terms of reference related to the Niagara fruit belt have been disregarded in carrying out the study which led to the report on the Niagara Escarpment?

**Hon. A. F. Lawrence:** Mr. Speaker, in line with the Prime Minister's statement, the overall concept of all of the problems relating to the Niagara Escarpment are under active consideration and are going to continue to be under active consideration by the parks integration board.

I have no actual knowledge of that particular problem, but I assume this is one of the matters that is under active consideration by that board.

**Mr. Speaker:** Has the member for Riverdale any further questions at this time?

**Mr. J. Renwick:** No, Mr. Speaker, the ministers are not in the House.

**Mr. Speaker:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Speaker, a question of the provincial Treasurer.

In the light of the announcements yesterday in the session on the Toronto-centred region design for development, designating Waterloo county as not being among the areas that would be stimulated and encouraged for extra growth, and in view of the fact Ontario Housing Corporation has spent a considerable amount of money in the area on the assembling of land, would the government deem it advisable that Ontario Housing Corporation be instructed to get rid of their 3,000 acres of land and call off their \$750,000

expenditure on what they are going to do with the land, on the research that is going on in that regard?

**Hon. Mr. MacNaughton:** The report in general terms accommodated all, if not most existing situations in the area under study. It would be my opinion that that area of land that has been acquired for housing development would have been accommodated in the report.

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

**Mr. E. W. Martel (Sudbury East):** I have a question of the Attorney General.

Some time ago I asked the Attorney General to table some death certificates with respect to some Indians in northern Ontario. Could the minister indicate when he intends to table these death certificates; and if he is not in a position to table them would he indicate to the House why?

**Hon. Mr. Wishart:** Mr. Speaker, we immediately took steps to investigate and to further information and one of the persons who was approached—we did it through the Ontario Provincial Police—was Mr. Jacques, who had given the information to understand, originally. He took exception being asked about it, but did furnish us some information.

I understand he is complaining about having been questioned. We are trying to get the information to check the situation. As soon as I have the investigation completed I will furnish the answer.

**Mr. Singer:** Mr. Speaker, I have another question—

**Mr. Speaker:** Has the member for Scarborough Centre a supplementary?

**Mr. M. Renwick (Scarborough Centre):** No, Mr. Speaker.

**Mr. Speaker:** Then the member for Downsview has the floor.

**Mr. Singer:** I have another question of the Attorney General.

Is he yet able to advise the House as to the result of his investigation into the betting shop which was taking bets—or advertising—that it was taking bets—in the Kentucky Derby late last week?

**Hon. Mr. Wishart:** No, Mr. Speaker, I have not disposed yesterday. I have not completed that investigation yet. I will have it shortly.

**Mr. Speaker:** The Minister of Social and Family Services has the reply to a question asked by the member for Windsor-Walkerville.

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, the hon. member asked a question the other day, as follows:

Is the minister aware that many recipients on welfare in the city of Windsor are housed in motels; and also is he aware that the King Edward Hotel is vacant? Has the minister considered sending staff down to consider the feasibility of the use of this hotel to help those welfare recipients?

I asked him at that time if he referred to general welfare recipients or family benefits recipients, and he said his question related to both programmes.

Information obtained from the welfare administrator of the city of Windsor is that a local hotel called the Statler is used to house temporarily persons who are homeless. There are at present six families who receive general assistance housed in this hotel. The city is phasing out the use of hotels as housing becomes more readily available. There are no recipients of family benefits allowances using motels or hotels in Windsor as temporary housing.

Suggestions for the use of the King Edward Hotel for temporary housing for recipients of general assistance could appropriately be directed to the city of Windsor.

**Mr. B. Newman** (Windsor-Walkerville): Thank you, Mr. Minister.

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

**Mrs. M. Renwick:** A question of the Minister of Social and Family Services: could the minister inform the House as to when he will appear before the Senate hearings on poverty?

**Hon. Mr. Yaremko:** Monday, May 25, Mr. Speaker.

**Mr. Speaker:** The member for Essex-Kent.

**Mr. R. F. Ruston** (Essex-Kent): Mr. Speaker, I have a question of the Minister of Health.

Is the minister and the Ontario Hospital Services Commission giving consideration to abandoning the proposed renovation of the Metropolitan Hospital in the city of Windsor and in its place constructing a complete new hospital unit?

**Hon. Mr. Wells:** Mr. Speaker, I can answer the definitive of that question of the hon. member. On the question of Metropolitan Hospital in Windsor and recent problems concerning tendering and forth, the commission is looking into this at the present time and is trying to work out a satisfactory solution within the ground conditions and limitations that we have; and I know the commission is working on this very hard.

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** A question of the Minister of Health, Mr. Speaker: why does the minister's department not distribute red measles vaccine free, through the Banting Institute, to private physicians, as is done with all other vaccines?

**Hon. Mr. Wells:** Well Mr. Speaker, it is a matter of policy. We distribute the measles vaccine free to the health units, and we carry out the programmes to make sure that the immunization against red measles is carried on in their jurisdictions in this province. Further, it is not our intention at this time to distribute the rubella vaccine on a free basis to private physicians. They handle this, and for people who want to have it carried out, that is another avenue to be carried out. We use the public health service as our avenue.

**Mr. Shulman:** A supplementary question: is the minister aware that a number of doctors have written to members of this House to complain that persons who cannot afford to pay for measles vaccine, but who attended a private doctor, have been unable to pay for this?

**Hon. Mr. Wells:** Mr. Speaker, I would suggest they make contact with the public health service in their area.

**Mr. Shulman:** A further supplementary question: if the doctors do make contact with the public health service in their area, will the public health service give it to the doctors without charge?

**Hon. Mr. Wells:** No, I did not mean that the doctors make contact; I said that if patients, the people themselves, should have contact with the public health service.

**Mr. Shulman:** Well as a final supplementary question: would the minister not agree with me that when a family is attending a physician that physician should look after the preventive health programme in the case of vaccines?

**Hon. Mr. Wells:** Yes, Mr. Speaker, I agree with this. But as I say, it is a matter of policy. We do not feel that we should provide the vaccine free to the family doctors. We think that in this case the charge for giving the immunization would be covered under OHSIP. The vaccine, as with many other vaccines that are given by private physicians, is a charge for them. If the person wishes to receive them under our programme, they can go to the public health service.

**Mr. Shulman:** As a final supplementary—

**Mr. Speaker:** The hon. member had announced that he had asked his final supplementary.

**Mr. Shulman:** I said a further supplementary.

**Mr. Speaker:** The member for Waterloo North now has the floor.

**Mr. Good:** A question of the Minister of Municipal Affairs: what are the results of the experimental assessment programmes that are being conducted in Peel county on farm assessment using the soil productivity approach, as was announced in the report last fall?

**Hon. Mr. McKeough:** In due course!

**Mr. Good:** I did not ask when, I said what is the result?

**Hon. Mr. McKeough:** Those will be known in due course as well.

**Mr. Good:** By way of supplementary: will there be anything in this session of the Legislature that will correct the situation in the way of legislation?

**Hon. Mr. McKeough:** Government policy will be known in due course.

**Mr. Speaker:** The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** I have a question of the Minister of Municipal Affairs. Does the minister agree that it will be in the interests of people living in improvement districts, in communities operated by improvement district boards, that these should be done away with and the people living there should be given a much greater degree of self-determination? Would the minister assure people living in these towns that it would be in their interests to do so and there would not be any cutbacks in grants for the various services if they should choose to go to an open type of community?

**Hon. Mr. McKeough:** I would most certainly agree with the first part of the member's question. We look on the improvement district, hopefully, as a transitional form of government. Presumably the municipalities should be able to go from there to become a township or a village or a town, whichever the case may be. I think it is fair to point out that there are some improvement districts in the province—and I think we have about 100 of them—which, I think, by any standards, are not viable enough to become full municipalities.

On the other hand, I think there are some that could be. We have written to them a matter of fact, about a month ago I would suggest, suggesting that they look at the possibility of their being erected into either townships or towns, I guess, or villages. I got some replies from them and we do keep urging this from time to time. They are probably in a better position to judge this than we are, being on the spot.

On the second part of your question I think that we would want to look at individual cases and we are quite prepared to do that. I think generally the answer is yes, but there may be some improvement districts which perhaps, we have not wound down—more revenue payments, for example—as quickly perhaps was indicated because they were not in the best of shape. Those would probably fall under the category, though, of ones that should stay as they are rather than be erected into something of a municipal status. Generally, I think, the answer to the second part of the question would be yes.

**Mr. Speaker:** The member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I have a question of the Attorney General. Has the Attorney General completed his study into the legality of cigarette advertising in the province?

**Hon. Mr. Wishart:** Not yet.

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** I have a question of the Minister of Health, Mr. Speaker. In view of the annual report of PSI, which was mailed out to all physicians the day before yesterday and which is critical of the present OHSIP scheme and which says, I quote:

It may be noted that over the 22-year history of PSI's operation, their administrative costs averaged only 5.69 per cent.

—would the minister consider revamping the scheme to eliminate the insurance companies with their excessive costs, which are much higher than PSI's were?

**Hon. Mr. Wells:** Mr. Speaker, I would not consider that at this time. The hon. member is, of course, drawing a lot of conclusions which he cannot substantiate. There is no way he can substantiate that the costs of the designated agents for us are going to be more than that at this point in time. Now he will have a valid question, Mr. Speaker, when we table a report after a year's operation and he sees what the costs are, but let him show a little responsibility and wait for that.

**Mr. Shulman:** A responsible supplementary, Mr. Speaker, if I may: What have been the administrative costs up to this point?

**Hon. Mr. Wells:** Mr. Speaker, I cannot tell him what the administrative costs are.

**Mr. Speaker:** That is not of such urgent public importance that it should take up the time of the oral question period. It is of public importance and it is a matter on which the member can obtain the information in a different manner. The member for Riverdale has the floor.

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Minister of Municipal Affairs. What is the status of the Metropolitan waterfront plan, having regard to the communication, dated April 20, from the committee composed of the deputy minister of Trade and Development, the head director of the community planning branch of The Department of Municipal Affairs and the Metropolitan Toronto commissioner, to the Prime Minister and to the chairman of the Metropolitan council?

**Hon. Mr. McKeough:** I think that question might more properly be directed to the Prime Minister, who is not here. The conclusion of that meeting which was held with the Metropolitan Toronto executive committee—at least I think almost all of them were there—was that it seemed to be a workable suggestion or proposal to include those lands outside the core which probably should be treated somewhat differently. The rest of the waterfront probably should be brought under the wing of the conservation authority, or authorities, because part of it would be with the Halton conservation authority and, I guess, part in Mississauga-Port Credit. I think the conclusion of the meeting was that Metro

would examine this possibility and, I come back to us and say whether they or not. I think we were to pursue it a bit further, as well.

**Mr. J. Renwick:** I have a supplementary question, Mr. Speaker: Would the minister tell us to what extent this envisages participation of the people who are going to be immediately affected in the development of that plan?

**Hon. Mr. McKeough:** Of course they will be affected in a number of ways. They will be affected, first of all, by the expenditure of municipal funds through the conservation authority.

**Mr. J. Renwick:** I am referring to participation by the people.

**Hon. Mr. McKeough:** In the same way that people are involved in any municipal expenditure. Presumably there would be municipal expenditures for acquisition of lands along the waterfront, perhaps for some tillage or creation of parkland. People are involved in those things through the normal municipal process every day of the week. The point, I think, which was included in the memorandum, is that if the Metropolitan Toronto official plan reflected the waterfront plan, which we think it should, the Metropolitan Toronto plan should be amended to include the waterfront plan.

In that process, of course, there would be public meetings and public participation, which, I think, perhaps is what you are asking. But I think that memorandum, I recall, urges on Metropolitan Toronto that they should incorporate the concept of a waterfront plan in their official plan. Hopefully, they might even make their waterfront plan an official plan. If they did so, of course there would be a full range of debate about their official plan. Does that answer the member's question?

**Mr. J. Renwick:** At the moment.

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

**Mr. R. S. Smith (Nipissing):** I have a question of the Minister of Mines. When will the waterfront plan be brought forward to establish a northern development corporation and how much amount of funds will be available to that corporation in this fiscal year, and how will the funds be made available to it?

**Hon. A. F. Lawrence:** That problem would be under the jurisdiction of the Minister of Trade and Development.

**Mr. R. S. Smith:** As the minister of northern affairs are you not involved in this?

**Hon. A. F. Lawrence:** I did not say I was not involved. I do not think the member was listening.

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

**Mr. R. S. Smith:** Just answer the question as the minister wishes for northern Ontario; is that it?

**Hon. A. F. Lawrence:** Yes, those are the rules of the House.

**Mr. Speaker:** Order! The hon. member for Perth has the floor.

**Mr. H. Edighoffer (Perth):** Mr. Speaker, I have a question of the Minister of Justice. I was wondering if the Attorney General has requested or advised any police force in Ontario to refrain from asking for fiats to prosecute offenders under section 16 of The Lord's Day Act.

**Hon. Mr. Wishart:** If I understand the question, has the Attorney General instructed, or requested or advised?

**Mr. Edighoffer:** Requested or advised!

**Hon. Mr. Wishart:** I have given no instructions to police forces.

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** I have a question of the Minister of Health, Mr. Speaker. What action has the minister taken in reference to a letter which was mailed him April 21 last, complaining of the firing of the director of nurses at Peel County Health Unit and the subsequent resignation of all three area supervisors?

**Hon. Mr. Wells:** Mr. Speaker, I have not taken any action on this at this time. I feel that this is a matter for the staff there; they are hired by the Peel County Health Unit. It is a matter for them to settle themselves. I have had a letter from the Public Health Nurses Association of Ontario. They want to come and discuss this and some related matters, and we are presently arranging to have a meeting with the Ontario group sometime within the next week or so.

**Mr. Shulman:** As a supplementary, Mr. Speaker: would the minister not agree, in view of the complaints that public health in the area is suffering, that he should take some action?

**Hon. Mr. Wells:** Mr. Speaker, I indicate that I would be meeting with the nurse the next week or two.

**Mr. Speaker:** The member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** My question is of the Minister of Highways. In view of the fact that his department's capital programme in 1970 shows no construction of Highway 10, would he consider naming it Robarts Highway?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, the answer is, no.

**Mr. B. Newman:** Why not?

**Mr. Speaker:** The member for York Centre.

**Mr. D. M. Deacon (York Centre):** A question of the Minister of Highways: would the minister consider negotiating with Trailways of Canada for the bus service from Richmond Hill to Toronto, rather than Gray Coach? Trailways is now providing a bus service. If any subsidies are going around, I would like to know.

**Mr. Speaker:** The hon. member is making a statement. All he is entitled to do is ask a question.

**Mr. Deacon:** I would ask the minister to consider giving Trailways an opportunity to negotiate for the service.

**Hon. Mr. Gomme:** Mr. Speaker, we are negotiating with all bus operators in the area to be served.

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** A question of the Minister of Correctional Services, Mr. Speaker: what action has his department taken in reference to the most recent request by the alcohol and drug foundation to use volunteers at the Don Jail in their hepatitis studies—liver function studies?

**Hon. Mr. Grossman:** I am not familiar, Mr. Speaker, with this request. If there is such a request, I will look into it and advise the hon. member.

**Mr. Shulman:** As a supplementary question in addition: would the minister also advise why the request last year was turned down?

**Hon. Mr. Grossman:** Mr. Speaker, the hon. member is asking a question and making a statement at the same time. I do not agree that there was such a request.

**Mr. Shulman:** The Minister of Health knows about that.

Mr. Speaker: The member for Essex-Kent.

Mr. Ruston: Mr. Speaker, I have a question of the Minister of Transport. Does the Minister of Transport have any jurisdiction in the placing of speed limits on inland waterways in the province of Ontario?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, I do not think the matter falls within the jurisdiction of The Department of Transport of Ontario.

Mr. B. Newman: Well, what department controls it?

Hon. J. R. Simonett (Minister of Public Works): Federal.

Mr. Speaker: Is the hon. member working up a supplementary?

Mr. Ruston: Can I direct it to another minister?

Mr. Speaker: Yes.

Mr. Ruston: I directed this to the Attorney General before; I will now direct it to the Minister of Municipal Affairs. Is the minister aware of any regulations allowing municipalities to set speed limits on inland waterways?

Mr. Speaker: Perhaps the Minister of Municipal Affairs did not hear the question.

Hon. Mr. McKeough: The answer is that on navigable waters there would be regulations available, I guess, from the federal Department of Transport, but within the provincial jurisdiction there are no such regulations. There are no such regulations, nor is there authority for them.

Mr. Ruston: Not even for what we do not call navigable water—I mean just waters that you can take a boat in?

Hon. Mr. McKeough: I do not think so.

Mr. Speaker: Has the member for Yorkview (Mr. Young) a question?

Mr. Shulman: I have a question.

Mr. Speaker: The member for Yorkview, did you have a question? No?

The member for High Park.

Mr. Shulman: I have a question of the Minister of Health, Mr. Speaker. Has the minister looked into the question which I asked him some weeks ago about the alcoholism and drug foundation's request to the

Minister of Correctional Services' department in reference to using volunteers at the Jail?

Hon. Mr. Wells: Mr. Speaker, it is my understanding that this matter is under consideration at this time with various people of our department who referred it to the foundation.

Mr. Shulman: As a supplementary, would the minister be so kind as to inform the Minister of Correctional Services who is aware of the request?

Hon. Mr. Wells: Mr. Speaker, I think this is quite possible. It is being looked into in our various departments. I referred to the foundation when the hon. member asked the question a few months ago and I think this is perfectly normal.

Mr. Shulman: As a final supplementary, will the minister inform me—inasmuch as a request was made such a long time ago when his department and the other ministerial departments are going to make up their minds?

An hon. member: In the fullness of time?

Mr. Speaker: The member for Thunder Bay.

Mr. Stokes: I have a question of the Minister of Mines. In view of the statement he made some 10 days ago to the municipal provincial conference at the science centre when he stated:

I would hope that because large portions of Ontario's north are still close to a frontier economy, no one would argue that it is to the north we must be looking for a greater expansion of resources, secondary and service industries.

—would the minister elaborate on what projects he has for the north to realize those things that he thinks are attainable in the north and the kind of money that would be expended this year toward achieving a portion of that goal?

Hon. A. F. Lawrence: Mr. Speaker, that was an extremely general statement.

I can merely indicate to the House at this time, that until these matters are approved by cabinet and approved by other bodies within the legislative process, obviously no public announcement can be made about them. But certainly the whole thrust of the new branch, which is still to be approved by this House and which will fall under the jurisdiction of The Department of Mines



oriented toward new ideas about new development for northern Ontario.

**Mr. Stokes:** A supplementary: is it fair to say that notwithstanding the dialogue that took place during the three northern Ontario conferences, the minister has not yet anything concrete on which to base a plan for action?

**Hon. A. F. Lawrence:** No, that would be incorrect.

**Mr. Speaker:** The member for York Centre.

**Mr. Deacon:** A question of the Minister of Health: what danger is there to the health of the people in the Pine Grove area from the contamination of wells by septic tanks in that area? Has the minister knowledge as to the public health being endangered?

**Hon. Mr. Wells:** Mr. Speaker, I would have to take that as notice and find out for the hon. member.

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

**Mrs. M. Renwick:** A question of the Minister of Agriculture and Food: does the minister intend to have his Bill 194, the animal seizure bill, in effect prior to our recess in June?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** We will just have to determine when that comes before the House.

**Mr. Speaker:** A supplementary?

**Mr. Gaunt:** May I ask the minister if the department has done any research with respect to using computers, instead of animals, as they have done at the University of Pittsburgh?

**Hon. Mr. Stewart:** Mr. Speaker, all these modern technology methods are being employed, or explored, by the people in the research laboratories.

**Mr. Speaker:** The member for Waterloo North—a further supplementary?

**Mr. Gaunt:** I just wanted to ask the minister, in view of these preliminary studies by the department, is there any indication that some of the animals that would normally be used for research may be replaced by these methods?

**Hon. Mr. Stewart:** As we were advised, Mr. Speaker, last year in the public health committee hearings, wherever it is possible to use this type of research technology it is

being used today. There are certain types of research that cannot be carried out successfully through that method.

**Mr. Speaker:** The member for Waterloo North.

**Mr. Good:** A question of the Minister of Highways: Because of the concern of the Grand River Conservation Authority about the proposed route of the Highway 8 by-pass around Galt going down the conservation authority river valley, is the Highways department planning to open talks with the conservation authority to hear their objections to this route?

**Hon. Mr. Gomme:** I am sure, Mr. Speaker, that we do not plan or build any highway without complete consultation with people affected and I think that would be done.

**Mr. Good:** By way of supplementary, is the hon. member aware that this highway was planned without any consultation with conservation authorities?

**Mr. Speaker:** The member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** A question of the Minister of Mines: Has the northern Ontario resources committee made the decision to construct the long-awaited road between Smooth Rock Falls and Timmins; and if so when can we expect construction to begin?

**Hon. A. F. Lawrence:** Mr. Speaker, I assume the member is speaking of the northern Ontario resources transportation committee? He left one word out.

We have authorized the expenditure of funds in respect of pre-engineering studies in respect of that road, but they are similar—that they are pre-engineering studies dealing with the location and the cost. Until those studies are completed, obviously no commitment can be given in respect of the actual location, or the actual time of building of the road.

**Mr. Ferrier:** As a supplementary, could the minister give us any indication of how long these pre-engineering studies might take to be completed so he will be in a position to finally make his decision whether or not to go ahead with that road?

**Hon. A. F. Lawrence:** I am sorry, Mr. Speaker, I do not have that information available in the House this afternoon, but I would be glad to get the time schedule

respect of this matter and give it to the hon. member.

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** I have a question of the Minister of Correctional Services, Mr. Speaker.

Would the minister care to comment on the allegations by one Michael Sutherland, formerly a guard at the Don Jail, that guards on probation are released—do not have their permanency given to them—if, when they are asked to evaluate the training course, they give a negative evaluation?

**Hon. Mr. Grossman:** Mr. Speaker, this is the first I have heard of it and obviously, therefore, I cannot comment.

**Mr. Shulman:** Will the minister look into it and reply?

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** I have a question of the Minister of Correctional Services. Can the minister inform me if they have run into a problem of hepatitis at Mimico; and if so how many cases have been discovered there in the last few months and what has been done about it?

**Hon. Mr. Grossman:** Mr. Speaker, I have not heard about this either, so I cannot comment.

**Mr. Martel:** Has the minister not heard about anything in his department? He is the minister, is he?

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** I have a question of the Minister of Health, Mr. Speaker. Is the minister yet prepared to answer the question which I have asked him twice over the past year, about the prisoner who escaped from Oak Ridge, who has alleged that he escaped and stayed at the home of a guard following his escape?

**Mr. Speaker:** Of course we are now getting into matters which are not of urgent public importance. I have no objection to the minister answering it, but I do not think that is a proper question for his oral question period.

**Hon. Mr. Wells:** I have an answer but I do not have it here today, Mr. Speaker.

**Mr. Speaker:** Any further questions? No more! This is a most unusual day.

**Mr. Singer:** Mr. Speaker, on a point of order. Tomorrow at 9:30—

**Mr. Speaker:** Perhaps you would allow to close the oral question period.

This completes the oral question period. Now, point of order?

**Mr. Singer:** Yes Mr. Speaker, tomorrow morning at 9.30, the hon. member for York-Forest Hill (Mr. Dunlop) has scheduled a meeting of the select committee on election laws *in camera* to discuss the final draft of its third report. At the same time, as a result of a government decision made by the Minister of Financial and Commercial Affairs, the legal bills committee is going to discuss the ramifications of that very important bill, the Business Corporations Act.

I wonder if the good offices of the House leader could be called into being to convince one of these gentlemen, either his colleague the Minister of Financial and Commercial Affairs, or the hon. member for York-Forest Hill, to postpone his meeting. Some of us, Mr. Speaker, are on both committees and these are both matters of urgent public importance. It is just unfair to those members who are expected to be in both places at the same time.

**Mr. J. Renwick:** Mr. Speaker, on the point of order, we in this party have so ordered our affairs that it is quite in order for us

**Mr. Speaker:** Perhaps the hon. member for Riverdale would allow me to comment on the matter raised by the member for Downsview. As some of us discussed at length it is impossible to determine whether a member is rising on a point of order or not until he has made his submission. So far as I am concerned, I must say that I see nothing in respect to a point of order in what has been said by the member for Downsview. Therefore, I rule that there is no point of order.

I also would say that I think it is a good point of procedure or opinion that has been raised. I know in the past every effort has been made to see that members are able to attend all committee meetings possible. It is not always possible to do that, I realize. I would say, there being no point of order before the House at the moment, the order of business is petitions.

Presenting reports.

**Hon. Mr. Wishart:** Mr. Speaker, I would like to leave to table three reports: one, the 1966 annual report of the Ontario Law Reform Commission, that is the report for the year 1969; and the Ontario Law Reform Commission's report on marriage, part 2; and,



**Mr. D. Jackson** (Timiskaming): Mr. Chairman, when we closed last evening we were speaking of houses constructed by The Department of Public Works for the various departments of the government, such as the Ontario Provincial Police and Lands and Forests. I would like to ask the minister, when these houses are constructed by his department for these different government personnel, do they construct houses for all of the Ontario Provincial Police detachment in a town? Do they construct houses for all of them or just selected persons in that group? In other words, if there is a 10-man detachment, do they construct 10 houses or just a house for perhaps two or three of that detachment?

**Hon. J. R. Simonett** (Minister of Public Works): No, Mr. Chairman, we do not construct houses for all of the detachment. I think I explained last night—I do not know whether the member was here or not—that in the village where I live, I believe we have 10 provincial police; there are three houses, I believe—two have been constructed and one bought—that belong to the government, and the other seven men are in rented accommodations.

**Mr. Jackson:** How does the government decide, or does your department have anything to do with deciding, who gets those houses?

**Hon. Mr. Simonett:** No.

Vote 1802 agreed to.

On vote 1803:

**Mr. Chairman:** I wonder, on vote 1803, which seems to be pretty well defined by programmes of activity, do we take this vote by those programmes as listed? Would this be agreeable to the minister and the committee?

**Hon. Mr. Simonett:** Yes.

**Mr. M. Shulman** (High Park): May I ask a question, Mr. Chairman? Under the divisions, where does the Queen's Printer come?

**Mr. Chairman:** I do not believe the Queen's Printer comes under this.

**Mr. Shulman:** Well, it says at the top it includes the Queen's Printer and Publisher.

**Mr. Chairman:** "Services for the Queen's Printer," I believe it says.

**Mr. Shulman:** No, it says, "and includes the Queen's Printer and Publisher."

**Mr. Chairman:** Does it?

**Mr. Shulman:** I am reading it from under "Central Services".

**Mr. Chairman:** Perhaps the hon. minister could indicate the answer to that question.

**Hon. Mr. Simonett:** Yes, it is on 1803 we will take it in there, the printing and duplicating service and the Queen's Printer.

**Mr. Chairman:** Well, which program, Mr. Minister, I am wondering—

**Mr. Shulman:** Printing and duplicating.

**Hon. Mr. Simonett:** Vote 1803 (5).

**Mr. Chairman:** Yes, the item in the list is number five, but the programme of activity is not defined in that manner.

**Hon. Mr. Simonett:** Well, they are together now, the services—

**Mr. Chairman:** Printing and duplicating services, which is the second programme of activity. Shall we deal with the mailing services first? Anything under mailing services? Vote 1803. Will that programme carry?

All right. Now, on printing and duplicating services, which would be the Queen's Printer.

**Mr. Shulman:** Yes, I would like to ask the minister what method is used by the Queen's Printer in handing out printing jobs. How do you divide it up between the various printers who apply?

**Hon. Mr. Simonett:** Mr. Chairman, I believe the policy on large orders or large contracts is to let them out by tender, and those orders of \$1,000 or under, I believe are let out by tender or by invitation to some of our rural printers throughout Ontario, especially some of the weekly newspapers which do a lot of printing for government. We feel that they should have an opportunity to get in on the smaller orders.

**Mr. Shulman:** That is very reasonable. Now, Mr. Chairman, does the minister see that all the printers on his list are given a fairly equal amount of work? Are they all given a chance to get work?

**Hon. Mr. Simonett:** Yes, Mr. Chairman. We have always kept a list, or somebody has. But, since I have become minister and have a new Queen's Printer, I have asked printers who are interested in doing government printing to notify us, and I see that the Queen's Printer has an up-to-date list of names.

**Mr. Shulman:** Well, that is very nice; I am glad to hear that. It is a pity it is not true. Two years ago, Mr. Chairman—and I must give the credit to the Liberal Party because they carried the ball on this—they complained rather bitterly that the printing was given out by the Queen's Printer as pure patronage. Now, I did not take any part in this debate at that time. The minister at the time and the Provincial Secretary (Mr. Welch) denied it vehemently.

However, I thought it might be nice to find out for sure, one way or the other, where the truth lay. So, a year and a half ago, I asked a printer who was not on the list to submit his name for that list so we could see what would happen. The name of the printer was the B & E Print Shop, and he put his name in without giving any donation. He just put his name in as a printer who had capacity and wanted to do printing for the government. And, strangely enough, nothing happened; no jobs, no work.

I thought this was rather odd because the minister had sworn up and down that everyone was given a fair chance. So I finally wrote a letter to the minister, the Provincial Secretary, and I said, "What about these great promises of yours that the work is divided up equally, because there is another printer who happens to be next door to this shop, and he was getting a job every week, by invitation".

Mr. Chairman, the Provincial Secretary replied to me and said that he could not understand it and that he would call the Queen's Printer and see that they got an equal amount of work from that time on. So sure enough, B & E print shop did get a job. It was a little job for less than \$100. I think the profit was \$12 on the job. I guess they figured they had done their duty by that time and that was the end of it.

He got one more call to come down and quote. When he quoted, he was told, "That price seems awfully low." The man from B & E print shop did not take the hint and did not say anything more, so he was not given the job and he has never had another job since.

Now I make the accusation here—and I can back it up further and I will—I make the accusation here that your Queen's Printer gives out the work to the people that donate to you people. You do not give it out, as you have claimed, in turn or in order. You give it out by invitation, and there is only one way to get an invitation and you know it and I know it.

Now what is past is past; what the Provincial Secretary did is done. Up to that point I had always thought of him as one of the better ministers. All right, that is water under the bridge. You are new in the job; willing to give you a year. Will you, standing now, see that the printers on that list get the work divided up equally regardless of any extraneous factors, political factors, or donations to the Conservative Party?

**Hon. Mr. Simonett:** Mr. Chairman, I have no knowledge of any donations being given to the Queen's Printer, and I am sure you are not—

**Mr. Shulman:** No, not to the Queen's Printer.

**Hon. Mr. Simonett:** There have not been any given to this minister, nor have I heard anyone talking about donations because, well, that is not my business. I think there is someone else in politics that looks after that, at least, I suppose there is. I do not go around looking for donations from contractors, printers or those people that might be donating to the government.

What happened prior to this I do not know, but I do know the hon. minister is talking about. I would say—he is not here this afternoon or he could defend himself. That I am sure he knew nothing about either.

As far as I am concerned, in my political life or in business life, I have never asked a man what political party he is affiliated with or what church he belongs to. It did not make that much difference to me. If he could compete in price and do the work, I thought he should be considered along with the rest of the group.

**Mr. Shulman:** I am delighted to hear that. I am going to tell the minister something through you, Mr. Chairman. I donated to the Conservative Party this year. We had two printers go on the list. One of them gave no donation, the other gave a \$500 donation. At the end of the year, it will be very interesting to compile who—by the way the list is not exactly correct, so do not search the list too carefully—got what, and I hope you are still here.

**Hon. Mr. Simonett:** Mr. Chairman, I would just like to ask one question. I do not know anything about the \$500, \$100 or \$200—it seems to be some doubt about that—but I wonder if these printers' names are on the list and if they have written in lately so that

know they are in a position to do certain types of printing.

**Mr. Shulman:** Both, by chance, wrote in at the same time. They have both written in twice, and they both have had someone come out and question the equipment they had available. By a strange coincidence, they both have exactly the same equipment. Now, let us see what you deliver?

**Mr. P. D. Lawlor (Lakeshore):** How about the invitation to the dance?

**Hon. J. H. White (Minister of Revenue):** It will be embarrassing of the non-contributor gets the work.

**Mr. Shulman:** You will not hear about it then.

**Mr. Chairman:** Printing and duplicating services?

**Mr. B. Newman (Windsor-Walkerville):** That will include the Queen's Printer will it, Mr. Chairman?

**Mr. Chairman:** Yes.

**Mr. B. Newman:** May I ask of the minister why the Queen's Printer's office, or book store, was located in the area in which it is located, and why a downtown location was not considered?

**Hon. Mr. Simonett:** Mr. Chairman, I think we felt that this was the best location for the book store, because most people who are looking for books and, especially things we have to offer in government, are usually in and around these buildings. I think you know that before the book store was opened there, the members were looking for publications, bills, and so on. Most of the people who are interested are in this area. Again, the mail comes in here from all over the province of Ontario, from all constituencies—I suppose all members get it. It is handy there for them to go and pick up whatever publication they want and mail it out. We think that is a good location and I cannot see anything wrong with it.

**Mr. B. Newman:** May I then follow up and agree to a limited extent with what the minister has said. As far as it being more convenient to us all, well and good; it is not too far for us to walk to discuss anything we wish with the Queen's Printer. But as far as the public is concerned, you certainly are not attempting to sell government publications to the public generally in the location in

which it happens to be at the present time. I would have preferred to have seen it downtown or in a more heavily trafficked area that the public could see exactly what various departments of government put out, what is available to them, and they would have the opportunity of just stepping off the street in the course of their shopping in the downtown area and being able to purchase any type of publication put out by any branch of the government. I think, then, it would have been better perhaps to have a branch store, Mr. Minister, in the downtown area rather than in its present location.

**Hon. Mr. Simonett:** Well Mr. Chairman, I do not agree with the hon. member that Spadina Street, in the heart of Toronto, is an out-of-the-way place in this city. We think the location is good. In fact the federal government think it is so good that they want to move their book store up here, as close as they can.

**Mr. B. Newman:** Close to yours?

**Hon. Mr. Simonett:** And be located next to yours, yes.

**Mr. Chairman:** The member for High Park?

**Mr. Shulman:** Why has the government amalgamated all government printing shops? Why do you not do all your printing in one shop?

**Hon. Mr. Simonett:** Well Mr. Chairman, this is already being done in the process of the various departments coming into the central printing shop, except Highways. We are doing most of the work for the majority of the departments now. I believe it was last July and August when our people met with all departments regarding the work that we could do in a central print shop, and I understand now that all departments have most of the departments. I believe the Highways are doing some of their work, Highways, of course, do all their work in Downsview.

**Mr. Shulman:** Have you not brought in other departments in because you are busy and cannot handle the work? Is that the problem?

**Hon. Mr. Simonett:** No, I would not think it is because we are too busy. I think it is a matter of the departments we are getting were doing some of their own printing they had been letting out some of their printing. Again, distance is the factor. Now we are getting some co-operation from all departments.

**Mr. Shulman:** How busy are you in there? Have you done a survey recently showing the idle capacity?

**Hon. Mr. Simonett:** Yes, according to this, for the month ending March 31, 1970, our sales for the month were \$43,476, for a total of \$579,000 so far this year. Our approximate sales were \$43,048, leaving us a gross profit for the month of March of \$428, a loss on the year of \$2,001. So we are fairly busy. We are doing not too badly. We are at the breakeven point at the third month of the year.

**Mr. Shulman:** That is pretty good. What is the idle capacity?

Look on the right hand. It is there somewhere.

**Hon. Mr. Simonett:** I wonder if the hon. member would explain what he means by idle capacity?

**Mr. Shulman:** Well if you look under your report for the period ending March 31, 1970, it comes under various headings, and one of them—let me see now—shows your complement capacity, the amount that is used and the amount that is idle. Now what I am asking is what does it say under idle capacity?

**Hon. Mr. Simonett:** On the report? Are you talking about the 11th item on the report, plant productivity?

**Mr. Shulman:** Yes. No; let me see now.

**Hon. Mr. Simonett:** What are you asking about then?

**Mr. Shulman:** I am sorry. Just a moment. Idle capacity; it is the 11th item. That is right.

**Hon. Mr. Simonett:** This is a machine idle capacity, and we were idle during the month of March for 78.6 per cent of the time. This is based on machines running 24 hours a day and, of course we do not have enough work to keep them running 24 hours a day, seven days a week. We are only operating five, I believe. So we are operating, during the hours we operate, at not full capacity, but close to it.

**Mr. Shulman:** I see, so you are at 78.6 per cent idle capacity in a seven-day-a-week period?

**Hon. Mr. Simonett:** Twenty-four hours a day.

**Mr. Shulman:** If you will look back to report of a year ago, you will find that that time, before you brought these departments in as of June 27, 1969, you were idle only 68 per cent of the time. In the past year you have managed to improve things. Now you are idle 78 per cent of the time. Can you tell me what is the reason for this improvement in reverse?

**Hon. Mr. Simonett:** Mr. Chairman, I am not sure that I can give you details of what it is, but there are some new machines there. That would have some bearing on it because some of the work is being processed faster. I suppose a lot of this would have to do with the work that we are getting from the different departments. Are we putting out as much paper work in the first three months of this year as we did last year? I think we have to get that figure as well.

**Mr. Shulman:** You have that in front of you.

**Hon. Mr. Simonett:** No.

**Mr. Shulman:** Well you should have.

**Mr. D. M. Deacon (York Centre):** Getting outside printing bills.

**Mr. Shulman:** I am intrigued by this. You have more idle capacity now. Apparently the volume of work is no greater. You have brought in two more departments, yet you are still not doing work for Highways and Education. It seems sort of mysterious that those machines should be sitting idle. You are bringing in more machines, so you are up to 78 per cent idle capacity. Is there a logical explanation, at all, or it is just a breakdown?

**Hon. Mr. Simonett:** Yes, there is an explanation. Of course, we have brought in these machines. You were comparing this year with last year, and I said the machine came in since last year. Now, if you look up in item seven there, the rated machine capacity is 34,000—

**Mr. Shulman:** Million.

**Hon. Mr. Simonett:** 34,156,300. You notice under that again, that you have a million. If you take that over the year, I think for the work that we have in the departments and with the machines we have in there, I feel that the job is suitable.

**Mr. Shulman:** Fine!

Well then, let me ask you one more question. The rate of machine capacity is now 34 million odd. A year ago the rate of machine capacity was 36 million. How in the world can you, with new machines, have less capacity and more idleness?

**Hon. Mr. Simonett:** I am told that we have retired some old machines since last year and we have fewer machines.

**Mr. Shulman:** All right, now we are getting down to the truth. You have fewer machines actually available there, and yet you have more idleness. How can you possibly explain that?

**Mr. S. Lewis (Scarborough West):** I hope you do not sell cars the way you handle Public Works.

**Hon. Mr. Simonett:** Mr. Chairman, I have the breakdown, a further breakdown as of March 31 of this year. This is rated complement capacity. On the day shift we have 2,592 hours, night shift, 670 hours, and overtime, 23 hours for a total of 3,285 hours. To explain our idle capacity, there are extra washups—160 hours; no stop—49 hours; machine breakdown—99 hours; vacation absenteeism—146 hours; makereadies—486 hours; transfer of labour out—170 hours; no work—71 hours; coffee breaks—no longer reported, no hours there; staff vacancies—585 hours; and miscellaneous—293 hours, for a total of 2,059 hours.

**Mr. Shulman:** Mr. Chairman, unfortunately, that does not explain why with fewer machines you have more idleness. Let us face the truth. It is pretty obvious to you, I should think. It is certainly obvious to everyone else here. The reason you have such a large amount of idle capacity is that you have less work coming in. The reason you have less work coming in is that the departments, particularly The Department of Education and The Department of Highways, are not sending their work in. Obviously you are going to continue to have this tremendous idle capacity until you persuade your colleagues in the cabinet to let you do the work. Would you agree with me?

**Hon. Mr. Simonett:** Mr. Chairman, it is our aim to get all departments in except The Department of Highways. We had never anticipated that they would come into this print shop. They have their own shop up there and they have special type of work to do, so it had never been anticipated by the

government that we would do Highway work.

**Mr. B. Newman:** How about Tourism?

**Hon. Mr. Simonett:** Yes. As I said before we are working very closely with all departments now, and we are getting more of work, although we are not getting all of Department of Education at this time.

**Mr. Shulman:** I do not want to berate the minister. I am sure he is doing his best. I hope that when we come back next year your idle capacity will not have gone up by other 10 per cent, or else there will be nobody working in there at all.

Would you look further in your report, Mr. Minister, and tell me what is the percentage of idleness during the last month that you have reported there?

**Hon. Mr. Simonett:** 146.7 hours for the month of March.

**Mr. Shulman:** And how many rejected orders did you have?

**Hon. Mr. Simonett:** Point eight per cent.

**Mr. Shulman:** No, no. How many?

**Hon. Mr. Simonett:** The number?

**Mr. Shulman:** Yes, the number.

**Hon. Mr. Simonett:** Nine.

**Mr. Shulman:** And how many overdue deliveries?

**Hon. Mr. Simonett:** One hundred twenty-four.

**Mr. Shulman:** Why are there overdue deliveries when the department has had so much idle capacity?

**Hon. Mr. Simonett:** I do not know. I think I would have to look into that.

Now an overdue delivery is, I suppose, if a department gave us something this morning and said, "I would like it tonight," and we were not able to do it.

**Mr. Shulman:** That is not an overdue delivery.

**Hon. Mr. Simonett:** That is an overdue delivery.

**Mr. Shulman:** The overdue delivery is not date the minister's people put on it for a delivery.



**Hon. Mr. Simonett:** No, no. I understand not.

**Mr. Shulman:** Understand again.

**Hon. Mr. Simonett:** We accept the customer date, then if it is later than that date, it is marked as an overdue delivery.

**Mr. Shulman:** Perhaps the minister should consult with his advisers.

Is it not correct that when the customer, or the other department, comes in, the date must be also acceptable to your department? If I, as the minister of something, come in this morning and say, "I want it tonight," that date is not acceptable. A reasonable date must be put on it.

**Hon. Mr. Simonett:** That is right, Mr. Chairman. But again, when you are operating a shop it is nice to give the customer a date; he would like a completion date, and you work toward that date. But just because you are a few hours, or half a day late does not mean that you have not got a good operation.

I think anyone who works with machinery and has to go through this process will realize that they will not always meet a delivery date unless they put the delivery date far enough ahead that they are sure to be within it. I do not think this is anything serious as far as the print shop is concerned.

**Mr. Shulman:** No, neither do I. Has the civil service agreed to use your shop, your printing shop?

**Hon. Mr. Simonett:** Yes.

**Mr. Shulman:** When did that begin?

**Hon. Mr. Simonett:** I am advised that it is over a year ago.

**Mr. Shulman:** Over a year ago?

**Hon. Mr. Simonett:** Yes.

**Mr. Shulman:** Are you sure?

**Hon. Mr. Simonett:** That is what my advisers tell me and I believe I can be sure of that.

**Mr. Shulman:** The minister who had your position previously, last June, said they had not begun as yet. I do not wish to question you, but it is just that there seems to be a discrepancy.

**Hon. Mr. Simonett:** Yes, it was over a year ago.

**Mr. Chairman:** Before we proceed, per the committee would permit me to announce that there are 115 students from the Riverton Public School in the east gallery, gather with their principal, Mr. Goldhawk, am sure you would want to welcome them.

Vote 1803, printing and duplicating services.

Carried.

Vehicle repair and trucking services.

Carried?

The hon. member wishes to speak on this.

**Mr. B. Newman:** Yes, I do, Mr. Chairman.

**Mr. Chairman:** The hon. member from Windsor-Walkerville.

**Mr. B. Newman:** May I ask of the minister if the department here does repair vehicles other than its own?

**Hon. Mr. Simonett:** Yes.

**Mr. B. Newman:** Do you do repair work for the OPP vehicles?

**Hon. Mr. Simonett:** No.

**Mr. B. Newman:** No? That is done by them, by the Ontario Provincial Police themselves? They have complete jurisdiction to what garage and so forth, where the work is going to be done? Is that right?

**Hon. Mr. Simonett:** I cannot answer the OPP, but I do know that some of the work is done in Toronto and much of the work is done out in the areas where they are working.

**Mr. B. Newman:** Is the minister's department drawing up any types of specifications for police vehicles?

**Hon. Mr. Simonett:** No we are not, Mr. Chairman, because I understand from the OPP that they have their own specifications. I understand they are cars that suit their purpose which might be different cars than we would want in some other branches of the government.

**Mr. B. Newman:** Does the department purchase vehicles for other departments?

**Hon. Mr. Simonett:** No. The automobile and truck purchasing comes under the Department of Highways for all departments but the OPP.

**Mr. Chairman:** The hon. member for Ottawa Centre.

**Mr. H. MacKenzie (Ottawa Centre):** I was asking the minister yesterday, through you, sir, about the central supply division. The minister gave us quite a story about standardizing vehicles and the purchase of vehicles, standardized vehicles.

What I am trying to get at is where do we discuss the central supply division? There does not seem to be anything under any of these subvotes here. Yet on vote 1801, the minister, through you, sir, indicated that the central supply division should be discussed under this 1803 at some point.

**Hon. Mr. Simonett:** Yes, it is the last point.

**Mr. MacKenzie:** Are you talking about government exhibits, which is the last item?

**Hon. Mr. Simonett:** No, general supply services.

**Mr. Chairman:** The very last programme on page 144.

**Mr. Shulman:** Mr. Chairman, the disposition of government assets—where will that come?

**Mr. Chairman:** That is a good question. Perhaps the minister can answer it.

**Hon. Mr. Simonett:** Last vote.

**Mr. Chairman:** Last programme, page 144. Anything further under vehicle repair and trucking services?

The next item is telephone service. The hon. member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** I was just wondering, with respect to telephone services, is the department planning to increase the government lines to various parts of the province or is it the intention of the department simply to maintain the lines it already has and to let those members who do not have access to their own ridings by way of government lines simply use their credit card service?

**Hon. Mr. Simonett:** Mr. Chairman, our department is working with Bell Telephone at the present time in the hope that we might increase our lines throughout Ontario, and this matter will be going before the Treasury Board shortly.

**Mr. Gaunt:** Are you going to put one up to Wingham?

**Mr. Chairman:** The hon. member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Speaking on the same point, I would just like to emphasize what has been said. The direct line in the Waterloo County area is, in my opinion, absolutely useless. It can never be obtained, therefore one has to use a credit card a number of times. I personally think a saving could be effected if an additional line were put in.

The one line serves all of Galt, Preston, Hespeler, also the Kitchener-Waterloo area and other areas. As an example of the abuses that have come into this line, after the Fyfe report was released, the number was put in the paper for people to call and ask for the Department of Municipal Affairs in Toronto to get a copy of the report. It is certainly the intention that these direct lines be used for this purpose, is it? It is no wonder a member cannot possibly get this direct line any time.

After trying it for the last two years, I can say it is just utterly impossible to get. As I hesitate to use the credit card every time, I give the direct line a try, and unless I call after 6 o'clock, it is just impossible to get into our area. I think there is too large an area to be covered by this direct line, when you have Galt, Preston, Hespeler and the twin cities area, and I would suggest perhaps a direct line from the northern cities and another direct line from the southern cities of the county would be in order and might effect a saving in the long run.

**Hon. Mr. Simonett:** Mr. Chairman, I think I would agree with the hon. member that it is difficult to get the direct line. I have never tried it at 7 in the morning, but I have tried every hour after 9 and it is very seldom that I can get one. Again it is very difficult to get in enough direct lines by which we could serve all the time without using our credit cards because, as you said, these lines will be abused if the number gets out. I do not know that we are going to put it in the paper as a way to call a certain department—

**Mr. Good:** Again?

**Hon. Mr. Simonett:** Yes, I know it happened that time. But the number does get out eventually, because you call somebody and they are unintentional to say "Call me back and my number is so and so."—maybe you do. But I have found that I can phone King's Highway and the people there can tell me the number of our direct line from Kingston; I do not know it without looking it up. So they give me some place; I do not know where they get it from. Nevertheless, that is one reason why I gave you the credit card. We realize we

never have enough lines that you will be able to get a direct line when you want it. The credit card was issued for this purpose; many of you are using it sparingly, but nevertheless it is there for your use when you need it.

**Mr. Chairman:** Telephone service carried?  
The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** There is not one of us who does not find difficulty getting the government lines back to our own community. I was just wondering, Mr. Minister, through you, Mr. Chairman, if we should be using our credit cards or should we be direct dialling?

**Hon. Mr. Simonett:** If you cannot get the direct line—that is, the government line—then use your credit card.

**Mr. B. Newman:** Well, does not the use of the credit card cost an added 25 cents per call over direct dialling?

**Hon. Mr. Simonett:** That is right, but I do not think you would be using a telephone unless it was something urgent you wanted to get through. If it can wait until you get our own direct line, that is well and good; but lots of times when the members are here, they only have certain times when they get out of the House to do their phoning; they cannot afford to sit out there for half an hour waiting for a direct line for the sake of 25 cents.

**Mr. B. Newman:** None of us will abuse the privilege, Mr. Minister, but what I am trying to say is that by using the credit card, I understand the charge is 25 cents more per call than using direct dialling and charging the call against the telephone. I think it would probably be more economical, as far as the individual member is concerned, if the direct dial were used when the government lines are busy and you cannot get through.

**Hon. Mr. Simonett:** This is very difficult to account for and keep track of, and I think the credit card is much better for our purpose.

You see most of the other calls, when we are using a direct line, would be charged to a department. But if we allowed everyone to call out and dial out and then charge back, we would have no control at all.

We have some control now, although we have never had to speak to a member, but I can tell any member in here what his calls were for last year, any month last year. It is there and we have the details.

**Mr. D. A. Paterson (Essex South):** That would be embarrassing.

**Hon. Mr. Simonett:** No, not at all.

**Mr. Good:** Is there any objection to using the direct dial from our own desk phone which is charged to our number?

**Hon. Mr. Simonett:** I would sooner you would not. I would sooner you would use our direct line, or the credit card.

**Mr. Chairman:** Telephone service carried.

Carried.

The next item is government exhibits. Does this programme carry?

The hon. member for Downsview.

**Mr. V. M. Singer (Downsview):** I do not know if this minister could tell us anything about the exhibit in Japan. What was the extent of the responsibility of the Minister of Public Works for the exhibit in Japan?

**Hon. Mr. Simonett:** Mr. Chairman, we are not responsible for the exhibits in Japan.

**Mr. Paterson:** Lucky.

**Hon. Mr. Simonett:** I think we had something to do in contracting and getting the building ready, but all the money for the exhibits are in the estimates of Trade and Development.

**Mr. Singer:** The question of design content and everything else, that is a Trade and Development?

**Hon. Mr. Simonett:** Right.

**Mr. Singer:** We will wait for him.

**Mr. Chairman:** Carried.

The next item is publishing services which I believe, is also part of the Queen's Printer and Publisher. Does that programme carry?

Carried.

Anything under stationery and office supplies?

The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, may I ask of the minister that he always bill members directly any time they order materials or supplies from his department, rather than having it deducted later on? For example, in previous years I have ordered supplies from the department, and then I find my stationery and allowance cheque has X amount of dollars deducted and I would know no reason why.

**Hon. Mr. Simonett:** Right, Mr. Chairman, I realize what the hon. member is saying because I can recall the first few years I was here. I kept supplies and I would wait for a bill and wait for a bill and finally I got a cheque once a year and it was deducted.

I will take this under advisement and I think we can arrange to bill the members every 30 days, or once a month, for their supplies if that is the way they wish.

**Mr. Chairman:** Carried.

The last item on page 144, general supply service. Anything under this programme?

The hon. member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Yes, I raised this question with the minister the other day with regard to disposal of surplus equipment. I understand the federal member for the riding of Thunder Bay was asked to intercede on behalf of the people in the town of Hornepayne with regard to the disposal of surplus materials at the Pagwa air base.

I would like to read a letter that the federal member got from the hon. Prime Minister (Mr. Roberts) about this. Well, I will not bother reading it to you, I will just outline briefly what it says.

It was a request by the volunteer fire brigade of the town of Hornepayne to buy some surplus firefighting equipment from this department. The Prime Minister indicated that the needs of the various departments of this government would have to be satisfied first and then, if there were any surpluses or anything beyond their requirements, they would be made available to other people.

I never did find out whether the town of Hornepayne was able to get any of the equipment they found necessary for their brigade, but I did find out that an auction was held some time later. Apparently a lot of this equipment was going at bargain-basement prices. As a matter of fact, they were almost paying people to take it away.

I am just wondering if the minister could outline what took place with regard to the auctioning off of that surplus equipment, and who in fact got it, and whether all the needs of people who had requested some of this were met?

**Hon. Mr. Simonett:** Mr. Chairman, first on the firefighting equipment. That equipment was moved to Moosonee for use at the townsite of Moosonee, so there was no fire equipment sold at auction.

Now there were many other miscellaneous items around there when we bought the

works. I suppose if there was an auction these would be some of the items that would be sold by auction at that time. But I am advised that all the firefighting equipment that was any good has been transferred to townsite of Moosonee.

**Mr. Stokes:** Could the minister indicate how much was realized on the sale of all the equipment?

**Hon. Mr. Simonett:** Yes, after our negotiations were met I understand there was \$72,000 worth sold.

**Mr. Stokes:** Who was it sold to?

**Hon. Mr. Simonett:** Various buyers. I do not have a list of them here.

**Mr. Chairman:** Anything further under general supply services?

The hon. member for Wellington South.

**Mr. H. Worton (Wellington South):** Chairman, Monday evening I was asking the minister to give us a full explanation of what we understood was to be the central purchasing department. I understand now that it is a co-ordinating committee with the other purchasing departments. What I would like to know is what effective legislation the minister has that can ask all these government departments to use this branch of this department? If you have legislation it will make them use it; I understand some departments do not use this. Perhaps the minister could give us a breakdown of what takes place with this branch and how many departments are using it.

**Hon. Mr. Simonett:** Mr. Chairman, the hon. member asked me a good question when he asked me what legislation we had to set up a central supply department. If I told the hon. member we did not have any at the present time, I do not think he would be surprised. But we will be introducing a bill before the next session is over giving us that power, to be able to set up a central supply depot.

As I explained the other evening, before we went with the department they had started to set up a central supply as far as furniture and major items were concerned. We are working very closely with the other departments, and of course a decision will have to be made. I think the big purchases now in government would be heavy equipment, vehicles, that type of thing. A decision will have to be made some time in the near future, maybe not the next year or so, that they will be purchasing

chased through either central purchasing here or some other department.

At the present time, Highways are purchasing all vehicles for the government outside of the Ontario Provincial Police. The specifications are drawn and highways get the prices from the different manufacturers; they have them there and, I might say, the price is very good. They are getting a good price.

The OPP are buying their cars directly from the manufacturer as well. Whether the vehicles and heavy equipment will ever come under Public Works is a decision that will have to be made in the future, because again, you know, we have no place to store these vehicles. They have to be stored. There will have to be some parts stored. We could look after the parts end of it, I think, at Mimico, but in order to store the number of vehicles the government buys, maybe it will have to be some other department. But that decision has not been reached yet.

**Mr. Worton:** Mr. Chairman, I would like to ask the minister then, from your experience, how long have you been in operation, now, a year, two years?

**Hon. Mr. Simonett:** Two years.

**Mr. Worton:** Two years! What has been your experience in saving by setting up this central department? There has been a lot of use made of a good thing, but you must have some estimate, some experience of what your savings have been?

**Hon. Mr. Simonett:** This is a difficult thing to estimate, especially on a rising market. But we feel that in the last year, on the merchandise we handle, comparing our prices last year with previous prices, that we saved about \$1 million last year. Yes.

**Mr. Worton:** Costing you roughly 10 per cent?

**Hon. Mr. Simonett:** Right.

**Mr. Worton:** Then the cost of your operations cost you 10 per cent on the purchases you made.

**Hon. Mr. Simonett:** No, it would be less. It would not be that much.

**Mr. Worton:** I understand that your department cost \$100,000 and you saved \$1 million.

**Hon. Mr. Simonett:** Yes, that is what we saved.

**Mr. Worton:** All right.

**Mr. Chairman:** The hon. member for Park.

**Mr. Shulman:** Did you do an inventory, Mr. Minister, through you, Mr. Chairman, before you made your sale at Pagwa \$72,000 sale?

**Hon. Mr. Simonett:** Yes, we did.

**Mr. Shulman:** You have a copy of the inventory?

**Hon. Mr. Simonett:** Yes.

**Mr. Shulman:** Would you be prepared to give me a copy of that?

**Hon. Mr. Simonett:** There is nothing to give you about the inventory. I have not got an inventory one with me. I want this one myself, can get you one.

**Mr. Shulman:** But you have one in your office, have you?

**Hon. Mr. Simonett:** Yes.

**Mr. Shulman:** How did you arrive at the sale prices on the larger items?

**Hon. Mr. Simonett:** Such as? What larger items are you talking about? Such as what?

**Mr. Shulman:** Stoves, fridges, things of that nature.

**Hon. Mr. Simonett:** I understand that people in the area come in and give me an estimate on the larger items, if you are talking about stoves and that. I see a Malmgren grill here, \$50; a back-bar, \$100. What is a back-bar? I have been in many bars and do not know what that one is.

**Mr. Shulman:** Would you ask your assistants who made the estimates on that?

**Hon. Mr. Simonett:** I understand that the electrical appliances were appraised by a Kergen. He is an electrical contractor from Hearst.

**Mr. Shulman:** And you have a list of the persons who purchased these larger items in front of you?

**Hon. Mr. Simonett:** No, I have not.

**Mr. Shulman:** Do you have anywhere in your department a list of the items and the persons who purchased these larger items?

**Hon. Mr. Simonett:** Yes, we have.

**Mr. Shulman:** Would you be willing to let me see a copy of that list?

**Hon. Mr. Simonett:** Yes, but I cannot give it to you today.

**Mr. Shulman:** No, no. At your convenience.

**Hon. Mr. Simonett:** Yes, yes.

**Mr. Shulman:** Fine. I will close off here.

**Mr. Chairman:** Does this programme carry?

**Mr. Singer:** No, Mr. Chairman.

**Mr. Chairman:** I am simply asking.

**Mr. Singer:** Well I was just waiting until everybody else had subsided. I am not too clear on how the central purchasing works. My colleague from Wellington South asked a question last year that has sat on the order paper for many months. His inquiry, generally, was how much did central purchasing cost—and that is where the figure of \$100,000 came from. And he asked what was purchased. The answer, as I recall it, was nothing. Now in answering questions—

**Hon. Mr. Simonett:** Well, that was wrong.

**Mr. Singer:** That was the answer that was tabled and it is in *Hansard*. If the information tabled by the Prime Minister is incorrect, I think it is about time it was corrected. With that as the background—and certainly the government has had ample time to consider its answer—the question sat on the order paper for, I think, nine months. Is that it?

**Mr. B. Newman:** Nine months.

**Mr. Singer:** Nine months, the question sat on the order paper, and it was not answered. How does one put into context the minister's announced figure of a saving of \$1 million?

**Hon. Mr. Simonett:** This is calculated on the purchases that we have made during the past year for other departments—

Interjections by hon. members.

**Hon. Mr. Simonett:** —and with other departments, the purchases they made through the advice of our purchasing agent. We have a list of the different materials in our purchasing department and, of course, we now have in our stationery department, a very large store which has grown from other departments as well. Our purchasing people advise in the buying of uniforms, all furniture, paper and printing. That is all pur-

chased through this department for government departments.

**Mr. Singer:** I still do not understand, this \$1 million saving, how much result from central purchasing, mass purchasing and how much resulted from advice?

**Hon. Mr. Simonett:** As I said to the member for Wellington South, this is a very hard thing to estimate. We estimate in materials that we used last year, in comparison with the prices we had a year previous that we had saved \$1 million. Now this is a very difficult thing to pin down to \$100,000.

**Mr. Singer:** Mr. Chairman, I just do not understand how this system is supposed to work at all. I recall well when the Treasurer (Mr. MacNaughton) got up and said, "We are really going to put things in Ontario on a business-like basis. We are going to have a central purchasing agency and it is going to go out and purchase things for everybody and get the advantage of mass buying and superior intelligence and research and these wonderful things." Then my colleague from Wellington South asked this question and it was put on the order paper, and it sat there for nine months and the answer was that you had not done any purchasing. Nine months it sat there, and the answer was specifically—and I can get the exact reference; it was on December 17, 1969—

**Mr. Worton:** Nine months!

**Mr. Singer:** It is in *Hansard* for that date, December 17, 1969. The reply tabled by the Prime Minister said it cost \$100,000 to run the department and there were no purchases made. Now, I am sure that the Prime Minister would not table false information in the House. If you made no purchases, how do you possibly figure out that you saved \$1 million? It think we are entitled to that kind of a breakdown.

**Hon. Mr. Simonett:** You are talking about the purchases we make in Public Works. We purchase for other departments, and of course there is no money in our vote for purchases.

**Mr. Singer:** Well, I think you are playing games with us, because that \$1 million figure that you quoted apparently comes just off the top of your head.

Now, let us go back to the Treasurer's remarks about how great a business advantage this was going to be and how we were go-

to save so much money for the province by using modern techniques, by buying centrally, by using the best information, by buying *en masse* so that we would save on mass purchases. The Treasurer made this as some sort of new revelation, a law according to MacNaughton; we were suddenly going to save money, which is unique and certainly advisable in the province of Ontario. If the government was serious about that, if the Treasurer was serious about that, can the minister explain to us how he can let the Ontario Provincial Police thumb their nose at him? Why do the various departments not have to purchase out of central purchasing and not have to use the facilities of your department?

When the minister was speaking the other night, I asked him what Eric had said to him—and I meant Eric Silk—and what he had said to Eric, and the minister coyly danced around that. He said, "Eric will be gone some day and so will I." That is about as far as the exchange got, but it would seem to me—

Hon. Mr. Simonett: Is that not the truth?

Mr. Singer: Yes, that is very true; we will all be gone some day, and maybe the people who follow on will be able to change the system. But it would seem to me that if the government was at all serious about effecting important savings out of central purchasing, then there would have been statutory authority and it would not have been a question of trying to bargain with a department head who perhaps thinks he can do it better—and perhaps he is right; I do not know—it would have been a question of the government having said, "There is a statute there; uniforms will all be purchased here; cars will all be purchased in this manner; stationery and so on."

It seems to me that while you are trying to claim, or your colleague, the Treasurer, is trying to claim credit for having done wonderful things and saving all sorts of money, in effect, you have really done nothing.

While I have been talking I have found this question; let me read it to you. This is question 91; the answer was tabled by the Prime Minister on December 17, 1969, and it is on page 9785 of *Hansard*. As I say, my colleague from Wellington South posed this question some nine months before it was answered. This is his question:

Inquiry of the Minister of Public Works:

1. What are the names of the officials and their salaries in the central supply division of The Department of Public Works?

2. What is the full cost of the operation on a monthly basis?

3. What is the amount of purchases under the division during the last 12 months?

Answer by the Minister of Public Works (Simonett):

—And as I say that was tabled by the Minister. It lists the names of the various people there, I do not think that is of importance at this point. The cost on a monthly basis was \$13,130 and if you multiply by 12, you are over \$100,000—you are \$120,000 or \$130,000.

Hon. Mr. Simonett: We are asking \$160,000.

Mr. Singer: Yes, and then the amount of the purchases and the answer is "nil." It just does not tie in, because if there were a central purchasing department—and that is what we are talking about—surely that means that some department is doing central purchasing?

The minister says, "Really, we are not doing central purchasing. Sometimes we advise to do central purchasing of paper, but sometimes else does their own purchasing of trucks, somebody else does their own purchasing of uniforms."

The whole point I make, Mr. Chairman, is this. The Treasurer, in one of his great moments of fancy, made this brand new announcement and stated that we were going to embark on a new era in the province of Ontario. We were going to try and save some money by taking advantage of the massive purchasing power that this government does.

In effect, what we learned today and comes from the answer given to my colleague indicates that the whole thing is just a great big farce.

It seems to me there are two reasons why it is a farce. No. 1 is there have been reluctant department heads, perhaps in some cases deputy ministers, perhaps in some cases commissioners, perhaps in some cases other people in the hierarchy of officials, certainly in some cases ministers who want to control their own purchasing. Certainly in many cases there have been the effective backbenchers who have insisted that purchasing not be centralized, so that they can exercise preferment in their own area. No matter what kind of general policy the minister was announcing.

What I would like to get clear, Mr. Chairman, before we leave this estimate, is whether or not the government is really going to do central purchasing power work. In

words, are we going to have a statute, and is the government going to get tough with its own people? Is it going to get tough with the other ministers? Is it going to get tough with its own backbenchers? Is it going to get tough with the various senior civil servants who have control of the purchasing?

I do not think that has happened, and as a result, I think the people of Ontario have been forced to pay many millions of dollars in excess of what they should be paying if a proper central purchasing system had been in effect.

**Mr. R. Haggerty (Welland South):** We want the answers now, not nine months from now.

**Hon. Mr. Simonett:** Mr. Chairman, again we are going to introduce legislation this year. Yes, we are going to do that.

To answer the rest of that question, of course, there will be some government policy in there. It would have to be government policy before they will say, I suppose, to our purchasing department, "You purchase everything for government."

I think, though, we have moved ahead fairly fast in the last two years on smaller items and I would hope—and I will recommend to government—that eventually we keep taking on the larger pieces, until we have a central purchasing department.

Again, we might not stock all these things, but we will purchase for different departments. It is my belief—I do not know; I cannot prove this—we are getting fairly good prices on our heavier equipment now. I have seen some of them and checked the prices.

**Mr. Haggerty:** Not sure now.

**Hon. Mr. Simonett:** But I would think that if we could get our purchasing all in one central division, once we are organized and do our purchasing, not on a three-month basis, but if we could go with our heavier equipment to manufacturers and say, "We need this number of this for this year," what we know we need, I think yet we could have some savings for the people of Ontario. This is what we are working toward.

**Mr. Singer:** To be fair, Mr. Chairman, I do not think the full blame lies on this minister. He is given certain jobs to do and certain responsibilities. I think the fault here—and there is a very serious fault—is the responsibility of all of government.

I would commend to the minister's attention the flowery statement of his colleague,

the Treasurer—when he made the great announcement about the central purchasing and how effective it was going to be. We are going to have that very shortly when we get the Treasurer's estimates here.

But obviously, Mr. Chairman, the fact was that the Treasurer's announcement—and it was one of the great things that this government was supposed to be doing—was full of noise and meant absolutely nothing. They have given the Minister of Public Works the proper tools, nor the proper authority, to let him carry out the job.

As I say, perhaps it is not entirely fair to put all the blame on his shoulders, but I share the collective blame of the whole government. You have not done the job that the Treasurer said you were going to embark upon.

**Mr. Chairman:** Anything else on this? Yes, the member for Ottawa Centre.

**Mr. MacKenzie:** Mr. Chairman, I talk with the minister, through you, about the business of purchasing. At the time I talk with him—yesterday or the day before—he said that the central supply division was the purchasing department, because I queried him on his annual report of 1969, page 3, about the other purchasing department apparently has in there. I asked him to determine for us what exactly that meant. Does he have two purchasing departments, one for his own department plus one purchasing department for all the rest of the government? I would still like the minister to clear that up.

**Hon. Mr. Simonett:** Mr. Chairman, we do not have a purchasing department that purchases supplies we need in The Department of Public Works. That is on page 140 in the annual report. These are supplies that we use in our own department; then central supply is for other things, where we work with other departments. There will be no moneys in the budget for that, because these are moneys that will be paid for by some other department. They do work with a purchasing agent here and he can make the order on behalf of the department that it is eventually going to pay for. The money is paid out of the department that has ordered the material, but that other vote is for the materials we use directly from our own department.

**Mr. MacKenzie:** I would just like to get that clear. I am not talking about the money you spend in that respect; I am talking about two apparently different departments. Yes, we have got a purchasing department, which



doing what the member for Downsview questioned, and you have another department, which is purchasing for you; you are trying to stimulate and create a purchasing department for all of government, and yet you have got one purchasing department in your own department and you expect the other departments to eliminate their purchasing and put it all through yours.

**Hon. Mr. Simonett:** Well, we might say they would eliminate the purchasing, but they will never entirely eliminate their purchasing departments because the people in the departments know their needs. However, they will have to work with central supply, because I am sure that we could not tell Education what their needs are; they have to have someone there who knows what their needs are, and they will have to keep a purchasing department—perhaps not as large as they have now—and then they will work with central supply.

**Mr. MacKenzie:** Are you talking about an ordering department or a purchasing department?

**Hon. Mr. Simonett:** It is a purchasing—well, ordering or purchasing department.

**Mr. MacKenzie:** There is quite a difference.

**Hon. Mr. Simonett:** If you draw the line, it is pretty thin.

**Mr. MacKenzie:** Would the minister tell us exactly what he means when he talks, in the central supply division, about filling a position in one of the highly specialized areas in the central supply division, which he calls “studies of value analysis,” for somebody to make studies in value analysis?

**Hon. Mr. Simonett:** Well Mr. Chairman, I think the hon. member would know what that means. It is where a department asks for a product and then we get different prices, different materials. We analyze it and value it as to materials. Are we getting good or bad value? How does the price compare? You know you can get two articles priced alike that might not be the same value. You know that; I do not need to tell you that. Or you can get two articles that might be equal and you will not find the price alike; so this is what this department does, and it is continually checking. I might say that we have saved a lot of money just in the purchase of uniforms for this government and for the OPP, just through valuing and analyzing cloths.

**Mr. MacKenzie:** Do you purchase for OPP?

**Hon. Mr. Simonett:** We are advising on their purchases for all uniforms. They pay for their own though.

**Mr. Good:** On that same line of questioning, Mr. Chairman, where it says that work began on the co-ordination of rent furniture standards and the development of new standards for furniture, while you do not have the authority in your department to buy furnishings for all other departments—is it mandatory then—when your department with their value analysis, recommends this particular piece of furniture, this particular uniform, is best suited and can be bought at the best price possible—is it mandatory then that these departments take the results of your value analysis and buy commodities with that in mind? Or are they still allowed free access to buy where they want?

**Hon. Mr. Simonett:** Well, they are being compelled to do it at the present time.

**Mr. Haggerty:** The open market!

**Hon. Mr. Simonett:** They are not being compelled, but at the present time there is a working arrangement between all departments. Now all furniture is purchased through rather Public Works supply furniture to all the departments in government. It is a central department, but we do all the purchasing there.

We are working these things in gradual steps. Of course it is all right to say if you see 100 men in a department you can do it. If you want to do it you can do it; but I think it is perhaps a little better to creep by degrees. You start walking and get this thing built up on a good sound basis.

**Mr. Chairman:** The member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** Mr. Chairman, it is an amazing situation whereby we have found that the small province of Alberta can pinpoint a \$5 million saving through co-ordinating purchasing, and here we have been talking about this for three or four years about this—the minister has and we have been urging you to do this thing; and the provincial Treasurer has the gall to get up and say that he will save \$10 million through this method of purchasing—and yet we have a salary commitment of \$146,000 for a business

spends possibly \$1 billion a year in purchasing. I do not know whether that would be a safe figure or not; maybe that is too high, I do not know.

You have a department that you say saves some money but you do not know how much you save. Where Alberta can say they save \$5 million, you cannot tell us you can save \$5 or five cents. It is inconceivable that the largest business in the province of Ontario has not the business acumen to operate the same way as they do in industry. Who is the director of purchasing, what is his name?

**Hon. Mr. Simonett:** He is right here in front of me.

**Mr. Sargent:** What is his name?

**Hon. Mr. Simonett:** Mr. Clark.

**Mr. Sargent:** I would like to know who it is, I do not know who it is.

**Hon. Mr. Simonett:** That is all right, I did not say you had met. I was going to introduce you afterwards.

**Mr. Sargent:** What do you pay the man?

**Hon. Mr. Simonett:** \$19,200.

**Mr. Sargent:** Now \$19,200 for a man who could conceivably save us \$50 million a year! I think if he is doing a job he would be worth twice that.

**Hon. Mr. Simonett:** He likes you now.

**Mr. Sargent:** I would pay it to him if he could return that kind of money.

**Hon. Mr. Simonett:** He likes you. He will not work for you though.

**Mr. Sargent:** He will be working for us next year. So you can tell that fellow he will have a good job next year.

**An hon. member:** Better give him a percentage.

Interjections by hon. members.

**An hon. member:** You guys will not be around.

**Mr. Singer:** You will still be trying to figure out who your leader is.

**Mr. Sargent:** Mr. Chairman, the Prime Minister did not even know that they had a staff; the man from Guelph did not even know how much staff they had; or that they were spending \$100,000 in this purchasing and had it operating at all. The Prime Minister did not know that.

Now here you are in a very unbusiness way; you have had a consortium of jobs there, but this is one where you could make a name for yourself and you are drifting saying that you have to creep before you walk. If you were in business they would fire you!

**Hon. Mr. Simonett:** No they would

**Mr. Sargent:** They would because there is no way to run a department.

**Hon. Mr. Simonett:** I have been in business, sir, and I had to creep before I walked.

**Mr. Sargent:** Very successfully; I know you were successful, but you would not run your own business this way.

**Hon. Mr. Simonett:** I ran at the finish

**Mr. Sargent:** You would not run your own business this way.

**Hon. Mr. Simonett:** Oh, yes I would.

**Mr. Sargent:** Oh, no! You tell my leagues back here that it is not mandatory that when the purchasing agent makes a decision that they should buy this. It should be mandatory that they buy that! There is no way you can tell the people of Ontario that you saved \$10 million as the provincial Treasurer says you will do.

**Hon. Mr. Simonett:** We are not saying we have saved it yet.

**Mr. Sargent:** If the province of Alberta save \$5 million, how much can you save?

**Hon. Mr. Simonett:** He said he saved \$10 million.

**Mr. Sargent:** Do not play politics with purchasing, then.

**Hon. Mr. Simonett:** I do not play politics.

**Mr. Sargent:** I do not say you do, I say it could easily happen with the amount of money gentlemen spend.

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

**Mr. Sargent:** No, no, no, no. I think are—

**Mr. J. P. Spence (Kent):** When are you going to get that bill through? When do you expect it?

**Hon. Mr. Simonett:** I expect to introduce the bill within the next two or three weeks.

**Mr. Spence:** Have you been given permission?

**Hon. Mr. Simonett:** Just given authority to.

**Mr. Chairman:** Anything else under general supply services?

**Mr. Sargent:** Okay, thank you.

Vote 1803 agreed to.

**Mr. Chairman:** This completes the study of the estimates of The Department of Public Works.

**An hon. member:** Do not go away mad, Eddie.

**Mr. Sargent:** He is just being a smart guy.

## ESTIMATES, DEPARTMENT OF HIGHWAYS

**Mr. Chairman:** Page 72.

The hon. minister.

**Hon. G. E. Gomme (Minister of Highways):** Mr. Chairman, in introducing The Department of Highways' estimates for the current fiscal year, the amount that is presented for consideration is \$500,854,000.

To synopsise the contents of the highway construction programme that was made available to each of the members, the total value of contracts in the programme amounts to \$278.9 million, with an expenditure of \$192.3 million this year.

The proposed capital programme calls for work on 488 miles of the King's Highway network, consisting of 277 miles of paving, 150 miles of grading and paving, and 82 miles on our two-lane highways. Work on the multi-lane divided highways will consist of 14 miles of grading and paving, eight miles of paving and 28 miles of grading. On our multi-lane undivided highways, work will consist of three miles of grading and paving.

As you can see from these figures, the bulk of our work will be carried out on our two-lane system. The volume of work will be equal to that which we were able to carry out last year, despite the modest increase of \$309,000 to cover unavoidable higher costs involving materials and labour.

The amount that is to be made available to municipalities, to assist in their road programmes, is \$205,775,000. Also included in the estimates is an amount of \$7,608,000, to maintain and expand our experimental projects and studies in the field of mass transit

to bring about a balanced transport system which, we feel, is of prime importance in looking to the future.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, may I say, first of all, that I am delighted to engage the minister in debate the first time as official critic in the Liberal Party. I must say that I found The Department of Highways a very interesting. Mind you, it is rather somewhat complex nonetheless interesting, and I look forward to the debate that will ensue in these estimates.

Mr. Chairman, I do not want to be too critical and I want to follow the minister's pattern in this regard, but I do want to cover, perhaps, four areas by way of general policy and several points in connection with each.

The first area I want to consider, Mr. Chairman, is in relation to a master transport policy. In my view, a master transport plan has to be arrived at in conjunction with the various other departments in government which would involve, of course, Transport and Trade and Development, Municipal Affairs and Treasury, just to mention a few.

The urgency of such a master plan was underscored at the railway hearings in Ottawa Sound and Guelph, the point being that it is impossible to consent to let one mode of transportation withdraw its services to a particular area without first knowing the potential industrial and tourist development of the area in question. This may involve directed development; it may involve picking growth centres; it may involve satellite cities—in view of the case the transportation needs of an area on an entirely new complexion.

This master transportation policy is vital in my view, but it must operate within the confines of a master plan for Ontario involving land use planning and the whole business. I am just not talking about a Toronto-centred plan, which the Prime Minister unveiled yesterday. I am talking about a master plan for the whole province. Certainly, in my opinion the province is not close to arriving at a master plan for Ontario and I do not think that a master transportation policy is around the corner either. Because sure transportation policy cannot be truly a master plan for transportation unless it operates within a master plan for the province.

If the province does undertake planned development, then it becomes a question of deciding how the transportation needs of the province can best be met within a given budget. Is it done by the extension of GO? Is it done by monorails? Is it done by high-

How is it done? We cannot determine that unless we first of all determine the priorities which I have set out and mentioned.

In other words, where can the public money be used to be best advantage to meet the needs of the travelling and commuting public, having regard for all of the factors, including pollution, land use and its ultimate effect on the community? This requires the setting of priorities, which the government until now has refused to do.

The first priority is to come up with a master plan for the province, and then dovetail the master transportation plan into the master plan for the province.

This must be done quickly because if it is not, the province is going to find that before it gets around to tackling the job seriously, many decisions are going to be made that are irreversible, even though they are not in the best interests of the province and the people in it. Indeed, I think we can cite a number of cases where this has already happened.

I can only urge the minister to prevail upon his cabinet colleagues to work with him in designing a master plan for the province within which will be, as an important part, the master transportation plan that is so desperately needed.

I want to turn now to a problem that I feel connotes a lack of respect for the public purse. As a matter of fact, nowhere in the government is it more evident than in this department that all one needs to turn a miser into a spendthrift is to let him spend someone else's money—in this case, the taxpayer's.

I am not talking about the hanky-panky, Mr. Chairman; I am talking about waste *per se*. In that connection, I think this department leaves a great deal to be desired.

I want to give you an example. The regional planners decided something had to be done to merge the traffic on Highway 86 and Highway 87 at Bluevale, which is four miles south of Wingham. The predponderance of the traffic is on Highway 86, but this traffic has to stop to allow the traffic off 87 to flow into 86. The department felt that it should be the other way around, particularly in view of the traffic count, and with that I agree. I certainly would agree with that position. Starting from that point, the department undertook to do extensive surveying to determine the best possible course for the road to take. Now this is where I take issue with the department planners and the engineers.

The first time the surveyors came up, tackled the problem from the point of view of carrying the road straight south until it joined with 86 and then merging 87 together with the traffic on 86. In this way, the sharp curve on Highway 87 could be removed to meet the original objective met.

I am sorry, Mr. Chairman, if I have to go into fairly extensive details, but I have to go into order to make my point.

This meant that the department would be breaking a new road over an area involving three farms and, for that and I presume other reasons, that particular plan was forged and abandoned.

The second group of surveyors came and they decided to take a different approach. They would make use of the curve, they would lengthen and straighten it, and they would cut southward across two farms until Highway 87 joined up with 86. In the process, however, the department would have to move one shed and one barn in order to do this.

Then someone, by chance perhaps, I do not know, decided to look at the map. This, Mr. Chairman, was a real stroke of luck. On the part of the department, they came up with a discovery when they looked at the map that there was an old road allowance running through the vicinity in question, that solved the whole problem. That was it. This was the new course of the proposed road without a doubt. The surveyors came up to survey the new course of the proposed road.

The farmer noticed them coming on to his property, but he never thought very much about it until they were approximately halfway across his property. He decided to stop over and ask them what they were doing. The crew told him they were surveying a road. The farmer queried them at some length as to whether they had got permission to do this, and they said, "We understood the office had contacted you and that you gave your permission."

The farmer said, "That is news to me. I have had no contact whatsoever with the Department of Highways and I have given no permission to anyone employed by the Department of Highways to come onto my property." In other words, he knew nothing about it.

The survey crew in further conversation with the farmer indicated to him that in his opinion—and this was after they had surveyed it, the farmer let them go ahead and do

job—as far as they were concerned, having looked over the site, a road going across this particular road allowance was just not feasible. It meant going through a very swampy area—it is more like a bog, actually—through a bush and across a creek, which would require a bridge. The tenor of the conversation was that this suggestion was going to be made to the powers that be in the district office, along the lines that this proposed course was not feasible. It would be too costly, and the department should pursue another course.

The parting comment of a member of the survey crew turned out to be rather significant. He said, and these are not his exact words but I am paraphrasing, "I think the department would be crazy to go through here because of the cost, and I am going to say so. Who knows, maybe, they will not send me back on the job." And, sure enough, they did not send him back on the job. They sent an entirely new crew on to the job.

In the meantime, a departmental official had met with the township council and had persuaded the council to pass a bylaw turning over the road allowance to the department for its use. This was done by the council only after it had received repeated assurances from the department official that the farmer had been fully informed and knew what the department had in mind. Of course, this was not so. The only thing the farmer knew about the matter was what he had learned from the surveyors. It was only by accident that the farmer was informed of what the council had done with respect to the road allowance. When he found out, that is really, Mr. Chairman, when the fur started to fly.

It was obvious that the activity of the department was nothing short, in his opinion, of devious. The farmer had been mistreated twice, and he was not going to take it lying down. He proceeded to get in touch with me, with his solicitor, and with the past president of the Ontario Progressive Conservative Association who happened to be a very good personal friend of his. The heat was on and finally the department gave in, at least temporarily as indicated in the minister's letter to the solicitor of December 10, 1968. I will just put it in the record. This is addressed to Mr. N. A. Shepherd, Crawford, Shepherd and Nill, Barristers and Solicitors, Wingham, Ontario.

Dear Mr. Shepherd:

I wish to acknowledge receipt of your letter dated November 27, 1968, concerning the department's proposal to reroute Highway 87 along an unopened road allowance

between lots 40 and 41, concession township of Turnberry. Please advise the council of the corporation of the township of Turnberry that as a result of their resolution, submitted to the department, Highway 87 will not at this time, be aligned between lots 40 and 41, but will follow the existing alignment and the pattern in the area will remain as is.

(signed),  
G. E. Gomme, Minister

I may just interject at this point, Mr. Chairman, that the council, after seeing what had gone on, and after being told what had happened on by the farmer, hastily proceeded to change their original motion. They consequently wrote to the department and indicated to them that they did not want this action to take place. That, I presume, along with the solicitors' representations, generated the letter which I have just read.

May I point out to the minister that the farmer really did not resent what the department was doing, so much as he resented that it did it. The farmer felt that the department was not aboveboard, and straightforward, and their actions represented a callous disregard for his rights and his property. When the council saw what was going on they rescinded the motion, as I understand it.

However, let me end off with the "waste" part of the department's activities. It is obvious even to a layman, that the old road allowance was impractical. It would have cost a fortune to put a road through the bush and across the creek.

But that did not matter, that was a secondary consideration. Someone had decided that is where the road should go and that is where it was going. "If we do not have the money this year, we will have it next year." That was the attitude.

That brings me back to my original point. The waste of public money that resulted from this fiasco was considerable. I understand that surveying alone would cost in the neighborhood of some \$10,000—to pursue a course that, from the outset, was not reasonable and logical.

I am no expert in these matters, but it seems to me that the reasonable approach would be to follow the existing course of Highway 87 and change the approach of Highway 87 at the junction of 86 and 87 to make a straight-through highway, whereby the township has the right of way on 86 and Highway 87 traffic would have to yield. I do not know

maybe that suggestion is not grandiose enough for the department's tastes.

But to me, to go across that old road allowance and to even consider going across that road allowance, a distance I would gather—I am guessing, I have never measured it—to be approximately one mile, one mile and a quarter; I would not think it would be any more than that—but to go that distance, through the obstacles which were obviously present there, anyone could see that is beyond comprehension.

As a final word in respect to this matter, may I say if there was ever a demonstrated need for the trial of public necessity under the new Expropriations Act, this is it.

I must say to the minister that I think a good job has been done in the maintenance and construction fields with respect to costing and cost control. I acknowledge that. I think you have done a good job in that area. I hope you will expend some effort in bringing the same type of efficiency into your planning and design operations with respect to controlling cost, and to that extent protect the public interest.

I want to deal with another aspect of the department's activities which distresses me. That is highway safety. Here again I want to go into considerable detail and give you a concrete example of what I mean.

I take as my example the Wingham bypass, or what is commonly referred to as the junction of Highways 4 and 86. This bypass was completed, I believe, some two or two and a half years ago. I am not exactly sure of the date—time flies rather quickly—but it was in that neighbourhood.

The traffic going north and south on Highway 4 is through traffic. The traffic going east and west on 86 has to stop at the junction.

Let me say that the approaches from all directions, whether one is coming from Highway 4 or 86, in either direction, are good. The approaches are good. No question about that. Visibility is good. One can see quite a distance all around.

The department, therefore, felt that all that was needed at the junction was the conventional stop sign with a warning sign 1,000 feet back. Almost immediately there were accidents caused by people not stopping at the stop sign.

It was not a case of going through it at three or four miles an hour. It was a case of going through at 60 or 70 miles an hour. Obviously the people did not see the stop

sign, nor did they realize that there was a stop sign there.

After the first two accidents, which luckily did not claim lives, I called the Stratford London offices, asking for a meeting between representatives of the town, the mayor, my other elected officials, with the department officials. The department agreed. I believe there were four or five people from the department who came up. We inspected the corner and all of us agreed that this was a dangerous corner—except the department officials. They were unimpressed.

They said, "Well, you know, we just can't put a blinker light here, because obviously the visibility is good. Take a look, you see for, in some cases, miles, and there is no need to put a blinker light here. It would be silly. And, secondly, it is not a very good thing to put in too many of these blinker lights, because the travelling public become too accustomed to them and eventually at that point they simply will not pay any attention to them." Those basically were the reasons.

The first one, I must admit, is a very close one, and I said that at the outset. There was no question about the visibility and the approaches from all sides. At the same time, or around that same time, maybe a day or two either way, the corporal of the OPP from Wingham was attending a safety conference in the area—I believe it was arranged by the Department of Transport but, as I understand it, there were officials there from the Department of Highways—and the corporal from Wingham raised the matter of this very dangerous corner and the need for action on the part of the department, and he was told to sit down and keep quiet, in almost those words.

Now, at some time during the day there was an average of one car per hour going through that intersection. Yes, there was a stop sign, but they were not seeing it. Obviously, with that kind of run-through traffic there was bound to be something happen. All the people who were going through were other than local people. There was a series of accidents, some minor, for the next two or three months. In total, there were nine accidents; no fatalities, luckily enough. The department came up again at the urging of the local municipality and officials; a number of phone calls were made, and there were attempts on the part of local people to persuade the department that they just had to do something about this corner.

The department came up again and decided to put in an overhead flashing light. A few days later the corner had its first fatality. Up came the department again and had another look at the corner. They thought they would put in rumble strips this time. Now if they had put in rumble strips, as they do in Tennessee or Kentucky where you really know what you are going over, then perhaps they may have been more effective. However, within a few weeks there were two fatalities. The department officials rushed up again to calm the fears of the local citizens who were becoming very irate at this point.

Interestingly enough, when they were up there—there were a number of department officials; I believe the police were out there; there were a number of local elected officials, the mayor and a number of the council—while they were standing on the very corner, a car went zooming right through. The driver did not even see the stop sign, did not see the blinker light and did not apparently even see the group of people standing at the corner. And so the police took out after him and they caught him and asked him if he had seen the corner. He said “No, I never saw the stop sign until I was almost through the intersection and it was too late.” Well, that convinced the department; they were convinced at that point that the corner needed their very serious attention, and they made the decision to install a large stop sign on which red lights would operate. I believe the technical name for them is the bouncing ball lights; they are the kind that go back and forth.

Since that time, a period of some nine months, there has been one minor accident. I think it is fair to say that the hazard has been greatly reduced—and thank goodness. But I would like to make two points. The first is that the department was so bogged down in its own red tape that the only way they could be convinced to act was for someone to get killed, and that is precisely what happened. That is a sad commentary on this department. Notwithstanding repeated warnings from myself, the citizenry, the elected officials of the town, editorials in the local paper—and there were a number—and the police, all was in vain until a life was lost. Put in those terms, Mr. Chairman, life becomes very cheap.

The other point I want to make is that your department, Mr. Minister, is going to have to take a serious look at your bypass highways. I understand that on every bypass in Ontario where there is an intersecting

highway there has been a fatality. Obviously points up a weakness, and I would hope that this minister would give this in his immediate attention and study in order to make our highways safer for the travelling public.

May I say that I have had good co-operation—and I underline this—I have had co-operation and assistance from your office safety officer when I contacted him. But I am afraid, Mr. Minister, you are going to have to move in on some of the people in the lower echelons of your department because they simply have not got the message.

The last matter with which I wish to deal is in respect of the studded snow tires. I have spoken about this before in the House and I do so again by way of underlining what I said previously. The department study released last fall indicated that the use of studded snow tires is on the increase to such an extent that they will be used on 60 per cent of the cars and trucks, I believe, in the next two or three years. The estimated damage that will be done to the highways by studded tires during the winter of 1971-1972 is expected to be, according to the minister's report, \$10,788,000, or roughly \$7 per car. The total damage over the next nine years is expected to be about \$127 million.

Now, apparently the use of studded tires on bare pavements can reduce the useful life of the highway by 50 to 75 per cent. The wear on heavily travelled roads may be according to the report, that resurfacing may have to take place in from two to five years in order to avoid roughing, which in turn could affect steering control and could also produce ponds of water and icy patches to develop thus increasing the risk of skidding.

The minister has said that studded tires not only increase the safe operation of the car but only improve traction in driveways and smaller local roads that are not always ploughed. Now, if that is so, and if the real value is just to allow drivers to go forward under adverse conditions on back roads, then their value, balanced against the damage they do, is certainly very questionable. I think the department is going to have to do a more in-depth study as to the safety aspect of studded tires. I understand that a study of that type is presently going on and, hopefully, it will prove once and for all whether, in fact, studded tires have any safety value. If they do not prevent accidents then the minister, in my opinion, should have

hesitation in banning them or, alternatively, putting a \$7 per car surcharge on them in order to pay the government coffers the equivalent of the damage they do to the highways.

In conclusion, Mr. Chairman, I want to say, and I mean it very sincerely notwithstanding my earlier remarks, I want to thank the department, the deputy and the other department officials, both the head office and the regional and district offices in Stratford and London for their assistance and co-operation in the past year.

I make these comments and these criticisms by way of trying to point up what in my view and the view of my party are some weaknesses in the department programme. I do so in the hope that it will assist and perhaps the minister and his officials may be able to plug what are, in my view, some loopholes in the department programme. I will look forward to discussing the votes as they approach at the appropriate time.

**Mr. Chairman:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, before launching into the main thrust of my speech, I want to take this opportunity to compliment the minister and his staff on the courtesy, the co-operation and the tremendous assistance I have received in the past two and a half to three years. I might say that if most departments were as courteous and straightforward, we might be able to get through some of the red tape. Despite saying this, I am going to be somewhat critical, but I must say that the personal contact with the minister and his staff has certainly been very, very gratifying.

Mr. Chairman, leading off for this part for the third year, I want to go back for a few moments to the concurrence in supply, Department of Highways, and in particular to the night sitting of December 4, 1969. You might recall at that time, Mr. Minister, that I made the following opening remarks:

Mr. Speaker, I am glad to say two things or to discuss things that I had not intended to mention tonight. I am delighted to see that we have convinced the Liberal Party that planning is necessary.

I would just like to finish this quote.

My recollection is that during the estimates, very little was mentioned about planning, except from this party, but it did not take them long to get on the band wagon. Now if we could convince the Tories as quickly, it would do a great deal for Ontario.

**Mr. Gaunt:** We were talking about that before you were even elected.

**Mr. Martel:** They might have been talking about it, but it certainly was not mentioned by the Liberal Party last fall. As I said I am hopeful that the Conservative Party could have moved as quickly to get in line with thinking and planning—

**Mr. P. J. Yakabuski (Renfrew South):** one of your members joined the Liberals—

**Mr. Martel:**—and lo and behold, in February's copy of the *DHO News* the minister said, and I am quoting from this paper now—

Mr. Gomme said that the government was examining every approach to developing a balanced transportation system for Ontario, including comprehensive studies of future land use, economic and social impact and development of transportation concepts and our own experiments in the operation of existing modes.

I might say that I am delighted to see the government has moved that quickly, because I am going to make reference to a number of places where sociological aspects were considered and so on. But I am delighted to tell Mr. Minister, that your department, after four months, or four months, has moved into a new type of thinking. It shows signs of progress.

One of the areas, I might point out, where I do not think there has been much sociological planning on the effects of a highway and this is after discussion with people in that particular area—is King City. I understand from the people who live in that area that they were not too optimistic, I should say optimistic but delighted, at a highway running through that municipality.

The sociological impacts are, according to what these people tell me, that the place is dead now. I do not know how true that is, Mr. Minister, but these people who live there are not really happy about the situation. I think it is incumbent on this government when it is going to get into the development of a highway, that the people in the specific area be contacted and discussion take place.

In fact, from the United States, a man named Bartelsmeyer, director of the U.S. Bureau of Public Roads, in a speech that he made recently said:

I feel we in the highway field have a moral obligation to lay all our cards on the table when a project is proposed. The two public hearing procedure we now have offers a decided advantage over the one hearing procedure. But I feel there should be information



meetings with the public before any hearings are held. If we want the public support, we must alert them at the earliest possible moment as to what we plan.

I really do not know when this department has involved itself in that type of discussion, but I would suggest that if we are going to have people who are willing to accept the plans or part of it, we must have people participating in tremendous projects that The Department of Highways might undertake. As I say, I have seen no sign of it, and I can think back to some of the highways developed in our area and there was no discussion.

I am not saying they were not needed. I am just saying that there was no participation by the citizenry. If we hope to have them with us, I think they have to become involved in a dialogue with us, so that all of the facts are presented. I think of the Spadina expressway—I realize it is a municipal problem—but you know, Highways has opted out completely from any type of dialogue by saying it is strictly municipal. I am going to come back to that in a little while. But I am saying that where government funds are dispensed, it is up to the government to be involved. I am not saying in decision-making, but at least in study.

As I say, I was interested in the minister's comments to the Ontario Good Roads people, because I want to know specifically what mechanism the minister and his department have now established to get involved in the various fields, with a plan on sociological impact, economic impact and so on. I want to know what type of mechanism you have now created to get involved in this sort of procedure, which I welcome, but I do not see any allotment in this year's budget for this type of data-gathering function.

In fact, I think there is about \$200,000 less in data processing this year as opposed to last year. If you are moving ahead with planning, I do not see how you can do it with the reduced cost in your data processing.

Last year, you recall, Mr. Minister, I spelled out that this department must adopt an entirely new approach, and adopt a new philosophy for highways. Possibly that is coming. But I am convinced that they have to get involved in a philosophy considering the complete transportation avenues and modes in general. I am disturbed, Mr. Minister, when the deputy minister talks about the diversification and an overall policy of transportation, and then you see the Ontario Northland Railway turned over to the ombudsman for the north. Then air transportation stays with the

Minister of Transport. The Minister of Highways ends up with GO and highways. How can we really talk about an overall transportation system involving highways and so on—the various modes of transportation, when we continue to keep the transportation so fragmented?

You know, when the government this year saw fit to take the ONR out of the department of the Minister of Energy and Resource Management, the logical place to put it would be if we were going to get into an overall transportation policy, would have been in the Department of Highways, which we would eventually turn into a Department of Transportation.

Another thing I would like to know is the Department of Highways' policy is goal-oriented. I think not—at least, not in the sense I think it should be. It appears to me that although Highways policy is always one step coming behind and filling in need or resolving a crisis.

For example, an industry develops a road. A DHO follows and constructs a road. Or, when traffic becomes too congested, it starts a street. You know, we can think of following the Elliot Lake rather than linking Elliot Lake with Blind River, the logical place in the beginning. I realize that hindsight is easier than foresight, but nonetheless if you have goal-oriented policies, these are the sort of things that would come out. These problems could be overcome with a goal-oriented approach, for then, and only then, can we develop the province with sound economic planning and developing and implementing land use policies.

And what do I mean by goal-oriented philosophy and how do we achieve our objectives? The most basic tasks of the provincial government are to stimulate and guide economic growth of the province, and to consider and influence the distribution of income of the province among socio-economic groups and regions. To conduct these tasks effectively, it is essential that all of the policies and measures available to the government be co-ordinated toward a consistent and a comprehensive set of goals.

Transportation is one of the most important policy variables in the determination of regional growth patterns. It should be utilized in a positive way to further desirable growth objectives, rather than to merely ameliorate problems which have arisen from uncoordinated or nonexistent planning activities. In any government can hope to develop growth centres in underdeveloped areas solely by

free enterprise system, which chooses to locate where it is most economically advantageous to them, is beyond all comprehension.

How do we achieve these goals? This party believes that we must, first of all, establish an extensive information system. I want to quote from what I said last fall, to underline what I think we need in the form of information, so that we can have the goal-oriented philosophy that Highways should have and to develop the province economically to the best advantage of everyone.

Last year I elaborated on the type of data centres we need and I quote from *Hansard* of November 20, 1969:

To make regional decisions, bearing in mind the goals desired, a much richer source of information than presently exists, is needed. Too little is known about the stores of wealth we possess—the forest preserves and the types of vegetation, the educational levels, the services available, the markets, the psychological state of the individual and groups, the level of satisfaction and stress arising from the location of highways and airports near residential neighbourhoods, and even the hazards to physical health incurred by transportation users and non-users, to mention but a few. All must be investigated and assessed.

What is even worse is that most of our current information is correlated into area units, so that any information we do have is merely an average or total for certain areas. The type of information we now have has a tendency to obscure the actual patterns of expenditure, the incidence of benefits and costs, and other consequences which arise with transportation development and other government programmes. With a much broader basis of information from which to operate, we would be able to discern benefits and effects of such planning in the developments of highways when related to the whole, rather than a section, of an area. In the past, regional information systems of this type proposed were not technologically feasible. The emergence of high-speed digital computers has greatly increased our ability to handle large amounts of data. Regional information systems are sorely needed, both to increase the quality of forecast required for rational planning and also to monitor the consequences of current transportation systems and routes, to assure that all effects of transportation decisions are enumerated and evaluated.

With this necessary data that we could gather and with the objectives in mind, it can be determined if the goals can be achieved. If so, we can proceed to open up the province to the advantage of the people, the province and to anyone interested in investing in the area which we feel must be developed.

Certainly, this is not a field wherein DHO has played a prominent role in the past. But I can assure you that it will after 1971. Just as it would have to be interaction between regional units and the province for planning, so too, would there have to be involvement with the federal government.

Before going on to discuss the areas where co-operation is necessary with the federal gov-

ernment, I want to make it plain that the party is of the opinion that, where a 50 per cent grant is given to a municipality, a regional unit, for a major project, we want experts to review the plans of the project before it is undertaken. We would want to know the people in the area want the project.

We believe that there must be citizen participation. We must know that the best plans are being advanced and if it is the best system to satisfy the needs, before the province should invest millions of dollars, which really belong to the people of the province.

Again I make reference to the Spadina expressway, where the minister has simply expressed that he will opt out and will not have anything to say about it. I do not know what the final costs are going to be, but they are going to be considerable. If you are going to use provincial funds, I do not think you should just opt out. I am not saying you should not have the decision-making power, but I think you have an onus, when that kind of money is going to be granted by the province to any municipality, to have your officials examine it to see if it is the best possible plan, and so on. The final decision must rest with the municipality, but I think you should be satisfied and the department should be satisfied that the money is being spent.

The minister's approach, I read in an article last fall, was that he wanted nothing to do with it. It was a municipal problem and he would just keep his hands off. I do not think he can take that comfortable position. I think you have an onus when that kind of money is being spent.

Getting back to the federal-provincial relationship, and maybe this is the problem with the department, there is not enough interaction between municipal, federal and provincial. I think, and it is our belief, that the role of the federal government in urban and regional affairs should be to assist in three areas in conjunction with the province.

The first one is research and development. This should be the creation of a long-range programme of research into transportation-land-use relationships, mass transit operation and co-ordination, as well as other regional and urban problems. As well, in research I think the federal government might be involved, should be, in the assisting and financing of pure research, if I can use the term, which might lead to the improvement of highway standards or the building of highways which would stand the rigours of particular geographical locations and sit-

tures and our climatic conditions. In this way, we might get more value for our dollars spent by minimizing the amount of duplication that the various provinces might be involved in.

If it is anything like education, you know, you have got various provinces all involved in the same research. It seems to me to be a bit ridiculous that five provinces are doing research on new approach mathematics. I think the same could apply with highways. We should, through a co-ordinating body with the federal government, have one province, maybe Ontario, get involved in the rigours of conditions in northern Ontario, where we have frost and so on. There should not be duplication by three or four provinces, if that is occurring at the present time. I think that the federal government then, if involved in this programme, in promoting it, should move into a second phase, or a B part, namely, the promotion of regional planning by offering planning assistance in the preparation of comprehensive regional plans and promoting new intergovernmental arrangements for the co-operation of information dissemination.

This is where the second aspect would come on research. If one province did one project, the dissemination of materials could be done to the other provinces by this federal body.

I would say something to the Chairman but I will not.

**Mr. Chairman:** The Chairman did not say a word.

**Mr. Martel:** No. I realize that.

**Mr. Chairman:** The hon. member for Sudbury East has the floor.

**Mr. Martel:** Thank you, Mr. Chairman. It is to be hoped that this type of co-ordinating body would eliminate some of the confusion which exists, for example, at the present time.

**Mr. E. Sargent (Grey-Bruce):** It is the same speech you gave last year.

**Mr. Martel:** Not really. You might just read last year's.

We might eliminate, by this sort of—

**Mr. J. E. Stokes (Thunder Bay):** It just sounds familiar to him because he has not been here since last year.

**Mr. Martel:** We might eliminate, Mr. Minister, with this sort of co-operation, the confusion, for example, which now centres on the incentive programme for the federal and provincial governments. You know, they really do not know what they are doing.

This became very evident last fall at conference in Sudbury that the provincial government put on. There was great confusion between—I think his name was Mr. Keenan—of the federal department and the various cabinet ministers, as to how the incentive programmes would affect the various policies of each of the two levels of government. I think it is through this type of centre disseminating information that we might get some co-operation and some order out of some of the chaos which might exist in respect to research at the present time.

Finally, there should be a joint federal-provincial transportation regulation programme. Then I think we might get away from the problem like that which was brought up by my colleague, the member for Wentworth (Mr. Deans) when he and the Minister of Transport (Mr. Haskett) were at loggerheads. The Minister of Transport made the point that this was a federal responsibility and my colleague made the point that, yes it was, but the people in Ontario were affected by that policy and, therefore, how do we protect the citizenry. I think the only way we can do it is through some type of co-operation between the federal and provincial governments in evolving some transportation regulations wherein both federal and provincial jurisdictions might not conflict.

I want now to look, Mr. Chairman, at the basis we would use to divide the province into regional planning units to achieve our goals we would set based on the information gathered in data centres we will be establishing, as I said, after 1971.

Now, the regional planning units will be along this line. The implementation of provincial growth policy is best carried out within a comprehensive set of regional plans since Ontario is of such a size and diverse nature that all sections of the province do not have identical development problems and potential. The regional planning unit must, however, be large enough that effective comprehensive planning can be undertaken in each region and related to the adjacent regions and the province as a whole.

It is suggested that there are three basic types of regions in Ontario, each presenting substantially different development problems. These are urban-dominated regions, southern regions and northern development regions. Each of these will be considered separately in terms of problems of transportation, planning, transportation system policies and system implementation in operation.

The urban-dominated regions we will define as those regions dominated by a large single concentration of urban development. The planning—and I am going to put this in point form—should rely on goal and objective.

Transportation planning should be goal-oriented. The goals and objectives of the community need to be identified and measured so that transportation systems that encourage their attainment can be designed and introduced. Categories of transportation related goals are given below:

—Transportation service: To provide transportation systems that will meet the demand for the movement of people and goods.

—Land use: To increase the accessibility to a wide range of opportunities and to direct the form of regional development.

—Fiscal: To reduce the cost of moving persons and goods and to promote the efficient use of existing and future transportation systems.

—Social: To reduce the pollution effects of transportation systems; to co-ordinate these systems with the surrounding activities and environment and to avoid inequitable income transfers resulting from transportation decisions.

—Economic: To utilize transportation to support and expand the economic viability of the region.

—Flexibility: To develop transportation facilities and networks which may provide a degree of adaptability to further and technological innovations.

**Mr. W. Hodgson (York North):** Who wrote that speech?

**Mr. Martel:** I wrote the speech. I do not have a ghost writer.

**Mr. W. Hodgson:** You could stand one.

**Mr. Martel:** If I had ghost writers who turned out some of the speeches I have heard here in the past three years from some of the Tory members, I would go home and hide my head in shame.

**Mr. W. Hodgson:** Well, I think you could stand some assistance.

**Mr. Martel:** Now, the policies—

**Mr. W. Hodgson:** Not only are they not good writers, they are worse ghosts.

**Mr. P. D. Lawlor (Lakeshore):** They are not ghosts, they are poltergeists.

**Mr. Martel:** The policies are:

—Promote systems planning on a regional basis and implement a regional transportation co-ordinating agency with the responsibility for mode co-ordination, such as terminal parking facilities as well as provision of movement.

I might say the government has done so of this recently with its new system surrounding GO and the system that they intend to experiment with, if they move.

—initiate a programme of research and new transportation technologies in co-ordination with the federal government in co-ordination with the other major research agencies.

—Develop a comprehensive group of planning simulation models with particular emphasis on transportation and land use models in order to fully analyze the development implications of regional policy alternatives.

I did not see any of these when I was in Downsview; possibly you have them, Minister, I do not know.

—Review existing methods for financing modes of transportation and implement methods for improving the allocation of appropriate funds for the available modes.

—Investigate means of improving and co-ordinating regional information systems in order to make planning an efficient and effective process.

—Maximize the use of the MTARTS and research to assist in the effective planning of the Toronto region in particular and for other urban-dominated regions in Ontario.

—Investigate the long-range potential for segregating road transit, automobile traffic and goods movements.

—Promote closer provincial-municipal relationships and assist the municipalities in development and the use of new planning techniques such as the urban design concept and the multiple-use urban development corridors.

—Place special emphasis on the problem of ground access facilities to major regional ports and place a lot more stress on community participation in transportation planning.

**Implementation and operation:**

—Would be to reduce the community disruption impacts of transportation by conducting local socio-economic impact analysis on the alternative route locations and by involving citizens in all levels of decision making.

—Continually review and revise design standards for transportation facilities in the light of accident records, environmental impacts and new technologies.

—Continually monitor air pollution conditions, with particular emphasis on the effect of automobile facilities on adjacent developed land use.

—Investigate the feasibility of road and parking pricing techniques in central business districts.

That would be how we would handle the urban regions. I want to deal now, and on a similar approach, with how we would attack the rural regions, and then finally northern Ontario.

We define rural regions as those regions containing several small cities and towns in an economy dependent on agriculture or recreational activities.

The planning would be underlined by goals and objectives.

The transportation planning should be goal-oriented again. The goals and objectives of the community need to be identified and measured so that transportation systems which encourage their attainment can be designed and introduced. Categories of transportation related goals are given below:

—Transportation service: To provide transportation systems which will meet the demands for the movement of people and goods.

You will note that some of these are going to be similar to those I have outlined for the urban problem.

—Land use: To increase the accessibility to a wide range of opportunities and to direct the form of regional development.

—Fiscal: To reduce the cost of moving persons and goods and to promote the efficient use of existing and future transportation systems.

—Social: To reduce the pollution effects of transportation systems, to co-ordinate these systems with the surrounding activities and environment, and to avoid inequitable income transfers resulting from transportation decisions.

Certainly this one is important because as we alter the routes at times there is severe hardship on the people affected by the change.

—Economic: To utilize transportation to support and expand the economic viability of the region.

—Flexibility: To develop transportation facilities and networks which may provide a

degree of adaptability to future technological innovations.

—Policies: On the basis of an extensive regional economic analysis select those towns in the region which are to be growth centers and assign priority to transportation improvements in these areas.

—Design: Transportation facilities to provide access to open space and natural recreation areas but govern the capacity of the facilities in accordance with the ability of these special areas to accommodate a definite range of activities.

—Implementation and operation: Co-ordinate county road improvements and prior assignment with established growth policies.

Finally, the northern development regions of those regions in the northern portion of the province which are highly dependent on natural resource development for regional economic viability.

Planning, once again, would be based on goals and objectives which would be part of government policy.

Transportation planning should be goal-oriented. The goals and objectives of the community need to be identified and measured so that transportation systems which encourage their attainment can be designed and introduced. Categories of transportation related goals are given below:

—Transportation service: To provide transportation systems which will meet the demands for the movement of people and goods.

—Land Use: To increase the accessibility to a wide range of opportunities and to direct the form of regional development.

You will recall last fall, Mr. Minister said with the information gathered, it would be possible to decide what area we would hope to open up and then possibly run round out to various industries, whether they be mineral or forest products and have one community. So that if one industry dies out, we do not have Blind River occurring again, we do not have what happened to some of the other municipalities in the north that died out when they were based on this type of planning. If one industry dies, we should have others and the people who have the equity in that municipality do not lose it.

—Fiscal: To reduce the cost of moving persons and goods and to promote the efficient use of existing and future transportation systems.

—Social: To reduce the pollution effects of transportation systems, to co-ordinate these systems with the surrounding activities and environment.

—Economic: To utilize transportation to support and expand the economic viability of the region.

—Flexibility: To develop transportation facilities and networks which may provide a degree of adaptability to future technological innovations.

—Policies: Establish a number of growth points within the region based on relative locational advantages and growth potential and concentrate on public investment—especially transportation—to encourage growth in these areas, since the expected return in public dollars invested will be the greatest.

—Undertake transportation improvements which will increase the accessibility of these growth points to provincial, national and international markets.

—Develop a comprehensive group of planning simulation models, with particular emphasis on transportation and economic growth models.

—Place special research emphasis on the potential role of new transportation technology for use in conditions peculiar to northern Ontario.

—Establish mode systems in accordance with the competitive advantages of the available modes to eliminate unnecessary competition.

—Consider alternative transportation freight rates and regulations and their implications for regional economic growth.

—Implementation and operation:

—Co-ordinate the construction of development roads with established growth pole policies.

—Closely monitor construction techniques and roadway performance utilizing cost effectiveness measures in order to assess the suitability of current standards.

With this type of goal-oriented policy, the data centres to gather information we need, and within the regional planning units outlined, we in this party will use transportation routes as one of the major variables to develop Ontario to its maximum.

Certainly, when we look at highways and related transportation avenues, we must consider cost. At the same time, we must examine transportation economics. We believe that a transportation economics advisory board should be established to do research into transportation economics and produce

white papers to inform the public on results. We must know if our expenditure public funds are warranted.

Just to illustrate what I mean by type of data, and I am quoting now the Federal Highway Administration, mentioned by Mr. Francis C. Turner. He makes the following point in his lecture, and they have done some analysis. For example:

Analysis indicates that opening 1,000 miles of Interstate highways results in saving more than 150 lives a year by preventing at least 6,000 injuries, 13,500 accidents a year for every year in the long future.

Saving in travel time from the opening of 1,000 miles of Interstate results in savings of about \$15 million a year, repeated every year into the future, not to mention the additional benefits in comfort, convenience and vehicle-operating savings.

I do not know if we do any of that in Ontario, but I would suggest that it would be invaluable to know the effects of our expenditures, and so on, and to know for certain we are realizing an advantage, finally, from some of the routes that we are constructing.

At the same time—and this one I am going to repeat from last year when it caused considerable consternation to some of the conservatives who thought it was an infringement on the great free enterprise system—to get the costs, we would move into another sphere of endeavour. Just as GO is publicly owned, ONR is government owned, and Hydro-Québec mention a few crown projects, we will establish several crown corporations to construct a very small fraction of provincial highways.

I am not arguing with the system of tendering. Since the minister suggested that I do it, I along with other members of the House went to see the tendering system at Detroit. I was quite impressed. I am not questioning that at all. I want to know whether we, in Ontario, are getting maximum return on the dollar spent for highway or bridge construction. The minister last fall stated that they had the most sophisticated system of estimating that could be had.

I am suggesting that there are just far too many cost items involved to be that accurate. Possibly the minister can tell me whether or not DHO has on each project someone who keeps track of the number of loads of fill that are brought in, the amount of gravel, the amount of water utilized and a whole host of things.

**Hon. G. A. Kerr** (Minister of Energy and Resources Management): We have some post counters.

**Mr. Martel:** Have you? I just think there are too many items for that—and I could list them. I took the trouble to read some from the document that the deputy minister gave me last fall and there must be literally hundreds of items where careful calculations would be necessary in order to know for certain whether or not we get our money's worth. I think the only way that we can really determine this is if we have people in the public sector doing a majority of the work. At the same time, on behalf of the public sector, we must have a couple of crown corporations involved in, let us say, the same type of project adjacent to a private company. With the proper type of equipment, the proper type of personnel, I think we can certainly gauge more precisely whether or not we are getting our actual dollar's worth.

I want to mention another thing that we might just include. Not only to serve as a measuring stick but also it would be possible at the same time to have a crown corporation involved in research. I think the deputy minister, when he spoke at the good roads convention last February I think it was, or March, indicated that there was a necessity to become involved in—I will try to find it here to be precise; the problem is I have lost a page, Mr. Chairman; I have now retrieved it. I just want to go back. We would be researching, through this corporation, means of standardization—I think this is what the deputy minister was talking about—standardization of methods of construction which would give us maximum efficiency.

Through this standardization of methods, we might be able to introduce new techniques into construction, which the private sector would naturally adopt if they wanted to be competitive. The speeding-up of construction could lead to a reduction in cost. Certainly, a crown corporation could be more directly involved in research than a private corporation would take the time to do, as it would be designated by the government to do a certain amount of basic research to try to improve standards for construction. I am not talking about designs and that, but methods of construction. Certainly this is a second use that the crown corporation could be put to.

Finally, the crown corporation, besides providing a measuring stick and being involved in research for new techniques, would also serve as a deterrent to companies which might

be bidding in excess of what the job calls for. I know that the deputy minister, again referring to comments last fall, indicated, at times, some of the bids on jobs are all high and, at times, it is necessary to put them out again to tender. If again they are high, the government has, on occasion, undertaken the work itself. I would suggest they probably had to rent a good deal of equipment and, if the government is involved in doing the odd job itself, it might consist of setting up several crown corporations to do the odd job themselves, to do the research and to keep the boys that are bidding honest. So I suggest, Mr. Minister, that a crown corporation would be of tremendous value to the province in the three areas I have mentioned.

I want to leave off at that point, except to say that I have not left out the discussion we will have on research, Mr. Minister. I want to discuss that one when we come to it in a more detailed manner—on an almost blow-by-blow procedure. So I will save my remarks for specific items under the various items we will go through as we go through the minister's estimates.

**Mr. Chairman:** The hon. minister will finish.

**Hon. Mr. Gomme:** I think, Mr. Chairman, we can answer all the inquiries when they come through the votes.

**Mr. Chairman:** I think that is the privilege of the minister.

Vote 801? The hon. member for Lakes

On vote 801:

**Mr. Lawlor:** I would like to know a point of clarification, where the minister has discussed that expressways such as Spadina might be discussed during the course of his estimates.

**Hon. Mr. Gomme:** Next year!

It would be during the capital construction or subsidy.

**Mr. Chairman:** That would be 803. The road construction.

**Mr. Lawlor:** Road construction?

**Hon. Mr. Gomme:** Yes.

**Mr. Chairman:** Vote 803.

**Mr. Martel:** Mr. Chairman, might I ask the minister—

**Mr. Chairman:** The hon. member for Scarborough East.

**Mr. Martel:**—one question that comes out of what I said on administration?

What mechanism have you set up at the present time to move into the field which you indicated to the people at the Good Roads convention considering the sociological effects, the economic advantages and so on, as being part of your policy? I would like to know if you set up some specific machinery for bringing this about.

**Hon. Mr. Gomme:** We worked very closely with The Department of Economics, under the Treasurer (Mr. MacNaughton) on that basis. Since that time we have employed the services of an economist and a sociologist to work along in this field.

**Mr. Martel:** But you have not really then, Mr. Minister, set up the type of machinery that is going to be necessary? You are going to rely on other departments then, in other words? You are not going to take that important role for yourself as the Minister of Highways, as I feel that transportation is going to open up this province? You are going to allow the other departments to give you the information? You are not going to establish machinery for gathering it yourself?

**Hon. Mr. Gomme:** We do not intend to duplicate any services that are available through any other government department. As I pointed out, we have employed these people so that we can use their information to the best advantage for the promotion of Highways.

**Mr. Martel:** Then, I am afraid, Mr. Minister, that you are going to fall far short of what you indicated in your speech to the Good Roads convention. Two additional staff members to decide and sift through the various materials that are going to be presented to you by the various departments that provide this material simply is not even going to start to fill the bill. That announcement at the Good Roads convention is just a lot of pie in the sky, is it not?

**Hon. Mr. Gomme:** Mr. Speaker, I cannot accept that at all.

The hon. member has to realize that there are economists and sociologists in other departments. We get the benefit of all the research that they have done. We have, up until now, employed these two people so that they can interpret the research that has been done and we get the benefit of it. Of course, if we see the need, the staff will be expanded.

**Mr. Martel:** I keep trying to give you a role, Mr. Minister, in opening up this province and you do not want it.

I am suggesting to you, Mr. Minister, that it is impossible with two people. For example, what agency in government at the present time has all of the data with respect to mineral resources in the north, the quantities of forest products that are there, the availability of information dealing with education? Who has all of the information right now? I think no one really.

But who has—maybe you can answer—of the information that is going to be necessary in order to develop the province on a basis where we will see growth points, highways that are going to open the province up to its maximum economic potential? Just do not think that any department has that kind of data.

**Hon. Mr. Gomme:** Mr. Chairman, again I say that if we undertook more of this type of work we would only duplicate a service which was already available.

Some of the things that you refer to, of course, we get from other departments. There is an interdepartmental advisory committee that works to co-ordinate all these things and we take into account all the information which you are talking about.

**Mr. Chairman:** The hon. member for Iron-Bruce.

**Mr. Gaunt:** Thank you, Mr. Chairman. I just wanted to ask the minister, through you, what areas of research is the department working upon, or is the department already engaged in, research having to do with signing?

I was very interested in the comment of the optometrist who was one of the speakers at a seminar recently, I believe, on May 2 at the Westbury Hotel. He said that people whose reduced vision could not, in any way, see signs on 401 or any of the expressways in Toronto streets. I believe he cited the example that if a person with 20-40 vision were going along 401 at 60 miles an hour, he would travel 225 feet past the turnoff before he got slowed to 20 miles an hour.

It is obvious from that statement that signing is not adequate. It may be adequate for people with proper vision and with correction, but even the slightest reduction in that vision on the part of any individual means that he cannot see in an adequate fashion, the signing that is posted on 401 on any other expressway, for that matter. I believe the application was general.



**Hon. Mr. Gomme:** There is constant research all the time on this, and we have the benefit of the research by the Canadian Good Roads Association and by the Highway Research Board at Washington; these are co-ordinated with the research that we do to get the benefit of the very best possible.

**Mr. Gaunt:** Obviously, from those comments, it is not good enough. I was also interested in learning that an ophthalmologist who was speaking at the same seminar said that the signs in and around Toronto are so bad that he uses them to test his patients' eyes. Now, you know, if that is so, then there really has to be a different emphasis placed on this particular type of research because—

**Mr. Lawlor:** What kind of an ophthalmologist is he?

**Mr. Gaunt:** —if the research that has been done has resulted in the signing on Highway 401 and other expressways, as well as the Toronto roads, then obviously the research is not adequate or properly corrected.

**Hon. J. R. Simonett (Minister of Public Works):** Do you think that man should drive a car?

**Mr. Gaunt:** Well, just on that point, The Department of Transport licenses all drivers with 20-40 vision, which means that if you have 50 per cent vision in one eye, you can get a licence. So, to the minister's interjection, Mr. Chairman, the answer is simply that there are drivers on the roads who are driving with 50 per cent vision, and that is the discretion and the regulation your colleague sitting beside you has put in the Act.

**Hon. Mr. Simonett:** What about the other statement that it takes more than 225 feet to stop?

**Mr. Chairman:** The hon. member—

**Mr. Gaunt:** Well if you are going 60 miles an hour and you cannot see the sign until you are right up to it, obviously by the time you get slowed down you are past the cutoff.

**Hon. Mr. Simonett:** What would you do if a child walked there?

**Mr. Gaunt:** Well, you talk to your colleague.

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

**Mr. Martel:** Mr. Chairman, I just want to go through these items in order—

**Mr. Chairman:** Vote 801 does not seem lend itself too well to programmes of activity. I think we can take it in total, whole vote.

Vote 801.

**Mr. Gaunt:** Well, Mr. Chairman—

**Mr. Chairman:** I do not object to it if you want to take it by programmes or items. That is quite all right.

**Mr. Gaunt:** No, I was going to follow—

**Mr. Chairman:** On vote 801?

**Mr. Gaunt:** No, we will deal with main office first.

**Mr. Chairman:** Regarding anything on main office?

**Mr. Gaunt:** No, I was going to follow the matter—

**Mr. Chairman:** All right, then. Is the main office section carried?

**Mr. B. Newman (Windsor-Walkerville):** No. On the main office, Mr. Chairman—

**Mr. Chairman:** I did call it.

**Mr. B. Newman:** Yes, but I am going to deal with the individual different categories—main office, financial services and so forth.

**Mr. Chairman:** All right.

**Mr. B. Newman:** Under main office notice the minister has a grant appropriation of \$300,000 for the St. Clair Parkway Commission. May I ask of the minister whether far planning has been reached concerning the projection of the St. Clair Parkway from the Sarnia area right through to the city of Windsor and beyond to the town of Amherstburg? Are there plans, long-range plans, for the development of that parkway so that it does extend to the two points that have been mentioned?

**Hon. Mr. Gomme:** The whole area is being looked into, but we have not got a specific plan as to what the overall will be. But I could give you the breakdown of the \$300,000.

**Mr. B. Newman:** No, that is not necessary. My only worry is that if we do not come along and formalize plans for the length of the parkway, if we do not at this stage the game start purchasing some of the properties, we may reach the point where it will be financially impractical to construct the parkway from the city of Sarnia right through to the city of Windsor. Properties are

going to go down in price at all; they are only going to increase—and the cost of construction is going to increase. If it is at all possible to purchase some of the properties, I think they should be purchased. Naturally, you cannot purchase them if you do not have a plan.

**Mr. Chairman:** Vote 801. The hon. member for Grey-Bruce.

**Mr. Sargent:** Mr. Chairman, the submission of the estimates and the capital construction programme for this year is about the only chance I will have to finally find out what is going to happen to Highway 10. On the map I have here you have—

**Mr. Chairman:** But you will note—

**Mr. Sargent:** —projected about three or four miles of paving north of Dundalk. It is on page 31 of the book you have, Mr. Minister.

**Mr. Chairman:** With respect, we did agree that we would take this under the respective votes—

**Mr. Sargent:** Oh, I see.

**Mr. Chairman:** —and we are dealing right now with the first vote.

**Mr. Sargent:** That would be under road maintenance? That would be under 802, would it?

**Mr. Chairman:** No, at the suggestion of the hon. member—

**Mr. Sargent:** Okay. Under 801 then.

**Mr. Chairman:** Main office.

**Mr. Sargent:** Under main office, on page 73, they have the collections at toll bridges. What is the revenue of the toll bridges, both Burlington and Garden City? What is the revenue of those?

**Mr. Chairman:** We have not really come that far, yet.

**Mr. Sargent:** I am under 801, Mr. Chairman.

**Mr. Chairman:** But at the suggestion of the hon. member sitting beside you, we are dealing with it by programme. The next programme is financial services and the toll bridges is the fifth.

**Mr. Sargent:** My apologies.

**Mr. Chairman:** Seventh programme, under main office.

**Mr. Sargent:** Main office, No. 7. C equipment, rentals, and so on, of \$683. Now that Mr. McNab is here, I would like to find out what magnitude of purchasing we have done in The Department of Highways by the central purchasing committee. 801, Mr. Chairman.

**Mr. Chairman:** Yes, but the hon. member will note that vote 801 is divided into two programmes of activity.

**Mr. Sargent:** Okay.

**Mr. Chairman:** This item comes under the seventh programme on page 73, so we want the main office now.

**Mr. Sargent:** Okay.

**Mr. Chairman:** Is this on the main office? The hon. member for Sudbury East.

**Mr. Martel:** Workmen's compensation is up by \$50,000. Is this as a result of increased staff over last year's estimates or is this the result of accidents or what?

**Hon. Mr. Gomme:** This is generally brought about by increased costs. I mean, hospitalization costs are higher and payments to workmen are higher and this takes that into account.

**Mr. Martel:** What type of accident does the highways department have, as compared to the accident rate in other industries? Is it lower or higher for its own employees?

**Hon. Mr. Gomme:** Ours is a great deal lower.

**Mr. Chairman:** Anything further under the main office programme? I think the hon. member for Kent.

**Mr. Spence:** Road publicity—\$172,000. I think last year we brought to the attention of the minister the symbol signing on provincial highways such as 401. Has there been any consideration given to this this year, or has there been any advance?

We brought to your attention last year that the province of Quebec has a symbol signing by which a lot of the tourists have been greatly impressed. I wondered if this could be done under this vote and, if it does, what action have you taken this year, Mr. Minister?

**Hon. Mr. Gomme:** That does not come under this vote, but the symbol signing is being used in Ontario. It is a progressive thing. As we get around to other types of things, we use them, and this is part of the research that is brought about by Canadian C

Roads Association and other groups such as that. We are using them.

**Mr. J. P. Spence (Kent):** Are you using them on Highway 401, Mr. Minister?

**Hon. Mr. Gomme:** In any place where they are applicable and sign replacements are needed, we are using that type.

**Mr. Chairman:** The hon. member for Welland South.

**Mr. R. Haggerty (Welland South):** Mr. Chairman, in the matter dealing with the city of Niagara Falls' compensation for the loss of taxes—\$12,000. This apparently goes back to 1941—is it an agreement made at that time, or somewhere in there? How old is the agreement? How often do you revise the schedule?

**Hon. Mr. Gomme:** The agreement was—\$12,000 was payable from 1941 through to 1980.

**Mr. Haggerty:** To 1980? And there is no way to update it at all?

**Hon. Mr. Gomme:** I might point out to the hon. member that Niagara Falls, of course, along with other cities and separated towns, is getting the benefit of more money, subsidy wise, from the department this year. I think that if we took last year's expenditure and put it at 50 per cent, in place of the 33 per cent which they did receive—if this year they received 50 per cent, their subsidy from us would be up \$255,000.

I mean they are getting that advantage, but the other agreement runs to 1980.

**Mr. Haggerty:** Yes, but would not the subsidy apply in other municipalities—it would be up in others too?

**Hon. Mr. Gomme:** I mentioned that at the start, but Niagara Falls is getting that advantage.

**Mr. Haggerty:** The reason I mentioned this to the minister is that there is an agreement along the Niagara River at the bridge at Fort Erie, Ontario. I notice that there is a gentleman's agreement between the authorities there. They receive some \$80,000 a year, plus local improvement rate.

**Hon. Mr. Gomme:** Of course, Mr. Chairman, The Rainbow Bridge Act was instituted in 1941 and it provided that the Rainbow Bridge will for all time be exempt from taxation. This is how they arrived at this payment.

**Mr. Chairman:** Will there be more on particular programme?

Perhaps we should save it, then.

**Hon. Mr. Welch** moves that the committee of supply rise and report that it has come certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, tomorrow we will turn to second legislation. We will do second readings in Committee of the Whole, following which we will return to consideration of estimates of The Department of Highways.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, before the House leader puts his motion, insofar as the legislation he has referred to, does that include the Minister of Municipal Affairs (Mr. McKeough) and Attorney General (Mr. Wishart), or just the minister?

**Hon. Mr. Welch:** Yes.

**Mr. Singer:** Is it contemplated The Society Act will come—

**Hon. Mr. Welch:** I think anything standing in the name of the Minister of Municipal Affairs or the Attorney General could be expected to be called tomorrow.

**Mr. Singer:** It will be a long day.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, I wonder if it would be in order to bring to the attention of the House leader that it was the agreement of the three of us that we will be going to budget on Friday.

**Hon. Mr. Welch:** That is my understanding, Mr. Speaker. Yes, I thought I would announce that tomorrow, but that is my understanding. We will, of course, be sitting tomorrow night as well.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6 o'clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Thursday, May 7, 1970

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 7, 1968

The House met today at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We have many guests in our galleries this afternoon. In the east gallery there are students from Base Borden Collegiate Institute in Bordon; and later today from the W. F. Herman Collegiate Institute in Windsor and Annondale High School in Tillsonburg. Presently in the west gallery there are also students from the Borden school. And we have with us, I believe, I have been so advised, the first class to be present here from the new city of Thunder Bay, and that is the Dag Hammarskjold High School of Thunder Bay.

Later today we will have the Broadview Progressive Conservative Association from Toronto with us, and the Beta Sigma Phi Xi Alpha Omega Chapter from Toronto.

Statements by the ministry.

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, I am pleased to make the "Algonquin Provincial Park Economic Impact Study" available to the members of the legislative assembly, and others interested in the management of our national resources, with the hope that it will contribute to the fuller understanding of the role of Algonquin Park in Ontario.

We commissioned Kaplan Consulting Limited to assess the current economic impact of the park on the economies of the local area and the province. The scope of the study was limited to the hard economics, that is the actual dollars spent by the various sectors rather than to try to measure the intangibles connected with recreation and the forest industry.

It is our intention to use the information the consultant has collected, along with that generated by other social, scientific and technical studies, as input into the master planning process for the park.

Copies of this report can be purchased through our map office, located on the fifth floor of the Whitney Block, by anyone interested. The cost will be \$1 per copy.

**Hon. G. E. Gomme** (Minister of Highways): Mr. Speaker, the House may recall that in 1964 the Restrictive Trade Practices Commission issued report No. 29 on road surfacing in Ontario. This indicated that as a result of an inquiry by the commission it concluded that 13 road contractors were conspiring to unduly lessen competition in the sale, transportation or supply of road surfacing materials, contrary to the interest of the public in Ontario.

This report led to charges being brought against 12 of the companies and to their conviction in 1966. Mr. Justice Schroeder, of the Ontario Court of Appeal, stated in his decision on the case that there was not the slightest doubt that the actions of the companies were completely devoid of business ethics and that the methods employed by the companies in presenting rigged bids were reprehensible to the highest degree and could not be condoned.

However, the court found that the evidence did not suffice to establish, beyond a reasonable doubt, that the companies had entered into a combine to prevent or lessen competition, unduly or otherwise, in the sale, supply or transportation of articles as defined in the statute. The court, therefore, although deploring the conduct of the companies, found that the offence charged had not been proven and the companies were acquitted.

Comments of the members of this House on this particular case can be found in *Hansard* during the years 1965 to 1968. The Department of Highways' estimates of road surfacing materials are available in *Hansard*.

As I reported to this House on April 24, 1968, the department consulted with federal officials involved in the investigations under the Combines Investigation Act and asked them for their comment on the department's tendering procedures. We were advised that in cases where the sort of practices uncovered in the road surfacing case are involved there are no means known for combatting them other than vigorous investigation and enforcement of The Combines Investigation Act whenever information becomes available which affords reason to believe they are being employed.

As a result of the department's investigation of its own records relating to this case, we drew to the attention of the Restrictive Trade Practices Commission of the federal government certain information on bidding practices which raised doubts in our minds.

Mr. Speaker, we have received from the Restrictive Trade Practices Commission of The Department of Consumer and Corporate Affairs of Canada a report entitled "Road Paving in Ontario", being report No. 49 of that commission. In his covering letter the director of investigations and research states:

As you know, I have for some time been conducting an investigation into tendering practices employed by some paving contractors in the province. This investigation arose from a complaint I received from The Department of Highways of Ontario, and from time to time I have consulted with officials of your department and obtained from them information which was used in evidence during proceedings before the restrictive trade practices commission.

This report deals with the following allegation of the director of investigation and research under The Combines Investigation Act:

It is my allegation that the following firms were, in the years 1959 to 1965, inclusive, parties to arrangements contrary to section 32 of The Combines Investigation Act to prevent, or lessen unduly, competition in the supply, transportation and application of asphalt paving materials to and within the jurisdiction of the municipalities of Metropolitan Toronto, the Toronto and Yorks Roads Commission and The Department of Highways of Ontario.

The report then lists 34 companies to which the allegation applied. Of this number, 18 companies were involved in meetings at which the contractors had met to seek methods of improving prices in the industry. In respect of the remaining 16, it was alleged that they participated in "cover bidding." However, as regards three of these 16 firms, the evidence concerning them was so weak that in the opinion of the commission no allegation should have been made against them.

In the statement of evidence before the commission, the term "cover bidding" was defined as follows:

The cover bid then is a bid submitted at the request of another contractor at a price which is known to be in excess of the amount which the contractor making the request intends to submit and is one that

is designed to create an illusion of competition among contractors for the work. In reality, the purpose of the submission of cover bids on a particular contract is to bring about the awarding of the contract at a noncompetitive price to the contractor agreed upon by the group.

Mr. Speaker, I would like to read into the record certain portions of the report:

At page 1 the report states:

In the light of the report of the restrictive trade practices commission "Road Paving in Ontario" (RTPC No. 29, April 1964) The Department of Highway Transport and Highways (DHO) made a preliminary investigation of other aspects of highway paving and came to the conclusion that "questionable tendering practices may well be in existence in other phases of road construction in this province." Accordingly the department requested the director of investigation and research under The Combines Investigation Act to conduct an inquiry into general asphalt paving practices in Ontario.

On page 24, the report states:

Cover bidding is deceitful and a fraud upon the authority. But it is not necessarily conclusive of collusive undue lessening of competition. On the other hand, cover bidding is the means by which a fraudulent scheme to rig tenders is implemented.

Competition can be set aside by coordinated group action involving territorial assignment or contract rotation in a substantial section of an industry; or it can be set aside as regards a particular tender. In both instances cover bidding to "protect the low bidder by an illusion of competition" is a necessary ingredient of the scheme.

On page 25, the report states:

Successful tender rigging, whether on a large scale that requires a widespread industry organization or on a single tender call, requires control of the bidding. When a large number of bids are serious competitive bids and one or two cover bids by contractors who are not interested in the work would affect the level of competition. The contractor who has bid competitively against his rivals although there were not as many rivals as the tendering would indicate. Again the cover bidders intend to deceive the authority which has called tenders. The result has not been to lessen competition unduly contrary to the provisions of The Combines Investigation Act.

Page 28 states:

The evidence showed that cover bidding often gave an illusion of more tendering competition than was in fact the case. But the evidence falls short of proving that cover bidding had the effect of setting aside competition in tendering on paving contracts, except apparently to a limited degree when associated with competitors' meetings in the 1959 to 1961 period.

Page 30 states:

The commission regards cover bidding practices, which have no other purpose than to deceive the authority calling tenders as to the number of actual competitors on a tender call, as a fraud upon the public and to that extent always detrimental to the public. There have been no specific instances in this inquiry where cover bidding, which has not been associated with general agreements to reduce competition, has been shown to result in undue lessening or elimination of competition. Nor is there evidence that the price tendered in the covered bid, that is, the protected bid price, was itself higher than it would have been. But it is difficult to avoid the conclusion that cover bidding practices enable contractors to take advantage of opportunities to control the bidding.

From 1959 to 1961, as the result of arrangements between some contractors, cover bidding was used on Department of Highways of Ontario and Metropolitan Toronto municipal tenders. While the evidence does not permit the commission to determine the immediate effects in the particular instances the practice was clearly contrary to the public interest.

Mr. Speaker, the passages I have just quoted were chosen to illustrate the department's involvement in this matter and to demonstrate the limitations on the present federal legislation dealing with tendering practices. In the interim report on competition policy prepared by the Economic Council of Canada and issued in July, 1969, it was proposed that the following be made criminal offences:

1. Collusive arrangements between competitors to fix prices.
2. Collusive arrangements between competitors to allocate markets.
3. Collusive arrangements between competitors to prevent the entry into markets of new competitors or the expansion of existing competitors.

We have been advised that the federal government proposes to introduce amend-

ments to The Combines Investigation before the end of the current session implementing these recommendations of the Economic Council of Canada.

Mr. Speaker, due to the uncertainty of application of the law to the facts of particular case, I have asked the Minister of Justice and Attorney General of Ontario (Wishart) to review the report. Upon receipt of his advice, I will make a further report to the House.

In view of the concern that I am sure will arise in the minds of the members as a result of this report about the tendering procedure in The Department of Highways, I wish to draw to their attention the steps the department has taken to guard against deceptive tendering practices. In making these further comments, I would like to state again that we were advised that in cases where the sort of practices uncovered in the road surfacing contracts are involved, there are no means known for combatting them, other than rigorous investigation and enforcement of The Combines Investigation Act whenever information comes available which affords reasonable belief they are being employed.

We believe that the following procedure together with our continued co-operation with the federal officials in all aspects of highway construction, safeguards the public interest to the fullest extent possible under the present circumstances.

During the early 1960s, the department recognized that basing estimated prices on units of work on the basis of past experience would not completely guarantee fair prices and therefore properly protect the taxpayer's money being expended on highway construction. As a result, it was decided to set up a special group within the department to examine both estimates and bids and to make recommendations as to whether any particular bid should be accepted.

This group is now known as the estimating office and is part of the staff of the assistant deputy minister, engineering. It began to operate early in 1965 and since then has broadened its functions to the point where it now prepares the department's cost estimates for all capital and maintenance contracts for the department. Since these estimates are based on analysis of the individual operations required to carry out the work involved in any particular tender item, it is no longer necessary to rely solely on the record of past experience. The estimating office also makes specific studies, on request, of some municipal contracts, as well as making

detailed examination of the tenders submitted for all work.

This group consists of some 17 individuals of whom 10 are engineering officers with many years experience in the supervision of highways construction and each of whom has a detailed knowledge of certain areas of the province, or of some specific aspect of the work, or both.

It is headed by a former district engineer who has served in seven of the 18 districts in the 36 years he has been with the department. The remainder of the staff are clerks 2 and 3 who have been specifically chosen and trained for the duties they perform.

This group prepared cost estimates in the manner in which a responsible bidder would prepare them: The team assigned to a project studies the plans and specifications exactly as they are made available to a bidder. They consider the part of the province in which the work is to be done, its isolation or accessibility, the type of soil and rock to be met with, the availability of deposits of sand, gravel, and other suitable materials, and the supply of local labour. From these factors, supplemented by their own investigations in the field, and by inquiries from the district staffs, they estimate the cost of doing the various operations which are required. They add appropriate factors to cover overhead and profit, and produce what they consider to be a fair price for the work.

Differences between these fair prices and those submitted by the various bidders are noted, and the reasons for them examined closely. If it is not possible to reconcile the bid price with the previously determined fair price, a recommendation is made that the contract not be awarded.

In the two fiscal years ending March 31, 1970, 3,234 bids on 702 contracts were examined by the estimating office; 405 of these contracts were for capital construction with an estimated value of \$212,469,163.72. An average of 5.39 bids was submitted for each contract, and the total of the low bids was \$208,911,907.63, which is 1.68 per cent below the estimated cost.

A further 297 contracts were for maintenance operations with an estimated value of \$16,801,254.61. An average of 3.54 bids was submitted for each of these contracts and the total of the low bids was \$16,446,316.68, which is 2.12 per cent below the estimated cost.

Of the 702 contracts for which tenders were submitted, detailed studies were made

and reports submitted to the deputy minister in 370 cases. In 33 of these 370 cases, or per cent, the estimating office recommended that the contract not be awarded. D savings to the department by not awarding these contracts amounted to \$227,427. These savings were achieved by either calling the work or making other arrangements to get it done.

Senior officials within the department believe that the work of the estimating office has a very healthy effect on the prices when they are bid for doing the department's work. In most of the instances where the estimating office recommended that the contract not be awarded, the low bid is greatly in excess of the estimated fair price. This happens frequently when the work is of an extremely specialized nature and when those persons or companies qualified to do the work are not occupied otherwise.

Occasionally, the extreme isolation of a project renders it unsufficiently attractive to induce strongly competitive bidding. However, the figures I have quoted earlier indicate that in far the greater proportion of cases the bids permitted have agreed remarkably well with the department's estimate of fair prices. In the last fiscal year the total of the low bids for all contracts was 1.86 per cent below the total of all the department's estimates.

In the previous fiscal year ending March 31, 1969, the total of the low bids for all contracts was 1.55 per cent below the total of all the department's estimates.

Mr. Speaker, I have taken the earliest opportunity to place before the House my comments on this important matter. As the estimates of my department are now being presented to the House every opportunity will be provided to the members during our estimating debate to ask any questions that they have concerning this matter.

Mr. Speaker: Oral questions.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, a question for clarification by the Minister of Highways following his very lengthy statement: are we to guarantee that charges might be laid dependent upon what the recommendation of the Attorney General will be to the Minister of Highways?

Hon. Mr. Gomme: Mr. Speaker, as I have indicated, I have handed this to the Attorney General for investigation, and until that comes out I would not have any comment on that.

**Mr. Nixon:** A supplementary question: are we to gather that no procedures are available to remove the possibility of covering bids being put in, other than charges in the federal anti-combines legislation?

**Hon. Mr. Gomme:** This is my information, Mr. Speaker.

**Mr. Speaker:** The member for Sudbury East, a supplementary?

**Mr. J. Renwick (Riverdale):** By way of supplementary—

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

**Mr. E. W. Martel (Sudbury East):** Would the minister give us a copy of this report this afternoon so that we can deal with it intelligently tonight? A copy of his statement as well so that we may deal with the problems during his estimates.

**Hon. Mr. Gomme:** Mr. Speaker, I am sure the copy of my statement can be made available to all the members.

**Mr. Martel:** The report?

**Hon. Mr. Gomme:** The report is from Ottawa, and unfortunately I only received one copy of it.

**Mr. Martel:** Well let me have it then. I would like to read it.

Interjections by hon. members.

**Mr. Speaker:** The member for Downsview a supplementary?

**Mr. V. M. Singer (Downsview):** Since this would be, if it is an offence at all, an offence under The Combines Investigation Act and since it is the custom that offences under that Act be handled by federal people, what would be the point in having the Attorney General for Ontario look into it for charges? Would it not be appropriate that the Minister of Justice in Ottawa look after it?

**Hon. Mr. Gomme:** Mr. Speaker, I do not think I said that the Attorney General was to give advice on prosecutions. He was asked to give me advice on the whole matter and how we should proceed.

**Mr. Singer:** I see. A further supplementary: is the minister prepared to suggest to the Minister of Justice in Ottawa that action be taken under the appropriate federal legislation?

**Hon. Mr. Gomme:** It is my information, Mr. Speaker, that there is not any appropriate legislation there which would serve the purpose in this regard. In my report I referred a submission by the Canada Council suggesting new legislation which would take care of this type of thing.

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

**Mr. J. Renwick:** Mr. Speaker, by way of supplementary question: could we borrow a copy of the report which the minister has ordered that we may make our own copy before tonight?

**Hon. Mr. Gomme:** I am sure that can be arranged, Mr. Speaker.

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

**Mr. E. W. Sopha (Sudbury):** Do I understand from the minister, Mr. Speaker, that the possibility of charges under sections 301 and 323 of the Criminal Code?

**Hon. A. A. Wishart (Minister of Justice):** No.

**Mr. Sopha:** Well that is what he said.

**Hon. A. Grossman (Minister of Correctional Services):** He is going to give an opinion.

**Hon. Mr. Gomme:** Mr. Speaker, we are ruling out anything. I have only asked the Attorney General for an opinion.

**Mr. Speaker:** Further supplementary?

**Hon. Mr. Wishart:** On a point of order, Mr. Speaker.

Since my name is included in the question of the hon. member for Sudbury, it seems to imply that I have ruled out something which would like to make it clear that I saw the report; there is only one and that has been made available from the Minister of Justice in Ottawa yesterday. We will be studying it but we have not made any decision or given any opinion yet.

It has been impossible in the very short time it has been in our hands to make an opinion available. We will not be long in deciding what action can be taken, but I am certain I do not want any inference to be put forward that either I or my colleague have ruled something out.

**Mr. Sopha:** Did the Attorney General rule the way his colleague answered?

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

**Mr. Sopha:** The Attorney General heard the way he answered?

**Hon. Mr. Grossman:** He is not a QC.

**Mr. Nixon:** Mr. Speaker, a question of the Minister of Education: can he explain the planning procedures in his department which have resulted in a surplus of trained elementary school teachers this year, estimated to be approaching 4,000; and can he explain that these surplus teachers will not be employed this coming school season because no jobs are available for them?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, we had some of these discussions last fall when the hiring process was going on.

**Mr. Nixon:** Last year there were 700 surplus, this year 4,000.

**Hon. Mr. Davis:** Mr. Speaker, with great respect, there has been no final determination of the surplus, because the hiring season is still on. Two of the colleges do not start their hiring until around May 15 due to other situations that exist in the teaching profession at the moment; and I think there has also been some delay in the hiring procedures. I think it is very early to determine any number of surplus teachers that may exist as graduates from the teachers college this present year.

I should also point out, Mr. Speaker, as I mentioned on other occasions, that while we feel a very real responsibility with respect to these graduates, at the same time we are very reluctant to limit enrolment by saying to students who wish to enter the teaching profession, we anticipate there may be only X number of positions available and as a result you do not have the right to enter college. As was pointed out by one of the principals in the press, and I think it is totally relevant, when the new regulations come into effect in the fall of 1971 we will be requiring a degree for admission to the colleges. With this in mind there will be a number even this coming September, even though they know there is some surplus of teachers available in the province, who will wish to enter prior to the new regulations taking effect. Mr. Speaker, while we would very sincerely like to find a teaching position for every graduate of college, I think at the same time we must be realistic and anticipate that there will be some surplus. But at this precise moment it is really far too early to say that there will be 4,000 surplus and I would say with respect the number really will not be that great at all.

**Mr. Nixon:** A supplementary question: view of the specific figures that must be available to the minister of the number of teachers in training and those already in service in the province and the experience from years gone by, would he therefore be in a position to say that the reports from the teaching colleges that indicate that something between 42 and 50 per cent of the teachers in training this year will not be needed is a gross exaggeration?

**Hon. Mr. Davis:** I would say, Mr. Speaker, that not only is it an exaggeration, but something in excess of 54 per cent have already been hired and the hiring process is not over. Quite obviously, when you are at 54 per cent you are already above the percentage referred to by the Leader of the Opposition.

**Mr. Nixon:** Forty to 50 per cent?

**Hon. Mr. Davis:** Well, we are 52 per cent now; that is 54 per cent hired.

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

**Mr. Martel:** A supplementary question: the Minister of Education: would the minister consider utilizing these extra teachers that are going to be available to reducing class sizes in Ontario or providing an itinerant teacher in each school to reduce the work loads on the overworked staff in the elementary school system at the present time?

**Hon. Mr. Davis:** Mr. Speaker, the determination with respect to student-teacher ratios is a matter determined by the individual boards themselves. If there is a place and a real need for further teaching staff, I am sure the boards, due to the numbers that are available, will avail themselves of them.

**Mr. Martel:** A supplementary: would the minister consider providing additional funds to these boards to employ these teachers in order to reduce staff, or, as I say, to provide itinerant teachers in each school?

**Hon. Mr. Davis:** Mr. Speaker, I really do not think there is any likelihood that the government will increase its contribution to the school boards in relation to this particular problem. The grants to the school boards relate to the cost per student, the assessment of the municipality and the number of students; and I do not anticipate, Mr. Speaker, there will be any change in this.

**Mr. Speaker:** Supplementary? No.  
The Leader of the Opposition.

**Mr. Nixon:** A question of the Minister of Energy and Resources Management: has he any information on the dumping or destruction of DDT collected under his regulations of some months ago, which would indicate that this material is being simply dumped on municipal grounds in certain centres of the province, for example Peterborough?

**Hon. G. A. Kerr** (Minister of Energy and Resources Management): Mr. Speaker, I have no information that DDT is being improperly disposed of.

As we indicated some weeks ago, there is in many municipalities a pickup service that is being operated mainly by the local medical officer of health, and in some cases, I believe, by the department of my colleague, the Minister of Agriculture and Food (Mr. Stewart).

Now I have not heard that there has been any improper dumping or disposal of the waste. In many cases people, particularly merchants who still have small supplies on their shelves, are still keeping those. They are not selling them but they are retaining them until they receive further instructions from us.

**Mr. Nixon:** A supplementary question: is there then no uniform process under the minister's direction for eliminating the DDT that has been collected under his recent regulation?

**Hon. Mr. Kerr:** Well, Mr. Speaker, really this is still under The Department of Health and any edicts or regulations or directions have been coming from The Department of Health, so therefore I really cannot answer that question.

**Mr. Nixon:** A supplementary question: would the minister not agree, in his capacity as the minister responsible for anti-pollution measures, that if DDT is improperly disposed of it would constitute a major ecological hazard?

**Hon. Mr. Kerr:** We have indicated by way of information and direction how not to dispose of DDT, and if there is any question on the proper method of disposal to retain it, to keep it. But as I say, in many municipalities, I believe this is the case in Toronto, there are methods of collecting or picking up DDT and also there are areas where they have disposal sites where people who have DDT can bring it and leave it and then it is disposed of in a proper and safe way as far as pollution is concerned and as far as we are concerned.

**Mr. Nixon:** Mr. Speaker, a final one as far as I am concerned: would the minister undertake to determine how DDT is being disposed of in the Peterborough area?

**Mr. F. A. Burr** (Sandwich-Riverside): supplementary question for the minister: the minister investigated the resources of the National Research Council, which has developed a device to dispose of this safely?

**Hon. Mr. Kerr:** I am not exactly sure the method to which the hon. member is referring, but I know that the method that is being used in many instances by local authorities is pretty well along the line the research council suggests, but there is still a certain amount of controversy about this.

For example, the type of container, whether it should be in a steel drum or encased in cement or something like this. We have worked out we consider safe disposal sites for the dumping of waste—solid and liquid waste—however we find that with DDT it may not be completely safe. These are problems that we have; and frankly that is why, and I am sure my colleague the Minister of Health (Mr. Wells) could confirm this, this is why we have in many instances asked people to hold on to it, not to bury it necessarily, but to hold on to it and not to use it or sell it.

**Mr. Burr:** A further supplementary: is the minister not aware of the incinerator that the National Research Council has developed? Will he make enquiries about that please?

**Hon. Mr. Kerr:** I am aware of the incinerator. This is a research project of the National Research Council. It is a matter of having these incinerators in effect in the various municipalities in the province.

**Mr. Speaker:** The member for Essex South—a supplementary?

**Mr. D. A. Paterson** (Essex South): Would sales agencies that have chemicals other than DDT on their shelves that have been banned for use follow the same procedures as the minister has just outlined? Would these be available for pickup?

**Hon. Mr. Kerr:** Yes, if there is a pickup procedure in a particular area, a particular municipality, I believe anybody who has DDT would be aware of this procedure. If they are not aware of any arrangement, or there is no proper procedure, the best thing would be for a person in such an area to locate the local medical officer of health.

**Mr. Speaker:** Has the Leader of the Opposition completed his questions?

The member for Riverdale.

**Mr. J. Renwick:** Mr. Speaker, I have a question of the minister of Energy and Resources Management.

Is the minister concerned about the proclamation of that section of The National Energy Act which will preclude so-called "bootleg" gasoline coming into Ontario when it was only the influx of that 2.5 per cent of the market which provided any competition amongst the major oil companies in the price of gasoline?

**Hon. Mr. Kerr:** Mr. Speaker, I am not really aware of the particular "bootleg" market with which the hon. member is concerned, but if the percentage to which he refers is restricted to one particular area, this could be of some concern to the dealers in that area. If it is a province-wide thing, the percentage does not seem to be of an extent to concern us.

**Mr. J. Renwick:** Mr. Speaker, by way of a supplementary question: Would the Minister of Energy and Resources Management inform himself about this matter and report to the House at some subsequent date as soon as possible?

**Mr. Speaker:** Another question?

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Attorney General.

Will the Attorney General give consideration to prescribing a form of uniform to be used by security guards throughout the province of Ontario so that they will not appear as disguised policeman?

**Hon. Mr. Wishart:** I would be prepared to give consideration to this, Mr. Speaker.

We had some discussion, I may say, about this some time previously. I do not know if any policy has as yet been arrived at, but I would be glad to take it under consideration.

**Mr. J. Renwick:** Mr. Speaker, I have a question of—

**Mr. Speaker:** Has the member for Ottawa Centre (Mr. MacKenzie) a supplementary?

The member for Riverdale.

**Mr. J. Renwick:** Mr. Speaker, I have a question of the Minister of Labour.

Would the Minister of Labour advise the House whether or not the opinions expressed in the report which was made under the

auspices of the industrial relations foundation or commission at Queen's University, the question of minimum wages, is or is not the philosophy of his department, so that there will be no unnecessary barricade erected to the increase of the minimum wage in the province of Ontario?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, the hon. member is referring to a paper that was written, by Mr. Whiteham, who is in the research branch of the Department of Labour.

That was published by the Industrial Relations Institute at Queen's in, I think, January of this year. That is a paper which is based on research done in 1967 and also on previous research derived from the Dominion Bureau of Statistics.

Since then, of course, the minimum wage has been changed. We have authorized other studies in reference to the impact of that and as to suggestions for the future and it is on those studies that we will make our decision.

**Mr. J. Renwick:** Mr. Speaker, by way of a supplementary question: Is the philosophy ingrained in that particular report the philosophy of the minister's department? Or is it giving consideration at the present time to a further upward revision of the minimum wage in the province of Ontario?

**Hon. Mr. Bales:** Mr. Speaker, I believe I said in an answer to a question a while ago that consideration was being given to the matter of an increase in the minimum wage.

**Mr. Speaker:** The member for Ottawa Centre.

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Speaker a question of the Minister of Energy and Resources Management.

1. Is the minister aware that the sewage disposal plant on the west boundary of Ottawa was designed for a flow of 1.5 million gallons per day, but is reported to be operating at five million gallons per day?

2. Is the minister aware that the discharge of this plant into the Ottawa River is one mile or two above the new water filtration plant intake?

3. Is the minister aware of plans to spend \$3 million to extend the sewage plant?

4. Is the minister aware that for a reported \$25 million, the load handled by this sewage plant could be transferred to the plant downstream from Ottawa?



5. Would the minister endeavour to eliminate the health hazard from the source of pollution rather than permit its extension?

**Hon. Mr. Kerr:** I would not attempt to answer all those questions, Mr. Speaker. I will get that information for the hon. member.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. Burr:** Mr. Speaker, a question of the Minister of Energy and Resources Management.

Is the waste disposal branch treating the disposal of discarded plastic products as a separate problem requiring a special method of incineration, or preferably segregation and recycling?

**Hon. Mr. Kerr:** No, not at this time, Mr. Speaker.

If plastic products are being disposed of in a landfill site, there is no attempt to separate them or to treat them any differently than other wastes. If it is by incineration, I am not aware of any method by which this can be separated, and I think the hon. member is aware of that.

There are very few areas where this can be done effectively. I understand that some products are being manually separated from the rest of garbage. We may have to get into this, but at this time it is not being done.

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

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, I have a question of the Attorney General and Minister of Justice.

Is the Attorney General aware of the present extreme difficulties the legal profession is experiencing as a result of the reluctance of the local master at Toronto under The Mechanics Lien Act, the new Mechanics Lien Act, to grant discharges on the posting of a bond?

If he is so aware, what is the intention of his department in this connection?

**Hon. Mr. Wishart:** Mr. Speaker, I am very glad to have the question and to answer it. We have become aware of this and I think I am at liberty to inform the House that this morning in council I cleared an amendment to correct that situation.

**Mr. D. M. De Monte (Dovercourt):** By way of supplementary, Mr. Speaker, is it true that the masters at Osgoode Hall will not hear any mechanics lien actions?

**Hon. Mr. Wishart:** That is the same situation; that is being remedied.

**Mr. De Monte:** May I ask a new question, Mr. Speaker?

**Mr. Speaker:** No, I think it is the turn of the member for Wentworth.

**Mr. I. Deans (Wentworth):** Thank you, Mr. Speaker, I have a question of the Minister of Education.

Is the minister aware of the practice carried on by the Halton Board of Education, as outlined by one Donald R. Kemp, an official on the board, that they accept as standard practice, and in fact have put out a memorandum to the effect, that an 18 per cent failure rate under the system is acceptable?

**Hon. Mr. Davis:** Mr. Speaker, I am aware of the individual practice within the board as it relates to the particular position within the county of Halton that an 18 per cent failure rate is acceptable. Of course, Mr. Speaker, my own personal philosophy might not necessarily support this. It would, I relate, I guess, to the board's policy as to whether or not a failure has found some other course, or been given some other opportunity.

I think if one checked the figures very carefully, one would find that this is probably very close to the failure rate over the province over the past number of years. I doubt if there is much variation between what has been suggested and what has been practiced in the last 10 years in this province.

**Mr. Deans:** Does the minister not feel that the setting of a failure rate permits the programme to be geared in that fashion toward making sure that no more, no less than that, happens to fail? Does the minister not think that this is a bad practice in attempting to guarantee an adequate and equal opportunity for education for all the children in the system?

**Hon. Mr. Davis:** I do not know, Mr. Speaker, that it is bad or good. I do not think that any boards state a specific percentage with respect to failures. Whether it inhibits teachers in passing higher or lower than that, I doubt very much. I think we must recognize the capacities of the individual teachers with individual subjects, and I do not think that it is an inhibiting influence.

Perhaps the hon. member might discuss it with a couple of his own colleagues who sit behind him and who, I am sure, have

operated within this field and have had some experience in this. I do not think it is an inhibiting factor.

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

**Mr. Sopha:** A question of the Minister of Public Works: I should like to ask whether he has any enlightenment or any clues about the mystery of the teakwood panelling at the Downsview offices of The Department of Highways in respect to the questions I addressed to him the other night, 48 hours having now gone by?

**Hon. J. R. Simonett (Minister of Public Works):** Mr. Speaker, I have a report that I had in the House yesterday to give to the hon. member. I did not see him and I am sorry I have not been back to my office since I came over to the cabinet meeting this morning, but I will see that it is delivered to him later this afternoon or tomorrow.

**Mr. Sopha:** Oh, I would like him to tell the whole House.

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

**Mr. De Monte:** Mr. Speaker, I have a question of the Minister of Labour. Has the Canadian Manufacturers Association submitted a brief to the minister in connection with the workmen's compensation board?

**Hon. Mr. Bales:** No, not as yet.

**Mr. De Monte:** Well by way of supplementary, has the Canadian Manufacturers Association submitted a brief to the workmen's compensation board?

**Hon. Mr. Bales:** Not that I am aware of, Mr. Speaker.

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

**Mrs. M. Renwick (Scarborough Centre):** A question of the Attorney General: I wonder, Mr. Speaker, if the minister would comment on whether he feels the government might possibly be guilty of champerty in its coercion with deserted wives to gain money for the government by having them sign show-cause warrants?

**Hon. Mr. Wishart:** I wonder if the hon. member would be good enough to direct that to the order paper so I can give it proper consideration.

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

**Mr. Paterson:** Yes, a question of the Minister of Energy and Resources Management: Is the minister giving consideration to picking up the educational programme to the conservation branch toward the fight against pollution, as has been suggested by Roy James of the Burlington Chamber of Commerce?

**Hon. Mr. Kerr:** Mr. Speaker, I think James was referring to the Halton regional conservation authority and the plans of that authority to establish a conservation school within its watershed. We, as the hon. member knows, do have such facilities now as a very successful programme. I believe the members will find that the budget for this year for this programme is more than for last year, and there are at least three authorities that want to follow the Metro authority programme of providing these facilities.

**Mr. Paterson:** As a supplementary, is the minister preparing more folders, other than those through the OWRC, for distribution throughout the breadth and width of the province in schools that may not be served by conservation schools?

**Hon. Mr. Kerr:** Yes, this year the conservation authorities branch will be providing new up-to-date brochures, with a picture of the minister and all that sort of thing, I hope.

**Mr. Speaker:** The member for Windsor-Walkerville has a supplementary?

**Mr. B. Newman (Windsor-Walkerville):** I have a supplementary of the minister. Would the minister consider the using of a cartoon known possibly as the "Junior Pollution Fighters" in an attempt to emphasize to the public the seriousness of the problem?

**Hon. Mr. Kerr:** We considered that, Mr. Speaker, but the fastest growing army in Ontario, or in the world as far as that goes, is the ranks of the pollution fighters. They are running out of names now, and initiative. But any of these young people who are sincere and want to take part in these educational programmes, regardless of where the schools exist, certainly would have their applications considered.

**Mr. Speaker:** The member for High Park.

**Mr. M. Shulman (High Park):** I have a question of the Minister of Financial and Commercial Affairs, Mr. Speaker. Is it the policy of his department to require that

takeover offers the same offer is made to all shareholders as is given to the controlling shareholders, and if this is the policy of his department, will he intervene in the takeover of Atlantic Sugar, in which \$10 cash is being paid to the controlling shareholder and paper worth much less is being given to all the other shareholders?

**Hon. A. B. R. Lawrence** (Minister of Financial and Commercial Affairs): Mr. Speaker, that kind of question is not a matter of departmental policy; the question is of the administration of the securities legislation by the securities commission.

I am not aware of the particulars in detail, although I have read the newspaper reports on this particular takeover. I shall speak to the commission and either inform the member, or inform the House, if there is a jurisdiction in the securities commission that should be exercised.

**Mr. Shulman:** As a supplementary, if the minister should come to the conclusion there is no such jurisdiction, would he consider bringing in an amendment to his Act so he will have such jurisdiction in future?

**Hon. A. B. R. Lawrence:** I am not saying this jurisdiction does not exist, but I will say that the powers of review of takeovers, mergers and amalgamations, as the hon. member knows, are very much before the securities commission and the department by dint of the merger study and following studies that are in progress and have not been completed.

**Mr. Shulman:** As a further supplementary—perhaps the same supplementary—if the minister should not have the jurisdiction—this is the point, I am not sure whether he does or he does not—but if he should not have the jurisdiction, will he take steps to see that he gets it in the future? That is what I am really anxious about.

**Hon. A. B. R. Lawrence:** Does the hon. member mean with respect to this particular transaction or—

**Mr. Shulman:** No, with respect to all transactions.

**Hon. A. B. R. Lawrence:** We will certainly consider this kind of problem.

**Mr. Speaker:** The member for Niagara Falls.

**Mr. G. Bukator** (Niagara Falls): Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Monitoring equipment for air pollution—what is the cost for that type of equipment? How readily is it available to municipalities that feel they have an air pollution problem? What method of priority would you use if your equipment was limited and you do not have too many units to do that job?

**Hon. Mr. Kerr:** Mr. Speaker, I do not want to make an inaccurate guess as to the cost of this equipment. It is not sort of specialized equipment, particular enough; it is sort of inter-related with a lot of the other equipment we have in our monitoring system. I just forget the second point the hon. member raised.

**Mr. Bukator:** How readily available is the equipment?

**Hon. Mr. Kerr:** We are having difficulty obtaining the equipment that will link up metropolitan or urban areas in the province with the computer system in Toronto. That is a matter of technology more than acquisition of physical equipment.

So that as far as priority is concerned, Mr. Speaker, it is a matter of dealing with the areas where we feel the problem is the worst at the present time. We have picked the larger cities, and we will, of course, go to those areas where there is heavy industry where there are more people and where we feel, because of the concentration of growth, there should be some form of information made public on a regular basis.

However, if the hon. member is interested in some sort of detailed cost, which would be quite substantial, I will get that for him.

**Mr. Bukator:** A supplementary, Mr. Speaker, the information that I have is that in addition to the outlying districts of heavily populated areas, such as in the Niagara peninsula, I understand there is a possibility of some monitoring or three years before you have the equipment. Is that true? Two to three years before you have monitoring equipment to investigate air pollution of that highly industrialized area?

**Hon. Mr. Kerr:** Mr. Speaker, we are looking at an outside period of about two years to complete this programme. When I say that, I am talking about pretty well all of the urban centres, say of 50,000 population or more, being within this system.

But certainly I would think that the Niagara peninsula would be serviced well before the two-and-a-half year period.

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

**Mr. P. D. Lawlor (Lakeshore):** I have a question of the Minister of Municipal Affairs.

Will the great panjandrum who governs municipal affairs in this province reconsider his Draconian edict of last night which, like a Damoclean sword, he held over the heads of the municipalities in this province? The extended period—the generous period, Mr. Speaker—two full weeks in which to make representations to him, as a result of the edicts that he handed down.

**An hon. member:** That is you, Darcy.

**Mr. W. G. Pitman (Peterborough):** Does the minister know what he said?

**Mr. Lawlor:** Gave them only two weeks. Come on, can the minister not give them a little longer?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** I am not replying to the question.

**Mr. Lawlor:** I can hear that.

**Mr. S. Lewis (Scarborough West):** Is the minister not equal to it?

**Mr. Speaker:** The Leader of the Opposition.

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

Has the energy board completed its hearings into the proposed takeover of Union Gas by Consumers' Gas, and does he intend to make their recommendations public when they are available to him?

**Hon. Mr. Kerr:** Mr. Speaker, I am not exactly sure whether the actual hearings are completed. They were to be completed this week. It is quite possible they will be completed tomorrow.

There will now be required, of course, a period of time and this will be, I would think, a few weeks anyway—possibly a month—for the board to consider the voluminous material and evidence and submissions that have been made to it, and then it will make recommendations to the Lieutenant-Governor-in-Council. I would doubt very much if those recommendations will be made known until there is a decision.

**Mr. Nixon:** As a matter of clarification: Does the minister mean a decision by the Lieutenant-Governor-in-Council?

**A supplementary question, Mr. Speaker:** Would the minister not agree, since the hear-

ings have been held in public, that recommendations of the board in all faith should be made in public as well?

**Hon. Mr. Kerr:** The Leader of the Opposition means after the decision?

**Mr. Nixon:** No.

**Hon. Mr. Kerr:** Does the member mind I have time to think that one over?

**Mr. Speaker:** The member for Yorkview a supplementary?

**Mr. F. Young (Yorkview):** No.

**Mr. Speaker:** Then the member for Scarborough-Riverside, a supplementary?

Then the member for Sarnia.

**Mr. Bullbrook:** Thank you very much, Mr. Speaker. By way of a supplementary to the minister: Is the minister aware of the change of attitude by the directors of Union Gas that they now resist this takeover?

**Hon. Mr. Kerr:** Yes, I am.

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

**Mr. Young:** Mr. Speaker, I would like to ask the Minister of Energy and Resources Management whether he has an answer to the question I asked a week or so ago—that in view of the MacLaren report, which recommends that many of the areas along Metropolitan Toronto rivers need immediate erosion control and stabilizing techniques to remove landslide possibilities, whether the province now contemplates any action in respect?

**Hon. Mr. Kerr:** Mr. Speaker, this report, I believe, was commissioned by the Metropolitan region conservation authority and for their own use. As a result, MacLaren did recommend that certain steps had to be made to prevent further erosion.

We have received a request from the Metropolitan region for provincial assistance for these programmes. Unfortunately, some of them are on a large enough scale that they would normally involve the federal government under The Canada Water Assistance Act. It may be that we will have to be the other government assisting the Metro region in carrying out this rather costly and long-term project. The hon. member may have seen a television programme on this—I do not know whether it was a news article or a special dealing with this problem—and it may be that the Metro conservation authority is trying to soften up the minister and

branch so there will be no problems as to grants.

**Mr. Young:** Mr. Speaker, a supplementary: did the minister say that the province is going to be willing to participate financially, as they have in other projects of this kind in former years? Was this what he said?

**Hon. Mr. Kerr:** Well, this decision has not been made as yet. This application is before the branch, and I have indicated it involves a lot of money, but it is quite possible that in fact we will be involved, certainly in sharing the cost of it, if the project is approved.

**Mr. Speaker:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** A question of the Minister of Municipal Affairs: is the minister planning to put a ministerial order for subdivision control on Baxter township in light of the proposed opening of a development road into the Big Chute by a development company in the district of Muskoka?

**Hon. Mr. McKeough:** It seems to me there has been some correspondence on this particular matter, and I think I can say the question the member has asked is under consideration.

**Mr. Good:** I have not got an answer out of the minister this session.

**Mr. Speaker:** The member for Peterborough wishes the floor?

**Mr. Lewis:** The member for Peterborough and I both have questions on labour relations.

**Mr. Speaker:** Well the member for Peterborough has the floor if he wishes it, and if he wishes to defer to the member for Scarborough West, that will be perfectly all right.

**Mr. Pitman:** I will defer.

**Mr. Lewis:** May I address the question to the Minister of Labour, then, thanking my colleague from Peterborough?

Mr. Speaker, through you to the minister, has the minister been in contact with the personnel manager at Honeywell Controls in Scarborough to ask him to cease the hiring of student employees for the purpose of occupying jobs which break the strike, the legitimate strike, that now exists in that plant?

**Hon. Mr. Bales:** No, Mr. Speaker, I have not. The matter has not been brought to

my attention; but I have not been in touch with him in any case.

**Mr. Lewis:** By way of supplementary, Mr. Speaker: has the minister a policy on this situation, given a legitimate strike which has subsequently broken in this fashion, or in any other fashion, by the hiring of a strike breaker?

**Hon. Mr. Bales:** Mr. Speaker, the negotiations involving Honeywell are continuing. They were on last week and they are continuing, and until such time as both matters are concluded, I think that this is a matter to be worked out between the management and the employees' representative through the union.

**Mr. Lewis:** By way of supplementary, Mr. Speaker: since there is a legal strike sanctioned under The Ontario Labour Relations Act within the minister's department?

**Mr. Speaker:** Perhaps I might point out to the hon. member that no facts are to be included in the question, and he is now setting out a fact.

Interjections by hon. members.

**Mr. P. J. Yakabuski (Renfrew South):** Will the minister be down at the American Embassy?

**Mr. Lewis:** Mr. Speaker, by way of supplementary—

**Mr. Singer:** Without facts!

**Mr. Lewis:** Given the hypothesis that there is now a legal strike, sanctioned by The Ontario Labour Relations Act, at Honeywell Controls, what protection will the minister afford the workers legally out on strike to protect their jobs being taken from them if the strike broken by the use of student strike breakers?

**Hon. Mr. Bales:** Mr. Speaker, the strike has not broken; the negotiations are continuing and are at a rather important crucial stage. For that reason I do not propose to answer any further questions on this matter.

**Mr. Speaker:** The member for Essex-Kent

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Could the minister inform the House of the treatment of sewage from primary treatment plants compares with private un-

being approved by health units throughout Ontario?

**Hon. Mr. Kerr:** I think you fellows must have had that immersion course in pollution control. Well, we feel, of course, that the government—

**Hon. C. S. MacNaughton (Treasurer):** The minister is handling it all right.

**Hon. Mr. Kerr:** The treatment plants that are approved, I think the member said by The Department of Health, I would assume are individual household treatment plants. They also have to be approved by OWRC.

**Mr. Ruston:** A supplementary: of course that does not answer the question, and perhaps the minister does not have the figures here to tell us, but what I am getting at is this: is there any difference between primary treatment from primary treatment plants that we might have in the city of Toronto or some place else, and what I call an individual unit—a package plant? Does the minister want to call it that?—not necessarily though, I am thinking of an individual household.

**Hon. Mr. Kerr:** My information is that the individual household primary treatment plant is basically the same as the primary treatment plant that we have in our various municipalities. It is the same method, the same degree of treatment.

**Mr. Speaker:** The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Thank you, Mr. Speaker. I have a question of the Minister of Lands and Forests.

Is the minister anticipating changing The Ontario Lands Act to permit Indian bands to retrieve all the money being paid to them by different companies which have taken easements for exploratory purposes on their land?

**Hon. Mr. Brunelle:** Mr. Speaker, I believe this matter comes under my department as well as under The Department of Mines. My colleague, the Minister of Mines (Mr. A. F. Lawrence), has been reviewing this matter along with myself and I believe that he has recommended that this be done. If I may say, Mr. Speaker, I really do believe this comes more under The Department of Mines than under ourselves and I would like to give the hon. member a more definite answer, maybe tomorrow.

**Mr. Speaker:** The question period has expired.

Petitions.

Presenting reports.

**Hon. Mr. MacNaughton:** Yes, Mr. Speaker, I wish to table a report prepared by the department of geography at the University of Toronto. It is entitled "Geographical Aspects of Industrial Growth in Metropolitan Toronto Region". It is a rather comprehensive document and with your permission I would like to make a few comments on the report's highlights.

One of the important questions associated with our development plan for the Toronto-centred region which was presented on Tuesday is our ability to attract people to jobs in designated centres outside the metropolitan centre. The government believes it is possible through co-ordinated and concentrated policies, to reduce the pressure on Metro and encourage development in other parts of the region. This is evident, of course, from the proposal to stimulate growth in a number of centres in various directions and distances from Metro.

One analysis that contributes to our optimism is the first paper to be published in a series of university studies into the potential for regional development in Ontario. The paper which I want to table today is entitled, as I mentioned, "Geographical Aspects of Industrial Growth in Metropolitan Toronto Region". The authors, from the department of geography, the University of Toronto, were Messrs. N. C. Field and D. P. Kerr. This is research paper No. 1 of the many projects commissioned by the regional development branch among the 14 universities in Ontario. The studies cover manufacturing, recreation, transportation, land use, and many other economic and social aspects of development across the province and in particular areas.

The Field-Kerr studies surveyed 100 manufacturing firms, employing close to 200,000 people, in the zone extending 65 miles around Metropolitan Toronto. The authors attempt to assess the advantages or disadvantages of manufacturing operations within the various urban centres of this zone, including Brampton, Georgetown, Orangeville, Barrie, Orillia, Guelph and Kitchener.

The study reveals that, since the Second World War, manufacturing activity has increased in the city of Toronto but increased less in Metro and the peripheral zone, especially to the north and west. By locating an appropriate distance from Toronto, industrial

have found that they can benefit from the market, supply, and social amenities of the metropolitan centre, while avoiding the disadvantages of higher land costs and property taxes, congestion and pollution.

Although new manufacturing plants of domestic origin have shown some preference for locations outside Metro, United States and other foreign firms have gravitated strongly to the Metropolitan centre. The greatest potential for decentralizing industrial growth appears to lie in convincing foreign firms of the merits of locating outside Metro. The increasing shortage of industrial land at the centre will provide a natural stimulus for all firms to locate outside Metro. Messrs. Field and Kerr suggest that provincial policy should be geared to attracting firms to a few selected urban centres where economies of scale can be created. This advice, obviously, has been incorporated in our development concept for the Toronto-centred region.

I do not want to provide elaborate detail from the study, but perhaps the members will be interested in some of the major findings:

The growth of manufacturing in the Toronto hinterland has been greatest in Simcoe county, which reflects the importance of the Toronto link provided by Highways 400 and 401; and in Wellington and Waterloo counties, which have Kitchener and Guelph within their boundaries.

The survey did not reveal any apparent relationship between distance from Toronto and relative orientation to the Metro market. Bramalea had the lowest percentage of shipments directed to the Metro market, while Barrie and Orillia showed the greatest orientation. However, plants located in the peripheral zone are significantly less reliant on the Toronto market than are those located in the suburbs.

Manufacturing in the peripheral zone has been held back to some extent by a lack of suitable buildings for rent. About 20 per cent of the industries lease their premises, a factor particularly important to smaller firms lacking capital and to firms wishing to commence operations with a minimum of delay. Municipalities are prevented at the present time from using public funds to construct industrial buildings and private developers tend to confine their investment in facilities such as industrial malls to the larger centres.

The high cost of land in Metro Toronto is a major factor in the decision of many firms to select a location in an outlying centre. For a five-acre site, the difference in prices can often exceed \$100,000.

Lower land costs outside Metro Toronto enable firms to establish more efficient factory buildings, with larger parking and loading areas, and with reserve area for expansion.

Although municipal taxes on industrial properties in outlying areas are somewhat half that in Metro Toronto, the difference does not appear to be significant in the choice of location by an individual firm.

These findings, as I have suggested, help us to develop policies that will encourage development outside the metropolitan centre. They can be applied in association with highly successful experience of the Ministry of Trade and Development (Mr. Randall) his Equality of Industrial Opportunity programme.

Our university research programme provide us with many other guidelines for regional development. I expect to be presenting a number of these reports to the Legislature during the coming months. We continue to encourage this assistance and support from the university community, which is another phase of our partnership programme for progress in Ontario.

Hon. Mr. Welch presented the report of the Public Service Superannuation Board for the year ended March 31, 1969.

**Mr. Speaker:** Motions.

Mr. Carruthers moved, seconded by Farquhar, that:

as provided in clause (d) of standing order No. 87, a standing committee on estimates be appointed for the present session to consider estimates of departmental spending for the fiscal year ending March 31, 1971, as referred to it by the House and to report thereon, as provided in clause (f) of the standing order No. 87.

Such committee to consist of 25 members as follows: Messrs. Apps, Belanger, Breithart, Deacon, Demers, Downer, Edighoffer, Evans, Gilbertson, Henderson, Hodgson (Victoria), Haliburton, Hodgson (York North), Johnson, Lawlor, Newman (Windsor-Waterloo), Peacock, Pitman, Renwick (Riverdale), Sargent, Smith (Simcoe East), Trotter, Leneuve, Whitney, Winkler, Yakubski.

The quorum of the said committee to consist of five members.

Motion agreed to.

**Mr. Speaker:** Introduction of bills.

## DISTRICT MUNICIPALITY OF MUSKOKA

Hon. Mr. McKeough moves first reading of bill intituled, An Act to establish the District Municipality of Muskoka.

Motion agreed to; first reading of the bill.

**Hon. Mr. McKeough:** Mr. Speaker, I would like to speak briefly on this Act.

This Act's origins go back almost 10 years when interested municipal representatives and individuals in Muskoka began to discuss the need for municipal reform. In May, 1966, the municipalities asked the then Minister of Municipal Affairs for a study of the local government structure of the district of Muskoka. Mr. Donald M. Paterson was appointed as research director and subsequently as commissioner. His final report and recommendations were made public in July, 1969. After numerous briefs and meetings I presented the government's policy statement in Bracebridge on March 9 of this year.

My proposals followed closely those made by Mr. Paterson in his excellent report, and the legislation I am proposing today deviates very little from my March 9 proposals. Therefore, it will not be necessary in these remarks to discuss the Act in detail.

The Act does two things. Firstly, it creates a legislative council of 22 members to deal with the problems affecting all of Muskoka. The district council will be composed of representatives from the local municipalities and its members will elect their own district chairman.

Secondly, the Act reduces the number of local municipalities from 25 to six. Each existing municipality will be a ward in its new municipality, with at least one seat on the council. This will ensure that existing communities are represented in the new system.

There will be three towns and three townships in Muskoka as a result of these consolidations. The towns will be Bracebridge, Gravenhurst and Huntsville. The townships will be Georgian Bay, Lake of Bays and Muskoka Lake.

The district municipality will have a number of important responsibilities. These include the district tax levy, capital borrowing, district planning, sewage treatment and trunk sewers, district roads, welfare, health and pollution control through the health unit, tourism, recreation and economic development.

All policing in Muskoka will be handled by the Ontario Provincial Police. This will relieve the existing towns of Bracebridge, Gravenhurst and Huntsville of the cost of maintaining police forces and allow them to use the extra funds for other local purposes such as pollution control.

The first elections will be held on October 5 of this year, and district council will become operative in late October and municipalities will become operative on January 1, 1971. The new municipalities will also become operative on January 1, 1971.

Some people might argue that an area of Muskoka which covers about 1,600 square miles and has a permanent population of more than 30,000 does not need the kind of municipal structure that we are creating. But during the tourist season, which is gradually becoming longer and longer, there are an additional 60,000 cottagers and a total population which can reach as high as 150,000 people. This population is scattered over the area, mainly on the lakes, but often on land which is not very suitable for a septic disposal system.

The growth in the amount of leisure time of people in the urban area to the south of Muskoka is increasing the recreational demand on Muskoka's resources. And the industrial growth which provides needed jobs for the permanent residents, brings with it the problems as well as its benefits.

Obviously then, Muskoka needs a means by which it can combat pollution problems on the lakes and in its urban settlements, and a means of planning for the development of the area so that the environment will be protected for the future. I believe the municipal structure we are creating, Mr. Speaker, will provide the people of Muskoka with the means to accomplish this.

To assist the people of Muskoka in meeting the challenges posed by recreational development, the government of Ontario will be providing additional funds of almost \$2 million to Muskoka over the next five years. The most important part of that amount will be the environmental development grant of \$150,000 per year to the district municipality, \$100,000 will be used for pollution control and \$50,000 for the land-use planning that is so essential.

The people of Muskoka can justifiably be proud of the achievements of their local representatives and their provincial representative, the member for Muskoka (Mr. Boyce) for the manner in which they have dealt with this whole process of study and change in the structure of local government. I am confident, Mr. Speaker, after my discussions



Muskoka during the past nine months, that they will eagerly take up the challenge and opportunity that this new municipal structure will provide for them.

**Mr. Bullbrook:** Mr. Speaker, are we entitled to question at this time? That is unfortunate, we need to.

**Mr. Nixon:** Mr. Speaker, on a point of order before the orders of the day.

As you know, sir, the three Liberal members of the select committee on election law withdrew from this morning's meeting because they felt that their democratic rights had been infringed. Now I ask you, sir, on a matter of clarification, if these members have the right at this time to put their reasons before this House, which appointed the select committee. I would submit to you, sir, particularly since they feel that their rights as members have been infringed, that it is to this House that they should report and give the information that is of such importance and value to us all.

**Mr. E. Dunlop (York-Forest Hill):** Mr. Speaker, the hon. Leader of the Opposition would not be informed, of course, of the action taken by the committee because his members were not present. In accordance with rule 78(d) the committee may permit minority or dissenting opinions to be placed within the covers of the report of the committee, and it was decided that that should be done. I communicated this information to the hon. member for Downsview just as the bells were ringing today.

**Mr. Nixon:** Mr. Speaker, with respect to the matter that the hon. member for York-Forest Hill brings to our attention that is not the matter that is of some contention here. We are asking about the right of our members on the committee to bring their views to your attention and to the attention of the House.

**Mr. Speaker:** The hon. leader has made his point and has drawn the matter to the attention of the Speaker. It does not need to be done twice.

The hon. member for Downsview was courteous enough to come to see me as the bells were ringing I pointed out to him, and I do so rule, that, if he attempted to raise the matter in the House now—as with the matter that was raised by the member for Sudbury East the other day—it is my opinion, and I am somewhat supported in that by the authorities, that it is a matter that should be dealt with by the committee and be

brought before the House by the committee and not by individual members of the committee.

There is no order of proceedings that has been breached; therefore, it is not a point of order. It is not a matter of privilege because no member of this House has suffered a breach of his privileges; and therefore, I do not have the competence or the power to deal with it on a point of order or privilege from the hon. member's question.

I would like to say this for those members who were not there, yesterday the Clerk of the House called on me to discuss rules of procedure at a meeting in his office to discuss rules of procedure before this occurrence. The assembly that gathered discussed this particular problem as it arose from the occasion that the hon. member for Sudbury East rose about in the House the other day. We had a discussion on it and the opinion generally was that perhaps the Speaker's ruling was right, perhaps there should be some other method of dealing with the matter. The Clerk of the House, who is the great authority on these matters, has promised to look it up and to bring further material and some authorities for discussion at the next meeting of the members to discuss rules.

I thought the members would like to know that the matter has not just been dropped by those in authority and those whose duty it is to rule in these matters. I would like to remain in the opinion that the matter mentioned to me before the House by the hon. member for Downsview and in the House by the hon. Leader of the Opposition is neither a matter of order or privilege which could be raised by the hon. members themselves.

Orders of the day.

**Clerk of the House:** The eighth order resuming the adjourned debate on the motion for second reading of Bill 64, An Act to amend The Municipal Act.

## THE MUNICIPAL ACT

**Mr. V. M. Singer (Downsview):** Mr. Speaker, I moved to adjourn the debate on this. I want to make some very brief remarks to this effect only. The minister is paying lip service to some of the recommendations made by the committee relating to finance. He is really just throwing a bone to the dogs, to the municipal dogs, and saying: "We are doing something about providing money in lieu of taxes on provincial property."

I do not think the action is meaningful, I do not think the formula is reasonable. However, he has got us in the position where we can do nothing except support the bill because a little money, as little as it is, is better than no money.

I have made this speech many times. I am not going to repeat it today. There is no reason, Mr. Speaker, why the province of Ontario does not pay to municipalities which service provincially owned properties full grants in lieu of taxes. There is just no excuse for it whatsoever. The minister has taken a weak, tiny, crawling step and it is just not good enough. However, whatever crumbs fall from his table, hopefully, are going to help the municipal taxpayer just a little bit.

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

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, it is not my intention to reiterate those comments made by the opposition members previously in connection with this bill. I want to direct a question, if I might, to the minister in connection with the federal responsibility concurrent with this provincial legislation.

Am I not correct in assuming that as a result of this per-head levy the expenses of the universities themselves will be appreciably enlarged and as a result the federal participation, which I believe to be 50 per cent at the post-secondary level, will be enlarged proportionately? The question I am putting to the minister, in effect, is, am I not correct in saying that this is a very good way of getting more federal money to assist the burden of municipalities?

**Mr. Speaker:** Is there any other member who wishes to speak to this before the minister closes the debate? If not, the minister has the floor.

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, answering the last question first, the Leader of the Opposition, as is his custom in his opening remarks, took the occasion to point out that the federal government would be participating in this. We can always count on him for this reminder.

**Mr. R. F. Nixon (Leader of the Opposition):** We can always count on the minister to keep it hidden.

**Hon. Mr. McKeough:** No, that was the leader of the—

**Mr. Nixon:** Just as the Treasurer (MacNaughton) did at the municipal conference.

**Hon. Mr. McKeough:** That was the Leader of the Opposition's contribution to the debate to tell us what Ottawa was doing.

**Mr. Bullbrook:** I am glad—

**Hon. Mr. McKeough:** I was, too. I think it is terribly important to the people of Ontario to know.

**Mr. P. D. Lawlor (Lakeshore):** Advertising then.

**Hon. Mr. McKeough:** The answer I give then was, yes. I do not think there are, perhaps, too many things to be answered specifically, Mr. Speaker. We may have all forgotten the questions we asked, in any case, because this debate has been adjourned about a week.

The member for Wentworth (Mr. Deane) did ask how the universities were to receive the money under the authority of The University Affairs Act. As a matter of fact, we understand that instructions have already gone out. A bulletin has gone out from the Department of University Affairs, indicating when the money will be paid over in the Department of University Affairs grants when they, in turn, are to pay the universities. The municipalities are really in the driver's seat, because the money will be treated as taxes and, if the municipalities do not pay on time, they could add on interest. But there is authority in The Department of University Affairs Act to pay the money.

The member for Waterloo North (Mr. Good) raised the question of the lack of eligibility of Waterloo Lutheran University. The definition in the bill calls for provincially supported universities. The member is aware, of course, that Waterloo Lutheran—and it is not the only university—is in a different category, as are many seminaries—such places as Trinity College across the street and Huron College in London.

I think, to be consistent, I would have to say that we cannot have it both ways. The most part, these are church-supported, church-oriented, church-originated universities. The government has said as a matter of principle, "We are not going to support churches." I think we say then, as a matter of principle, that we probably do not support these institutions. I think the definition is sufficiently broad to say that provincially assisted universities will receive this support or municipalities having these institutions v

receive the support. Maybe, when the Act is broadened at some point in the future, this can be perhaps taken into account.

Royal Military College was mentioned, I think, by the member for Waterloo North as well. It is not a provincially supported institution. I have some doubts as to whether we should turn over money to a federal emanation to pay municipal taxes, but perhaps we might think about that.

**Mr. E. R. Good** (Waterloo North): This is Kingston.

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

**Mr. S. Apps** (Kingston and the Islands): It is not in Kingston, it is in the township.

**Hon. Mr. McKeough**: It is in the township.

I think really what should happen is that the federal government perhaps should follow our lead and work out the same sort of thing. We will pursue that with them.

I do not think there is anything else to add, Mr. Speaker. The member for Kingston and the Islands, among others, very forcefully put the point that this was a start. It is certainly not intended to be the end; it is a start. It is a recognition that the government intends to move ahead, as we indicated in the white paper a year ago, to broaden the municipal tax base.

Whether the \$25 should be more—whether it should be increased—whether we should move next to hospitals, or community colleges, will remain to be seen. But it is tangible evidence on the part of the government that we do intend to move ahead in this area of tax reform.

I may say, despite the remarks of the member for Downsview, who is back now, it has been terribly, terribly well received by the municipalities of this province.

**Mr. Singer**: They are so hungry they will take anything.

**Mr. Good**: That is not what the member for Kingston and the Islands said.

Motion agreed to; second reading of the bill.

**Mr. Speaker**: Shall this bill be ordered for third reading?

**Hon. R. S. Welch** (Provincial Secretary): Yes, please.

**Mr. Nixon**: No, we want to send it to a committee for investigation.

**Hon. Mr. McKeough**: It is a money bill.

**Mr. Nixon**: Well, we would like it to go to Committee of the Whole House.

**Mr. Speaker**: Committee of the Whole House.

Agreed.

## THE REGIONAL MUNICIPAL GRANTS ACT, 1970

**Hon. Mr. McKeough** moves second reading of Bill 67, The Regional Municipal Grants Act, 1970.

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

**Mr. Singer**: Mr. Speaker, Bill 67 is another one of those Acts where the minister stood in his place when he introduced it and said, "What a wonderful fellow am I. Look how much I am giving away." He hailed this as another advance in the readjustment of financing insofar as regional municipalities were concerned, and certainly he laid down in no uncertain terms the thought that all municipalities concerned were going to receive substantial benefits.

In fact, only part of these general statements that he made are true, and insofar as the regional municipality of Niagara and the municipality of Ottawa-Carleton are concerned, I would think that they are going to get some more money. Insofar as the municipality of Metropolitan Toronto is concerned, I would say that a grave injustice is being done, not only by reason of the minister's original presentation where he implied that Metropolitan Toronto is going to get some more money, but in particular by the adjustment of the methods of determining the allocation of the grants. He has done a grave and serious injustice to that important municipality, the borough of North York. The end result, Mr. Speaker, of—

**Hon. Mr. McKeough**: I wonder, Mr. Speaker, if the member would permit me to make an observation that might save some time of the House. It is that, with the exception of the treasurer, the minister from York Mills—Minister of Labour (Mr. Bales)—and his wife, the mayor, I believe we have resolved the problem to their satisfaction. So rather than to go into a high-blown flight of oratory, the member might like to know that he gets started.

Mr. Singer: Well, if the minister—

Hon. Mr. McKeough: I doubt whether it will deter the member.

Mr. Singer: —has changed the Act as he originally presented it, Mr. Speaker, I would be just delighted to hear about it, and I would be glad to yield my place, momentarily only, to the minister so he could explain what amendments he is prepared to bring in. Perhaps it will cut down on my flight of oratory, as he calls it.

Mr. Speaker: The minister is, of course, quite entitled to speak at the beginning of the debate; and at the end, if he wishes to do so; he may also do so. Otherwise, the member for Downsview has the floor.

Hon. Mr. McKeough: Perhaps the member would allow me to make this explanation in answer to his question, which you have permitted, sir.

We have changed the basis of distribution calculation so that there is provision to update the census figure.

Mr. Singer: Perhaps the minister and I, then, are about to be talking about the same thing. In fact what has been done is that the municipality of Metropolitan Toronto in the general scheme will get no more dollars in 1970—

Hon. Mr. McKeough: That is right.

Mr. Singer: —than it got in 1969. So any of the general and high-flown remarks that the minister made when he introduced the bill, while they may be applicable to some extent to—

Mr. Lawlor: Get up, Darcy, and orate!

Mr. Singer: —the regional municipality of Niagara and the regional municipality of Ottawa-Carleton, had no application at all to Metropolitan Toronto. Metropolitan Toronto will get exactly the same number of dollars in 1970 as it did in 1969. It is a question of allocation, Mr. Speaker, and that means in how many pieces do you cut up the Metropolitan Toronto pie? If it is, for sake of argument, \$5 million, how is that \$5 million going to be allocated among the six municipalities that are the constituent parts? Even by the system that existed in 1969, North York would have received some \$800,000 or \$850,000 more than the amount it is going to receive the way the Act is written.

Now it may be that the minister is going to amend it. The amendment would probably

relate the reallocation of those funds instead as actual population is concerned, rather than to the population as determined by the 1966 census. Now if I am correct to that extent, if the minister then is going to amend the Act—and I think the Act will require a couple of amendments—and he is going to accept the assessment roll figures—

Hon. Mr. McKeough: No.

Mr. Singer: —as to population—

Hon. Mr. McKeough: No.

Mr. Singer: —then there would be more equity to North York than as the bill is now written.

He says no, that is not what he is going to do. It is very difficult, Mr. Speaker, to speak in this debate, because I do not fully understand what the minister has discussed with the clerk of North York and the mayor and the changes that he has consented to make.

Hon. Mr. McKeough: What I said was we are going to update the census figure. We are not going to use the assessor's roll because the assessor's roll, for some reason, has not been closed.

Mr. Singer: Unfortunately we are getting into a question-and-answer session here, and under the present Act the minister cannot do that unless he has certain amendments, updating the census figure. He can revise it where, in his opinion, the figure of population of a regional municipality has increased by more than seven per cent. And he can do that only insofar as the regional municipality is concerned. But he cannot do that for the local municipality, for the local municipality.

I draw the minister's particular attention to subsection 4 of section 4, which says:

Notwithstanding subsections 2 and 3, the department may redetermine the population of the area municipality within the regional municipality whenever, in the opinion of the department, the population of the regional municipality is increased by seven per cent of the population of the regional municipality as determined for purposes of purposes of the Act in 1970 under this Act.

It is my information that the population of Metropolitan Toronto has not increased more than seven per cent between the years 1966 and 1970, so therefore under the provisions of the statute as it is now written, the minister has no right to redetermine the population because that seven per cent test that he has in the statute has not as yet been realized.

As the population of Metropolitan Toronto changes, what in fact has happened is that the city of Toronto has decreased in population from 1966 to the present date, whereas the population of North York has grown from some 390,000 to, in round figures, about 450,000. When you add all of those figures together, as I say, it is my information that the total population of Metropolitan Toronto has not increased by the seven per cent figure. So therefore you are back to the 1966 census.

If you use the 1966 census insofar as North York is concerned, the shares of the *per capita* grant to which they are going to be credited, is going to be based on the 390,000 figure, which is the figure which emerged from the 1966 census.

If that is done, and it is contrasted to what happened in 1969, North York would thereby lose something in excess of \$800,000, probably closer to \$850,000, which, at the present assessment, means the better part of three-quarters of a mill, perhaps a little more than three-quarters of a mill, or a little less than three-quarters of a mill.

So merely by this readjustment, which is going to do such a great favour to everybody, it would seem that in North York every residential taxpayer's taxes are going to go up by about three-quarters of a mill.

If the minister has been able to work out a scheme without amending the Act whereby he can rely on population figures as they exist today—and the only indication of them seems to be from the assessment roll, which would bring us up to the 450,000 population figure—then the cost to North York would be reduced from the \$850,000 figure down to about \$380,000. So that an adjustment on population and the method of determining it would soften the blow very substantially.

An argument can be made, Mr. Speaker, in fairness, that the previous method of distribution of this Metro allocation was perhaps unfair because it was based on an assessment basis. And in North York the assessment value of the individual home was perhaps higher than the assessment value of individual homes in Toronto. But Toronto had more people, less assessment, and North York had fewer people and more assessment. So that perhaps there was an argument—and I am sure the minister heard it—from the people in Toronto, that the whole thing should be done on population.

However, the minister having taken that argument, then has gone completely overboard and would continue to be, if he is not

changing the Act, very grossly unfair. I am happy to hear the minister say he has been in consultation with the North York officials and I was very happy to hear that the Minister of Labour intervened, because I was going to have a go at him too. He represents a portion of North York, as does the Minister of Trade and Development (Mr. Randall) and a couple of other members here. I would have thought they should have been in the forefront, fighting for the people of North York.

I compliment the Minister of Labour for having taken this matter up. I hope that the Minister of Municipal Affairs is now convinced that the change has to be made and will explain to me, in due course, how he has made it so that it can be done within the terms of the Act.

I may say, sir, this is a very complicated matter and I have researched it to a substantial extent. The information on which I rely, I think is correct. The minister is shaking his head up and down and from side to side and I am not sure he is in complete agreement with what I have said or not, but it would seem to me that if this new system is going to be inaugurated, then North York has to be given at least some break.

If you are taking away \$850,000, then you have to make some adjustment so that North York are treated at least on an equal basis in relation to the way the other Metropolitan Toronto municipalities are treated and special attention has to be paid to the current population.

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

**Mr. I. Deans (Wentworth):** I want first to say that when dealing with unconditional grants we have got to bear in mind that based on 1968, they represent only about 14 per cent of the total grants to local municipalities. We have also got to recall that this 14 per cent is included the municipal tax rebate which, in actual fact, was not a grant to the municipality at all, but was a grant to the homeowner directly.

At the provincial conference that I attended about two weeks ago, the minister indicated, in a statement, that the trend was toward unconditional grants, and I would have thought that this bill would have afforded the minister an opportunity to put into practice what he was, in fact, saying that he would have taken this as an opportunity to extend the amount of grant that is available through unconditional grant

the municipalities, particularly in the regional government areas.

What is being done here really is not going to afford regional governments the opportunity to do the kinds of things that we in this House—and the minister outside of the House—have stated continuously should and can be done by regional governments. Very little additional money is being made available by use of this particular formula. In fact, the member for Downsview pointed out that in one instance it might mean less; even in the Carleton and Niagara areas it is not going to mean a great deal of actual dollars available for expenditure purposes. And in fact this suggests that any of the moneys that are over and above what were previously received are likely to be eaten up by administration—and this is one of the real difficulties of this kind of legislation. Of course, you have to support it; there is no way that you can oppose it because, as was stated by the member for Downsview in speaking to a previous bill, no matter how little or inadequate it might be it certainly is better than nothing.

I would have hoped that the minister, in dealing with the financing of regional governments, would have been a little more innovative and would have come forward with a programme that would have removed some of the emphasis from the property tax. In other words, I would have hoped that the minister would have come forward with a grant programme on the unconditional grant basis, which would have enabled municipalities to reduce the overburdening cost on the property owner, and in this I think he has really missed the opportunity to do that at this point.

The people of those areas, the regions of Niagara and Carleton and Metropolitan Toronto, went into the regional government in some instances because they were forced; but those who were in favour, so much in favour and pushed it so hard, did so on the basis of the arguments put forth that there would be this opportunity to extend services and to provide a higher level of service to the people of the area. This just is not the case, if the minister maintains the kind of grant structure that he is offering in this particular bill. The \$7 *per capita* plus 50 cents for the share of the fines really is no change to most reasonably large municipalities. It is to the small ones, and I recognize that. But even taken on a *per capita* basis, it will amount to very little money. And this money that they will get, whether calculated in dollars, will

in my opinion likely be used to provide kind of regional administration and will be available for actual expenditures to large the services that they are presently getting.

Now had the minister come forward said that they were prepared at this point double, or even triple, the grants available from the province of Ontario on an unconditional basis or had said the government prepared, in financial terms, to take on more of the cost of education or health welfare, then perhaps I would have seen as a worthwhile step forward, but all it really is a housekeeping measure. It is strictly housekeeping measure that will provide nothing for those who are faced with a tremendous burden, and I suggest to the minister that the statements that were made at the provincial-municipal conference really were statements into the wind. They had no substance.

The statement of the provincial Treasurer at the provincial-municipal conference, when he gave the clear indication that the government was prepared to move away from the present structure whereby municipalities rely so heavily on municipal tax and provide the provincial level additional funds to carry out the functions that have to be carried out, really was a sham. It is because of these things that I cannot help wondering what we can expect in the way of further advancement into regional government. We have moved by drawing the boundaries but have done little, or nothing at all, to provide the financing necessary for those municipal governments at the regional level to function properly and to be able to prove their worth.

In the area of Niagara, as the provincial Secretary (Mr. Welch) will find out if he does not already know, there is going to be a great burden of cost placed on the people of the area, because the province has not made available additional moneys, in the form of unconditional grants, to offset the cost of administration alone. In introducing legislation of this kind, the minister might well have just let it go until he was prepared to come in with a comprehensive programme for the financing of municipalities; or until such time as he was prepared to make sure that the moneys would be available on this unconditional basis, or any other, whether through absorption by the province, as I say, of the cost of the other services, or whether through additional unconditional grants that would enable the municipality to reduce the load against the homeowner.

This kind of legislation will destroy the very basis on which municipal governments were founded. The people will find costs soaring, and will find little relief from Queen's Park. There will be no relief in this case for many municipalities and they will also find that because the lower tier no longer has access to unconditional grants, many of the things the lower tier should do, they will have to stop doing.

I feel that while, as I say, we have no choice but to support it because it cannot be changed, I would have hoped that The Department of Municipal Affairs would have been prepared to come forward with a completely new financing programme for regional government and not just a dressed-up version of the inadequate programme that existed for local governments prior to today.

**Mr. Speaker:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Speaker, I would like to make a few remarks on second reading of Bill 67, The Regional Municipal Grants Act. The principles of the bill, as I see them, are that the first part provides a basis on which the regional government, the regional municipality, receives its grant from the province; the second part being the basis on which the regional government divides the grant among the areas in the municipality. The second part of the bill deals with the levies which are applied to the area municipality.

Had a bill similar to this been brought in at the time the regional government was established in Niagara area, I am sure a lot of problems could have been eliminated. The greatest concern of the people in that area had to do with the cost of regional government. Had it been spelled out by the Minister of Municipal Affairs what the unconditional grants would be under proposed new legislation, I am sure many people, including the citizens' committee of St. Catharines, who have been greatly concerned at the cost of their new regional government, would have had their fears allayed to some extent.

However, they went into their regional government with words from the Minister of Municipal Affairs—"Well we leave it to you good people to look after your affairs; we know you are capable and we will see what happens". They knew what had happened in some other areas where new jurisdictions were set up.

Many of the lower municipalities in the Niagara area found this year that their costs

were going away and above what had expected. My understanding was that the effect, asked the provincial government a blank cheque to bail them out of the regional government financial mess they found themselves in. This is very similar to what happened to the county school boards when Minister of Education (Mr. Davis) had bring forth his supplementary grants to bail out the county school board system.

We have this bill before us now spelling out what each of the three regional municipalities—Metropolitan Toronto, Niagara region and Ottawa-Carleton—can expect in the form of grants. My understanding is that after the region had been set up in the Niagara area there was a great misunderstanding of the responsibilities would be. Roads which had formerly been looked after by the Department of Highways were thrown on regional municipality; area municipalities to accept roads which formerly had been looked after by the county. Consequently, they, indeed, did need a blank cheque to meet after their financial obligations. Whether or not this bill will suffice, I do not know.

I would invite the minister's remarks on whether it will form a model for all future regional governments as they are established—whether he thinks there are enough financial incentives in this bill to urge the more remote areas of the province who should be forming regional governments to do so, because the greatest detriment and deterrent to the formation of them is, of course, the cost.

Under the principles of this bill the Niagara region will receive something like \$1.3 million more—or would have received that much more in 1969 than it did receive had this bill been in operation. But when you look at how this is made up, this is made up in the four areas as spelled out in the bill.

1. The \$7 *per capita* grant.
2. The 50 per cent *per capita* grant in lieu of the return of fines.
3. The density grant which is inversely proportioned to the density of the area.
4. In the Niagara region alone a \$1.50 *per capita* grant, due to their regional police force.

When we assume their population is roughly 300,000, that would mean that \$450,000 of this \$1.3 million is there because of the regional police force. So one-third goes for that, which leaves them only two-thirds for other benefits.

They were getting the 50 cents anyway when we figure that the municipality

Niagara and the municipality of St. Catharines—which were probably getting \$5.75 and \$5.50 unconditional grants before because of their population—are now stepped up to \$7 and the areas in the more sparsely settled communities will be getting a higher percentage, there is really very little extra here for them to operate their new administration which has fallen under regional government.

Speaking briefly to this density grant, my figuring shows that no cities whatsoever will benefit from this density grant. Very few towns will benefit from it. But those in the rural areas, of course, and the small municipalities, will benefit from it.

I think there are perhaps some inequities in this. Where a municipality might have all of its concentration of housing at one end of the municipality, and no particular extension of sewers and water lines into the outlying areas, they could benefit more than a municipality where the population is spread evenly throughout the whole area.

At it turns out, the minimum grant is paid to municipalities that have a density of less than three-quarters of a residential household per acre, so that means that any kind of built-up area at all is not going to benefit from this density grant. I would ask the minister in his remarks to define the meaning of a residential property as spelled out in that section of the bill which deals with the density grant.

In the Metro area, the member for Downsview has spelled out most of the detail of how this bill will affect them there. There is one point further I would like to make: the density grant will, of course, have no meaning to the people of Metro. They were getting their \$7 grant before, plus the 50 cents *per capita* in lieu of the fines, so in effect the only way they can gain from it is as they gain in population.

The principle of this bill ties the population to The Municipal Unconditional Grants Act. In that Act, as pointed out by the member for Downsview, no change can be made in the population from the last Dominion Bureau of Statistics census—which was in 1966—unless it reaches seven per cent.

If we were to look at what seven per cent means as a population change, for instance, in the city of Toronto—I have the figure just from one year to the next, 1968 to 1969—as the member has shown, in North York the population rose 21,000 or five per cent, so five per cent increase in population would mean, in effect, an additional \$160,000 to that

municipality, which could not be paid under the terms of this grant.

It would be interesting to see whether the minister proposes a section similar to that which he has put in here relating to the population of the Niagara area, where the department itself may, or shall, figure the population as it sees fit, disregarding the 1966 DBS census.

Personally, I think that a more accurate calculation of the population base will have to be instigated if this Act is going to mean anything to the areas which have a large increase of population from one year to the next. I do not think this principle in this Act should be tied to that which is enunciated in The Municipal Unconditional Grants Act. This is not adequate.

In the Ottawa-Carleton area, 13 of the municipalities will be affected advantageously. Three municipalities will have a higher rate, due to fewer grants under this proposed legislation. Why this is, I do not know. We must remember, here too, that Ottawa-Carleton area is thinking in terms of a municipal fire department in the future, and this will be a tremendous additional cost. I think some of these things will have to be built into the Act as it goes along, if this is to become a model Act for future regional government.

Briefly, in closing, I would like to say a word about the levies, that is, the manner in which the share of the levy for each municipality is referred back to the regional municipality. I understand that, in fact, the money does not go to the area municipality but is just a bookkeeping entry, which is taken off their levy by the regional municipality. The residential and farms mill rate being 85 per cent of the commercial rate, I think is good. It shows the thinking that is being promoted here, in that tax shifts are throwing more and more tax on to residential property. There is one thing that I would like the minister to reply to. Why are the grants given on a *per capita* basis when the levies are levied on an equalized assessment basis?

**Hon. Mr. McKeough:** They are not now.

**Mr. Good:** They are in the Niagara region.

**Hon. Mr. McKeough:** The switch is being made in this bill.

**Mr. Good:** Thank you, Mr. Chairman.

**Mr. Speaker:** The hon. member for Niagara Falls.



**Mr. G. Bukator (Niagara Falls):** I would not want to miss an opportunity to have a little friendly chat with the minister, Mr. Speaker. I have not talked about this type of policy and statute in government for quite some time.

I would like to say, in relation to this bill and this grant, it certainly did look good in our local paper to see that the city of Niagara Falls, which I represent, is going to come into a grant by this statute of some \$700,000. That is what the paper said in the first instance, anyhow.

They felt pretty good about that, naturally. I did too, for a moment. It looked like I had no argument. But then the unconditional grant is taken from them when you read the fine print in the bill, and one seems to balance the other out.

Now that I have an opportunity to speak without too much objection from anybody here—because there are not too many here who would object no matter what I say, except the minister; we are not taking too much interest in this type of statute, it would appear, because there are not too many in the House.

I would like to say this to you, Mr. Speaker: I realize that in the beginning of any particular government statute, or any law, it takes a little time to get your feet under you, to make the thing work. I am a tolerant man. I am very patient when it comes to giving something a chance. After I have made my pitch I usually sit back to see what takes place.

I found at the beginning of this—well it was in the last month—the people of the city of Niagara Falls were complaining they had no funds with which to operate their city. They had to borrow money from the banks because they did not have the opportunity this year that they had in other years to give industry the benefit of a rebate on their taxes if they paid them early in January. I think they gave them two per cent off their taxes so they could get money to run the municipality, which was good business.

Since they do not have that opportunity at the moment, or did not have then, they had to borrow money from the banks to continue the operation of the city and to pay their way. Now I find from reading the papers that it is costing the city of Niagara Falls some \$900 per day in interest alone on the money that they have borrowed to operate that city.

**Hon. Mr. McKeough:** Did they not issue an interim tax bill?

**Mr. Bukator:** They did not; at least I did not get mine yet. They decided to wait and see what you people would do, I suppose. They figured the financing would come from the government. Since the government imposed this statute on them, naturally they should have been ready to give them some taxes.

It comes back to my original argument, Mr. Speaker, through you to the minister. He implemented this statute much too fast. He should have taken another year to calculate the problems and then put their show on road.

The minister passes a law and says: "This is the way it is going to be; this is what you are going to get." Then when you talk to him about it: "Well, the elected people in that particular area are very capable, and they can work their own problems out." I remember reading in history where some 2,000 years ago a man washed his hands of the matter. He is going to have nothing to do with it after he put these people on the spot.

I say to you, Mr. Speaker, as firmly as I can, I know how, that if this minister continues to implement regional government, such as Muskoka recently and many other areas, that he and his government will fall in the next provincial election, because they have not thought this thing out. These are added responsibilities for the people who will have to pay the taxes, and they are not going to take this. They are not going to stand for it.

Why should a municipality, any municipality that is paying its way and doing well, have to be equalized and the hills and the valleys taken out, with everyone treated alike, because this is the province of Ontario?

Let us take the village of Crystal Beach. The waterworks system there was taken over by the regional government. Immediately their water rate has been increased to double what it was previously. They had had months after they operated their plant, to put into their treasury to lower their mill rate if they wanted to; because they were making money out of their waterworks plant. Now they are a part of the region, so their rate has increased to double what it was in the previous year; on top of that they have to pay 10 per cent for administration.

How in heaven's name can anybody believe that this is a fair way to treat a municipality and the people in it? I say: is it progress? If that is progress, I am awfully sorry that I live in such an area.

I said, when that particular bill came into existence, that the taxes in my village a

where I have lived for many years, would go up at least 15 mills. And I say to this minister, with his grants such as are outlined in this bill, the mill rate of that municipality will still go up the 15 mills.

In all fairness, I cannot see how this government could impose that kind of a penalty on the people it represents and expect them to accept it. I say that this bill, this grant, does not cover the added cost, or the equalized cost, Mr. Speaker. It does not even give them what they had last year, not counting the added costs to them since they have become a part of a bigger city.

For the life of me I cannot understand why he did not have his experts work this out a lot better than he has done. I just say that the people will not accept it.

I am not one—I am sure the minister knows that—I am not one to go about creating a disturbance among the people. All you have to do is visit with them and they themselves will tell you they are not at all happy. I suppose it all depends on whom you talk with.

I have to say, after all the criticism you have no choice but to support this bill, simply because there are some dollars coming into the area to compensate for the sums they have to pay out. And I say to the minister, Mr. Speaker, that he has not scratched the surface.

The penalty is great, the municipalities will suffer. And until I can be convinced I am only waiting this year out to see what the added costs will be to municipalities such as Willoughby township, the village of Chippawa; yes and the city of Niagara Falls which was supposed to benefit by this. How much more is it going to cost us? What will the people have to pay for a supposedly better type of administration?

Touching on that subject, I am wondering whether counties, as they are, could not have more authority given to them—as outlined in the bill for regional government of Niagara—to change their hats, if you will, from county councillors to members of the metropolitan council to operate their affairs. I am wondering whether this could not be imposed on them in a smaller fashion, to be implemented in smaller areas, and then branch out into other counties.

I say most sincerely to you, Mr. Speaker, that the minister is wrapped up in his belief that this is good, and there is no one in this House who wants to impose a penalty on anybody. I know he is sincerely trying to do a job for us. But this is not the approach. The

people will suffer simply because the people who imposed this statute on them did not know what they were doing in the first instance. They did not calculate it through, because of that we have to suffer. The taxpayers of that area, the taxpayers of every municipality that has had regional government imposed on it are going to suffer financially; therefore, as I said to the Premier (Mr. Robarts) on one occasion on a lighter moment, "We do not have to defend you; you are beating yourselves by the method you are using to administer the affairs of this province."

Mr. Speaker: Does any other member want to participate? The hon. member for Oshawa

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, when the minister introduced the bill, he made the following comments. He said:

These changes were as a result of measures believed to be more sensitive and more responsive to the inherently complex and unique problems confronting these municipalities and their regional jurisdictions.

And then he went on to say:

In the case of these three areas, the regional municipal grants bill will replace The Municipal Unequal Grants Act and will assist the taxpayers in regional municipalities to finance the extension of local services that are possible in the larger unit of local government.

There is an implication that there really is some new money to be found in this bill. But as one of my colleagues pointed out a few minutes ago, there is really very little new money to be found in this bill at all. In addition to that, this bill will not only reflect on Metro Toronto and Niagara and Ottawa-Carleton, but it goes on to say that this will reflect on future regions.

Let me say, Mr. Speaker, that regional government, if it is to succeed in this province, is going to have to have more financial resources than are enunciated in this bill. Because this bill does very little in terms of providing financial aid to growing, expected municipalities. I say that this government, which is introducing regional government, has a duty and a responsibility to assume more of the costs at the municipal level. I want to echo the sentiments of the member for Downsview. If this bill passes in its present form, it means that North York will receive less money if they use the 1961 census. Not only is this counter to the statement that he made at the very beginning of his remarks when rising to introduce the bill, but here we have one municipality in Metro Toronto that is going to receive less than what they received in the past.

I mention this to the minister through you, Mr. Speaker. He went on to say:

In a departure from existing legislation, residential taxpayers will enjoy a preferential tax rate fixed at 85 per cent of the commercial tax rate, thus enabling this grant to be applied in reduction of the general expenditures of the municipality.

Well, you would really think that the minister was giving something away here to the municipalities. But what he is really doing, is locking the municipalities in. That is what he is doing. And you see, if we take the situation that happened in Ajax, and if we take the situation that happened in Mississauga, where there was a shift from industrial and commercial to the residential taxpayer, there was no avenue for them to compensate for that shift. What the minister is doing here, with this 85 per cent, is locking them in. The municipalities have at the present time the right—

**Hon. Mr. McKeough:** No.

**Mr. Pilkey:** Oh, yes, they have. There is a differential, and we have not eliminated the split mill rate yet.

**Hon. Mr. McKeough:** They do not control the differential.

**Mr. Pilkey:** Nevertheless there is a differential.

**Hon. Mr. McKeough:** There is a differential across the province.

**Mr. Pilkey:** As my colleague points out, there is a certain flexibility.

**Hon. Mr. McKeough:** No.

**Mr. Pilkey:** Oh, yes, there is. There is a certain flexibility.

All right, then why introduce the 85 per cent? The 85 per cent is really designed, in my opinion, to lock the municipalities in. It will not accrue, as a benefit to the municipalities because you are locking them in.

Let me also go on to say, Mr. Speaker, that the \$7 per capita that the minister talks about, the 50 cents and the \$1.50, really are not much different from what we had formerly.

**Mr. Singer:** The \$1.50 is even delayed for a year.

**Mr. Pilkey:** Let us take the \$1.50 or the 50 cents just for a moment. They are going to rebate to municipalities. I think this is because the province took over the administration of justice.

**Hon. Mr. McKeough:** There is no change there.

**Mr. Singer:** They used to get seven and a half; now they get \$7 and 50 cents!

**Hon. Mr. McKeough:** No, to be honest about it, you have got \$7.50.

**Mr. Singer:** You have taken over administration of justice since then.

**Mr. Pilkey:** Right, and it would be interesting to—

**Hon. Mr. McKeough:** There is no change from the other bill.

**Mr. Pilkey:** Maybe there is not; that's what I am saying. The minister is right. There is no change.

**Mr. Deans:** That is what is wrong. There is no change.

**Mr. Pilkey:** Exactly. It appears to me even in that area, because you are taking fines, surely the municipality should get a greater share of that.

The minister says no, but I am suggesting to the minister, through you, Mr. Speaker that he went on to point out that it would greatly simplify the financial relationships between the regional and the area municipalities. This, in my opinion, is just rhetoric.

I do not think that it will simplify. We do not know what that means, "greater simplification" means. I really do not know what that means, because all the regional government is going to do is distribute the money to the area municipalities. If that is any simplification, I do not understand that term at all.

The greatest statement, though, is "embracing the spirit of reform". I want to say, if that is reform, if that is what the government indicates as reform, my God, we are in for a tough time until 1971. We are going to change that. There will be a reform; but my God, if that is what the government calls "embracing the spirit of reform"—

**Mr. Singer:** It gives the minister an opportunity to make a speech; that is all.

**Mr. Pilkey:** What reform?

**Mr. S. Lewis (Scarborough West):** Believe me, it is spiritual all right. It is certainly not of this world.

**Mr. Lawlor:** It is very extra-sensory.

**Mr. Pilkey:** You need some spiritual movement in this province really to understand it, I suppose. I do not know what "the spirit of reform means". But, frankly, it really does not do much for the municipalities in this province. Now, obviously, we cannot vote against the bill. It would be like voting against the unconditional grants that the municipalities formerly had, because really there is not any significant change. I make these observations, because all we are doing is changing the name from unconditional grants to another name and we are channeling it through another source in that it goes through the regions. That is about the extent of it as I see it.

And therefore, Mr. Speaker, I oppose the bill in principle because it does not do anything for the regions that are alluded to or enunciated in the bill; nor does it really do anything significant for the new regions that will come into being in the future. The only problem is that we are in a rather invidious position. I find myself not being able to vote against the bill because it does provide the same amount of money that was provided formerly in the unconditional grants.

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

**Mr. Lawlor:** Just a brief word on this bill, Mr. Speaker.

First of all, this minister, in the spirit of reform for which he is becoming somewhat renowned, he is perfectly in favour of reform as long as everything stays exactly the same. He has a great future as a potential potentate in his own party as I tried to explain at question period.

I do feel that some attention must be directed to this fixed differential that is being set up here for the first time. The split mill rate was introduced by two different pieces of legislation in the past, precisely as an *ad hoc* gesture in each instance to prevent the shift between commercial and industrial on one side and residential on the other. Because assessments, and because the erosions that have taken place over the years have tended to be a *rapprochement* between the two, in the commercial area the rates tended to go down, and those of the residential to creep up. The rates approached one another so that the weight became excruciating for the residential people. Legislation will be introduced to artificially create a gulf between the two again. This has been done on occasion and perforce it has been done because of the feelings of chagrin and helplessness

on the part of residential taxpayers in the face of escalating taxes.

Now the minister proposes to write into the legislation an iron law. He is going to set the two poles and he is going to fix the differential. There will be no play between these two things. My feeling is that he will deeply regret having done so if he moves ahead in this particular area. He is setting a residential tax rate fixed at 85 per cent of the commercial tax rate. This is a concept which certainly was unknown to the committee and which, so far as the differential thus far has proceeded, is certainly inadequately explained. Perhaps there are penetrating reasons as to why they move into this area.

**Hon. Mr. McKeough:** You recommended

**Mr. Lawlor:** No, we did not.

**Hon. Mr. McKeough:** You recommended

**Mr. Lawlor:** No, not on that basis. Because it was based upon a different ratio.

**Hon. Mr. McKeough:** You recommended 60—

**Mr. Lawlor:** It was based upon proper ratios. We said that there should be different ratios but we did not say that you should fix the ratios in the way of introducing this legislation, leaving your hands tied if there should be a change in differential.

**Hon. Mr. McKeough:** Surely, the committee when they recommended that—have forgotten your ratios now—

**Mr. Lawlor:** 60:40.

**Hon. Mr. McKeough:** 60:40:100—something. Surely it was your intention that there would ultimately be a proportion which would be in legislation?

**Mr. Lawlor:** Oh, but I think—true, as a matter of thumb, as a way of measuring, and zoning—in—

**Hon. Mr. McKeough:** Right.

**Mr. Lawlor:**—and as the various things happen in the commercial market, if housing costs happen to accelerate over against the cost of commercial room, and as these things juxtapose themselves over periods of time, decade or so, you would always be able to do this would be your goal, this would be your cynosure, and you would adjust your zoning accordingly.

**Hon. Mr. McKeough:** On a provincial basis.

**Mr. Lawlor:** Here you give yourself no room to move at all. Why you propose burdens upon yourself, why you put yourself in a straitjacket—

**Hon. Mr. McKeough:** We are not.

**Mr. Lawlor:**—touching taxation matters quite escapes me. I think it is a retrograde move.

However, this is the minister's Procrustean bed, let him lie in it. If he persists in pushing through legislation of this kind we can only warn him of the consequences, you will see.

**Mr. Pilkey:** Talk to your backbenchers there.

**Mr. Lawlor:** The only other area I want to make mention of has to do with the formula having to do with density of households. Perhaps the minister will—I find it curious to say the least as to how this is set up:

The province will make a *per capita* payment of an amount based on the density of households in each area of the municipality. This density factor is determined by dividing the total number of residential properties by the number of acres in each area of municipalities—

—and then you append a schedule.

Maybe I am dense with density, who knows, but the fact is that I would have thought the formula would have been the opposite of what the minister has done. As I read the minister's formula, as the density grows less the grant becomes higher. I would have thought as the density became greater, the grants would increase accordingly.

**Hon. Mr. McKeough:** No, no!

**Mr. Lawlor:** Am I density? I see, okay.

**Hon. Mr. McKeough:** It is the less populated parts—let us put it this way.

**Mr. Pilkey:** What is the rationale?

**Hon. Mr. McKeough:** The rationale? The rationale is what the member has been talking about for three years in his party—foundation grants, it is as simple as that. The needs of the people in the less populated areas of a region are probably the same and they have less resources to pay for them.

**Mr. Lawlor:** Hurrah!

**Mr. Pilkey:** Hallelujah!

**Mr. Lawlor:** Hallelujah!

**Hon. Mr. McKeough:** You called it a foundation plan. The select committee called fiscal impairment.

**Mr. Lawlor:** You call it just straight—

**Hon. Mr. McKeough:** We call it need sources.

**Mr. Pilkey:** Need resources?

**Hon. Mr. McKeough:** Same thing.

**Mr. Lawlor:** Nevertheless, I suppose in the municipality—

**Hon. Mr. McKeough:** Do not attack concept, because it is yours.

**Mr. Lawlor:** No, we have no vested interest in it. I mean, Robichaud brought in so aspects of it in the Maritimes and anyone who wishes to take the largesse from the table, we are quite pleased to dispense it, probably borrowed it from somebody else, it must have been Solomon so far as I have been able to gather.

The only other area therefore is when you took over the administration of justice, except for the municipal fines, that is, under municipal bylaws—this was garnered into the province. I forget the basis upon which a reimbursement was made at that time, but seems to me that the municipalities were mulcted of considerable sums of money in the process.

When you took over the administration helped to pay for your takeover to bring fines under your cover. The amount of fines—if I am correct—was in the region of \$3 million or \$3.3 million.

**Hon. Mr. McKeough:** Fifty cents worked out. This does not change in the bill, this is right out of the old bill. It is exactly the same and the 50 cents was worked out by the Treasurer and myself with a joint committee of the mayors and Reeves and OMA and my recollection of it two years ago was that they were very satisfied with it, they actually made a little bit of money on it.

**Mr. Lawlor:** They made money on it, they?

**Hon. Mr. McKeough:** Yes. We will incorporate it now into the—just call it \$7.50 million. I think the advice from the law officers is constitutionally somehow or another we have to show that separation but they were happy with it at that time and, I assume, still

Mr. Pilkey: The cost of living has gone up.

Mr. Speaker: Do any other members wish to participate? The hon. member for Welland South.

Mr. R. Haggerty (Welland South): A point of clarification. Looking at the bill, particularly with regard to the municipality of the town of Fort Erie, the *per capita* grant structure is based on just the residents, Canadian residents, in that area.

Hon. Mr. McKeough: I am sorry?

Mr. Haggerty: The Canadian residents in that area—in other words, the ones that are on the voters' list. That municipality increases in the summertime from about April to October, to about 65,000 people. There are homes all along the lakefront, out into the hills and throughout certain subdivisions within the municipality. These residents have to have the necessary services, such as police, and so on. I see there is no allowance for this type of resident. I guess you would call them temporary residents. They are taxpayers in the municipality but receive no *per capita* grants. There is nothing for that type of person. Now I ask the minister, why not?

In particular, when we come to the village of Crystal Beach, which is now part of the town of Fort Erie, we have the Ontario Provincial Police patrolling that municipality, we have the town of Fort Erie patrolling it, we have the Niagara Parks police and we have the federal police—the Royal Canadian Mounted Police—also policing in that area; so we have about five different police forces in that area.

I understand that perhaps next year the police force in the village of Crystal Beach will be withdrawn. It is being handled by the Ontario Provincial Police, but this means that the municipality of the town of Fort Erie will have to increase their police force to some 15 branch patrolmen. I find out this year in the municipality of the town of Fort Erie, the police budget alone has increased by 26 per cent or well over \$100,000. The grants that the minister has proposed for the town of Fort Erie amount to about \$139,000. The increase will not in any way subsidize that municipality next year. They will definitely be short-changed on grant structure within that municipality, unless the minister provides grants for the American property owners in that area. He pays it to them on the basic shelter exemption tax. Why can he not pay it in *per capita* grants to that municipality? It still has to provide the services.

Mr. Speaker: Any other members wish to speak? If not, the hon. minister.

Hon. Mr. McKeough: Mr. Speaker, a few comments and a few answers to questions. First of all, let me explain what seems to be worrying the member for Lakeshore perhaps, the member for Oshawa more than anything else, and that is what they have correctly described as the freeze.

The municipality, at the present time, has no control over the split in the mill rate, and can't put it that way. The split in the mill rate arises from the fact of the unconditional grant. Unlike the education mill rate, that is a definite split, it happens to 10 per cent between the commercial rate and the industrial rate. One of the great problems that we have, in predicating what will be the effect in tax changes—moving to some of the desirable things that the select committee talked about—is knowing, with any degree of accuracy, what will happen.

It was very important for us to get hold of it if I can put it that way, of this split. It happened in the three municipalities—I think the average varied in the three regional municipalities—by something in the neighbourhood of 13 or 14 per cent. We averaged off to around a fixed 15 per cent. We could have hold of that figure statistically. We could make it 20 per cent, for example. We could now estimate with some degree of accuracy what would happen if you went to the 60:40:100 formula proposed by the select committee. It is now computerable information, if there is such a phrase.

It was very important to get hold of it. It is not fixed for all time, obviously, but it is set down and we have hold of it. We get rid of the split mill rate which is probably desirable, at some point, and add that amount to the business tax, presumably, would do the same thing. You would have one mill rate move to the 40:60:100 situation, which gets rid of this split mill rate or wide the split mill rate and does away with the business tax. But to do either of these things or any of these things, it became terribly important to get hold of the figures and of the variance. Having got hold of them, we are in a position to start moving. I hope that I am making myself clear. We are not really taking anything away from the municipalities. As a matter of fact, I suppose, in every one of those instances, we benefited the residential taxpayer in the regions at the expense of the commercial taxpayer. If you look at some of those figures you find that the commercial mill rate—

**Mr. Singer:** You will find some who benefited and some who did not.

**Hon. Mr. McKeough:** In the main, the residential taxpayers benefited and the commercial taxpayers took somewhat of a loss. We are not talking about all that much in any one case, but now, having got hold of this differential, it would be possible to move in a number of different directions and predict ahead of time what will happen with those kind of changes. I can see the arguments of the members for Oshawa and the Lakeshore and I understand that they are worried, but I hope that they can appreciate why we are doing what we are doing.

**Mr. Lawlor:** May I ask the minister a question?

**Hon. Mr. McKeough:** Yes.

**Mr. Lawlor:** While the minister speaks in terms of the residential property holder being benefited, on the other hand, is it not true that having the fixed ratio between the two figures also prevents municipalities from placing undue burdens, let us put it that way, against commercial assessment in order to alleviate their residential people? There is a tendency to do that in some areas—to hit the commercial rather harder in order to alleviate the residential. Is that what the minister has in mind, to prevent them from doing that?

**Hon. Mr. McKeough:** No. The municipality had no control over whether that was 13 per cent or 11 per cent or nine or eight. It varies across the province, so the staff tell me, from something in the neighbourhood of five per cent to 20 per cent.

**Mr. Lawlor:** They set their own commercial mill rate?

**Hon. Mr. McKeough:** No. The member for Oshawa would know best, from when he was on the Oshawa council and they went through their budget process. What they struck in the first instance was the commercial rate. They deducted then the unconditional grants and arrived at the residential rate.

The municipality itself has no control over the difference between the two. They do, funnily enough, in education. I do not know why it was not worked out that way. There must have been some reason 10 years ago when it was brought in and it has caused no end of confusion for municipalities having to calculate that rate that way. It has also caused no end of confusion in trying to predict what will happen.

If I can just touch on some of the points that were raised. Another feature, what we have done, and I think I mentioned this at the conference, is this grant is signed so that it can be added to. I realize that the amount of money is not all that great, although I do not think in the region of the municipality of Niagara one would be inclined to sneeze at \$700,000 and another \$500,000 next year. I do not think people will sneeze at that amount of money. In Ottawa it amounts to another \$500,000. In Metropolitan—

**Mr. Singer:** Toronto, zero.

**Hon. Mr. McKeough:** Let us be just a little bit fair about this. When the member stands up and talks about the Fort York police budget being up \$126,000, was that the figure?

**Mr. Haggerty:** Over \$100,000. A 26 per cent increase.

**Hon. Mr. McKeough:** A 26 per cent increase. How much of that was due to salary demands of the police and how much of it was due to regional government? I see, I am not being kidded by a statement like that.

**Mr. Haggerty:** They had to hire additional policemen.

**Hon. Mr. McKeough:** Twenty-six per cent. How much of it was salary demands? There are the kinds of demands that are going across—

**Mr. Haggerty:** Eight per cent.

**Hon. Mr. McKeough:** How much?

**Mr. Haggerty:** Eight per cent.

**Mr. Pilkey:** I thought it was six.

**Hon. Mr. McKeough:** However, the member for Downsview said that Metro was nothing. That is not quite true. They are getting an additional \$2.8 million next year. I do not think that is a small amount of money. Even Metropolitan Toronto does not sneeze at it.

**Mr. Singer:** No, they are not going to sneeze at it now.

**Hon. Mr. McKeough:** It certainly is not. This bill they will get \$1.50 starting next year for regional police.

**Mr. Singer:** Next year, but nothing for this year.

Hon. Mr. McKeough: I said, they get \$2.8 million in 1971. I do not think—

Mr. Singer: If the minister had listened to me he would have heard that I said nothing this year.

Hon. Mr. McKeough: And the member said nothing about next year, either.

Mr. Singer: Well, I knew the minister would say it in case I did not. Could I ask the minister a question? Now that he has raised that, why can they not get this grant—

Hon. Mr. McKeough: This year?

Mr. Singer: —set out in item 4 of section 2?

Hon. Mr. McKeough: This year?

Mr. Singer: Why can they not get it now, because Metro has been deemed a city for the purposes of The Police Act since 1957. The others may not have been, but why can Metro not have it now? We have had a metropolitan police force for 13 years.

Hon. Mr. McKeough: Well the member should know that money does not grow on trees. And very simply, Niagara will have a regional force next year. We propose to start the grant, really, next year.

Mr. Singer: Start them when they have it. We have not had it for 13 years.

Hon. Mr. McKeough: Well, be grateful that you are going to get \$2.8 million starting next year.

Mr. Singer: But nothing this year.

Hon. Mr. McKeough: Starting next year. Just be grateful. You have been without it for 15 years, so be grateful it is starting.

Mr. Singer: Even in the minister's formula he has taken away \$500,000.

Hon. Mr. McKeough: Oh, not that. No, now we will come back to that.

Mr. Singer: \$420,000; pretty close to \$500,000.

Hon. Mr. McKeough: The density schedule, I think I have explained in the answer to a question. The members of the New Democratic Party are not listening, anyway, so I will not say anything more, I think, Mr. Speaker.

On North York, there is no question we should be moving in the direction of using the assessor's figures. It is not possible to do so this year. We will by next year. I recognize

North York would appear to have suffered even under the revised formula. It helps the somewhat. Of course, the fact of that matter is that the city of Toronto, which I think all recognize, has been hard done by for a number of years under the unconditional grants formula and we are able to correct that. I do not think there is anything more for me to add, Mr. Speaker.

Mr. Singer: Mr. Speaker, could I ask the minister another question? If I understand from the notes he has sent me, he will be introducing an amendment—

Hon. Mr. McKeough: Yes.

Mr. Singer: —in the committee section carry out what he has shown on this sheet

Mr. Bullbrook: Mr. Speaker, may I rise on a point of order? Perhaps I am obtuse but will the minister reply to the member for Welland South in connection with the implication relating the grants to the DBS census statistics? That was answered, was it?

Hon. Mr. McKeough: Yes.

Mr. Bullbrook: I apologize, I must have been asleep.

Motion agreed to, second reading of bill.

Mr. Speaker: Shall this bill be ordered third reading?

Mr. Singer: No, Committee of the Whole House.

Mr. Nixon: It is a money bill. The minister wants to amend it.

Mr. Speaker: The bill shall be ordered Committee of the Whole House.

#### THE RESIDENTIAL PROPERTY TAX REDUCTION ACT, 1968

Hon. Mr. McKeough moves second reading of Bill 60, An Act to amend The Residential Property Tax Reduction Act, 1968.

Mr. Speaker: The hon. Leader of the Opposition.

Mr. Nixon: Mr. Speaker, I was interested in the minister's candid remarks at the provincial-municipal conference, when he said that the government had seriously considered dropping the residential tax reduction procedures entirely. I thought that would have been a wise move if, in fact, the moneys a



more added to them could have been used for payments of an unconditional type to the municipalities to permit the councils to make their own decisions as to how they would reduce taxes at their own level of government.

The minister, however, said that the suggestion was responded to by many municipalities, or spokesmen for municipalities, and taxpayers in general negatively. In other words, he feels the people want the grant to continue. So instead of moving for the repeal of the original statute, he has brought in an amendment changing somewhat the means whereby the calculation is put forward to set the amount of payments in the various municipalities, and some other changes as well.

So the principle of this bill is not whether the residential tax reduction procedures, known as the basic shelter exemption, shall continue or not, but whether or not the procedures will be somewhat simplified or, in the minister's view, improved and the average payment increased by small amounts.

So we are going to support the bill, even though we do not favour The Residential Property Tax Reduction Act procedures as we have experienced them in the province for two years. It smacks too much of political bribery. It is a payment, as you know, Mr. Speaker, which comes due toward the end of each year.

The minister's frankness was matched by that of the mayor of Hamilton, who said he likes it too, because it means that a payment goes out ostensibly from the city treasurer—although the minister is quick to point out to all who listen that in fact he pays it—but the payment goes out from the city treasury to the local people just at about municipal election time. That was one reason why Mayor Copps said he favours the continuation and favoured it very strongly.

**Hon. Mr. McKeough:** He was talking about another bill.

**Mr. Nixon:** As a matter of fact, he was not. He was talking about this basic shelter exemption, Mr. Speaker. Would the minister like to speak?

**Hon. Mr. McKeough:** He does not mail a cheque to anybody under this bill, any more than I do; why confuse the issue?

**Mr. J. E. Stokes (Thunder Bay):** That was his only objection to it.

**Hon. Mr. McKeough:** He was talking about the private legislation which Hamilton has—is it a maximum of \$150? Private legislation for people over 65 on a means basis.

**Mr. Nixon:** Mr. Speaker, since the minister has interjected, I am sure he will re- sponse to my question from the floor, who specifically asked him why, in his for- presentation to the conference, he favou- the continuation of the basic shelter ex- tion. I would submit to you, Mr. Spea- that the minister is incorrect when he s- that the mayor made his comments in re- ence to some other payments, rather than one we are discussing here this afternoon.

And I thought it was interesting that b- the mayor and the minister continued th- support for the principle of this sort of p- ment because of the political implicatio- The minister because, he said, a good m- people indicated to him it was popular—

**Hon. Mr. McKeough:** What rot!

**Mr. Nixon:**—and the mayor because, said, it was good for electioneering when comes around to the end of the year.

Of course, everybody in the House w- municipal taxes reduced and the minister, persisting with this policy, is essentially s- porting a policy which overtaxes the citiz- of this province by about \$140 million the upcoming year. It reallocates the mo- under his direction to those people who believes should have their property reduced.

Now, we believe in property tax red- tion. We believe that it should be done m- at the behest, and under the direction, of municipalities. The minister—if we are believe his views in connection with this- and with the Act it amends—the mini- does not trust them—the municipal offic- and those elected at the municipal level undertake the tax reduction themselves.

He wants the credit for it. He does- want the money to be handed out by any- except the provincial government. He d- not believe that those at the municipal le- have the good sense, or perhaps the dem- cratic spirit, to return the money in a- and equitable manner by more direct reduction.

There are a good many things that- be said about the bill's parent. I believe t- largely they would be out of order, beca- we have already discussed the minist- intransigence in continuing to give the p- ments to those foreigners who own prop- here—particularly summer property. Th- have been other areas which he feels are

inconvenient to change and where he particularly wants to keep this payment under his own jurisdiction.

I really cannot help but compare this legislation with legislation in some of the western provinces, where the payments do not even funnel through the municipalities, but actually come right out from the treasury of the province direct to homeowners, rather than taxpayers. For the reason I submit that our arrangement here in Ontario is, at least by that measure, better than that in some of the western provinces.

The similarity is that, in fact, it simply results in a payment to the taxpayers at election time, or at a time when credit is needed by, and perhaps is due to, the Minister of Municipal Affairs and his colleagues, which results from overtaxation in the first instance.

The minister has never been able to give us any significant details as to the administrative cost of the programme. He is quite prepared to tell us how many people he employs in his department, but he has never undertaken to make any kind of a guess, educated or otherwise, as to what the costs are to the various municipalities and to the apartment owners who must redistribute the funds that come to them to their tenants, who in many cases do not find themselves eligible even for a full year's repayment, but often for just a part of a year.

This can be done. Of course it has been done, and I think the minister is correct when he says that in the second year the administration was much simpler than it was in the first. But I believe the principle that we are embarking upon here is very far removed from that which might have been recommended by the White committee and which even was envisaged by the Smith report, when they recommend it in the first instance.

The minister will recall, Mr. Speaker, that the recommendation for a basic shelter grant, or basic shelter exemption, was only one part of a far-reaching reform of municipal grants which the minister and the government that he supports has not yet entered into. While he says in a very attractive way that he embraces the principle of reform, still he does little or nothing to bring some accomplishment from this embrace.

I am sure the member for Sudbury (Mr. Sopha) could have made that a bit more picturesque, and he might still if he puts his mind to it.

**Hon. Mr. McKeough:** I am all for embarking.

**Mr. Nixon:** Right, right!

**Hon. Mr. McKeough:** He might have talked about the principle.

**Mr. Nixon:** But, Mr. Speaker, in reference to the principle of the bill, even over peculiar interjections from the minister seems to be rather loath to hear any criticism of the bill or of his administration of the department, I would say we recognize that principle simply improves the payment slightly, it simplifies the procedures, and in essence we therefore support it. But this does not mean that we accept the principle of exemption itself or the payment itself. I believe it would be far better if the grants that are payable by this government to municipalities were deconditionalized—a peculiar word that the government has coined for their effort to soothe the outraged municipalities—but we do believe in the deconditionalizing of the grants.

I believe that you have preferred unconditional grants to municipalities on condition that they go into regions, and that that is the new conditionalizing of the free grant structure. But essentially there is little reform of the payments, nor even substantial amounts of moneys available to the municipalities.

In this, the minister has seriously failed. I may feel that the taxpayers as individuals like to get a cheque at the end of each year which they can trace back through to the local mayor—

**Hon. Mr. McKeough:** On a point of order, Mr. Speaker. This is the fourth time that the Leader of the Opposition—

**Mr. Nixon:** Is this a speech or a point of order?

**Hon. Mr. McKeough:** A point of order.

**Mr. Nixon:** What is the point of order?

**Mr. Speaker:** Order!

**Hon. Mr. McKeough:** Four times the Leader of the Opposition has said that people get a cheque at the end of the year; that is not in this bill before us, and it is not factually so. There are many people who have already received the tax reduction on the bills they have received. Why talk about things that are completely erroneous?

**Mr. Nixon:** Speaking to the so-called point of order that you have permitted, Mr. Spea-

I would say that a good many of the citizens do receive cheques in the mail at the end of the year.

**Hon. Mr. McKeough:** And a great many do not.

**Mr. Nixon:** If they are tenants, the minister surely knows that it is the responsibility of the landlord to make out a cheque and send it to them.

**Hon. Mr. McKeough:** Or they have it deducted.

**Mr. Nixon:** Right. So they get this payment. Mr. Speaker, I cannot see the justification for any so-called point of order that the hon. minister has put before you for your consideration. But, as I was winding up my remarks and will be glad to do so as soon as I possibly can, Mr. Speaker—

**Mr. Speaker:** All right. The hon. Leader of the Opposition—

**Mr. Nixon:** I would like to say that while we oppose the principle of this payment, the way it is conducted and administered by this minister and the government, we will not oppose this bill. It simply is a housekeeping arrangement which makes the payment a little more orderly and, in fact, increases it by small amounts.

**Mr. Speaker:** I was going to say to the hon. Leader of the Opposition and to the House, of course, that I had the feeling, as the hon. leader progressed in his remarks, that he was really speaking to the original bill. This bill before the House is a bill to amend the original bill, and simply deals with the process of giving the rebates. Therefore, I do believe that the hon. Leader of the Opposition was substantially out of order in a lot of his remarks.

We are dealing with the amendment to this particular bill, which is the principle enunciated in the original bill. We are dealing with a difference in the method of handling the bill.

**Mr. Nixon:** Mr. Speaker, if you will permit me, since you have raised the point, I brought to your attention that I was also going to express some remarks on the principle of the payment. While even the minister did not object, I would have expected, sir, that if you were sensitive to this important point, you would have brought me to order at that point. However, of course, I am glad now that I have finished my remarks to accede to your point.

**Mr. Speaker:** I am sure the hon. leader of this mind at the moment. Being of the frame of mind myself, and dealing with the points of order and the progression of debate, my imagination is quite elastic. I permit members continually to range around on the principle of the bill, even though they are nevertheless, sometimes out of order.

The hon. member for Wentworth.

**Mr. Deans:** To be considerably briefer than the Leader of the Opposition and, I hope, more to the point, I disagree entirely with this method of redistribution. It falls into the same category as the previous bill. There is such a great need in the province of Ontario for tax reform, and the perpetuation of this particular hand-out type of government grant is really of very little value, other than to the recipient.

I am surprised the minister and his colleagues did not decide to send it out at Christmas time in a Christmas card. What I worry about is the effect of this particular legislation and the changes the minister is making.

In northern Ontario, for example, this will have a rather obnoxious effect. The people of northern Ontario are not going to be very happy with the effects of this particular change in the legislation because it will affect detrimentally two out of every three persons. The ratio of effective decrease as opposed to increase is almost one to two in northern Ontario.

It seems to me that if there is an area of the province where assistance is more vital and necessary, I know nought of it at this point. The need to assist in northern Ontario has been something that we have been putting forward for so long now that it has almost become repetitive.

But the effect of this particular legislation will be the exact opposite to what is required. In terms of these municipalities receiving increases, 67 will receive increases, while 1 will be affected by decreases.

This appears to me to be an entirely wrong move. What we had previously was inadequate; what we have now is totally incompensable. The effect over the entire province of Ontario leaves a ratio of eight to five, an increase to decrease. Which means that for every eight people who receive an increase in their residential property tax rebate, five will receive a decrease. To try to rationalize this is very difficult; to try and determine that this is in some way assisting the people of the province is a very difficult thing.

It would have been much better if at the outset, the minister had decided to make this money available in unconditional grant form for municipalities to use for the purposes for which they need the money. To send it out as it presently is to taxpayers in many instances, it is money that they do not require; it is money that really is not applied against taxes. We find that the municipalities are levying similar amounts or raising similar amounts in terms of increased taxes.

How the minister determined what the ratio was going to be, God only knows. How he decided he was going to place this additional burden on northern Ontario and places like Cochrane and Nipissing and Thunder Bay and Sudbury and Manitoulin—how he decided he was going to place this additional burden on those people of those areas—is something that I hope he is able to answer in this House. Because to effect this kind of imposition on those, while really not benefitting to any great extent any others in the province, makes little sense.

I would hope that this is the last time we see this bill before the House. I hope that the next bill introduced by this minister will be a change, a basic change, to the tax structure from municipalities in order that they can afford to raise the money they have to raise in a more progressive way, and that we will not have to rely on the largesse of government to hand out money, strictly for election purposes.

Mr. Speaker: The hon. member for Waterloo North.

Mr. Good: Mr. Speaker, I would like to make a few comments on this Act to amend The Residential Property Tax Reduction Act of 1968 and before doing so, I think we have to realize that many of the problems created in the original Act will be perpetuated by these amendments that were brought here. We all remember the problems that existed when it was first brought into effect and which still exist. Some were corrected last year in amendments and others still exist.

The amendments to this Act as put forth in this bill set up an entirely different method of calculating the grants. Instead of relieving the tax on the first \$2,000 of equalized assessment, we now start with a basic amount of \$30 which is added to by 10 per cent of the residential tax levy in the municipality in the preceding year paid on the average residential property tax—on the residential property owner.

My point is this, Mr. Chairman. If other method was unfair and created equality, what is so magical about this method which makes this more fair? Why \$30? Why did the minister arrive at starting at \$30? Was it because the basic reduction in Chatham was only \$23 last year, or why did he arrive at \$30? This I just do not understand.

Then, on the same basis—going to a total amount of 10 per cent of the average residential tax levy. Why 10 per cent? Why not 15? Is there some rationale behind this? I would like to hear about it if there is. What is the principle behind the idea of reducing the residential property tax by the amount of tax relieved under this Act before we figure the 10 per cent? These are things which I do not know.

Speaking of the limitations, now: I can understand the need for limitations, they are reducing the tax on the lower end of a minimum scale. But what is so magical about allowing only \$15 increase over last year's? In my own community, had it been figured with a limitation, there would have been a \$15 increase over last year. Evidently that is not right.

Hon. Mr. McKeough: No.

Mr. Good: You were only allowed \$15. Well what is the reasoning behind this?

Hon. Mr. McKeough: Dollars. Total dollars.

Mr. Good: Pardon?

Hon. Mr. McKeough: Total dollars.

Mr. Good: Total dollars. In other words \$60 is permissible, but not \$65? I would like to know what the rationale, the reasoning behind this is.

Hon. Mr. McKeough: The total dollar cost to the province.

Mr. B. Newman (Windsor-Walkerville): That is the limitation.

Mr. Good: This is the limitation? I thank you.

Now this bill still seems—

Hon. Mr. McKeough: Reasonable.

Mr. Good: The minister pulled that off the top of his head too—this bill under this formula still perpetuates the principle of making payment to nonresident owners of summer cottages and I think this is entirely wrong.

**Mr. Bullbrook:** Has George Romney got something on the minister?

**Mr. Good:** In my—

**Hon. Mr. McKeough:** He and the member for Welland South better get together, had they not?

**Mr. Good:** No, no. But this is exactly my point. If you are willing to pay the residential property tax to nonresident owners of property, in my mind that should be more correctly turned over to that municipality as additional unconditional grants. It would make a lot more sense.

Let us look at it. You know actually, Mr. Speaker, the American cottage owners, and there are four of them in the little subdivision where my cottage is who are actually laughing at us in the province of Ontario for paying up to 50 per cent of their property taxes. This is paid out of the consolidated revenue of the province. This amendment to the Act still permits it. Now, where does that revenue come from? It comes from five main sources: Corporate and personal income tax, to which no American contributes; retail sales tax, to which they contribute in a very limited manner; gasoline tax, to which they contribute very little, and liquor tax, to which they contribute—

**Mr. R. F. Ruston (Essex-Kent):** Not much any more; not much on liquor. They bring it all over in 40-ounce bottles.

**Mr. Good:** —not at all, because they bring it all over from the duty-free shop at the border. It burns me up to see them drinking VO made in Waterloo bought for \$40 a 40-ounce bottle at the border.

**An hon. member:** \$40?

**Mr. Good:** \$4. I am sorry.

Interjections by hon. members.

**Mr. Good:** There would be no difficulty at all in amending the principle of this statute so that non-resident property owners who do not live six months in a seasonal dwelling in the province should not receive this tax. I think it is ridiculous. They are laughing at us. Actually, they should pay to come over here and enjoy our fresh air and clear water and our natural resources.

Another thing I think that should be looked at—and in Committee of the Whole House we will probably bring in an amendment to this as well—is the idea of this Act; the principle in this Act still demands payment of this by the landlord by December

31. The member for Windsor-Walkerville suggested to me—and I think it is an excellent idea—that once the financial obligation of the tenant in the last month of rent had been realized, when he pays his rent on December 1, the landlord should then be obligated within seven days to complete residential property tax rebate to him.

As far as I can find, the principle in the bill allows no appeal for the year 1969 regarding what is and what is not a separately assessed residential property. For 1968, I had all of 1969 to appeal it. This Act is going to give till January 31 of the year following. That has already passed, so a person who does not receive the residential property rebate for the year 1969 will have no recourse in getting it under this principle. If I am incorrect on that, I would like to know about it, but that is the way I read it. Furthermore, the matter of a self-contained residence, the principle gives the treasurer of the municipality power to determine what is and what is not a self-contained residence as set out under section 20, subsection 1, paragraph 1 of The Assessment Act, where it says: "there are two or more rooms in which a person sleeps or prepares meals, then that residence is classified as a domestic establishment."

I have had experience with a few tenants and a few landowners who have had difficulty getting certain premises established as self-contained, separately assessed, premises. When the assessors, when they came to look at them, were not sure if they were or not, they cause someone else went through part of the hall to get to their self-contained premises, and I say is quite a responsibility on the treasurer of the municipality.

Finally, I would like to say that in my humble opinion this bill still perpetuates other injustice, which is that the principle makes no provision for mortgage companies who are holding taxes along with mortgage payments that have to be paid back by landlords to tenants. There is no provision in the bill for the landlord to get the money back from the mortgage companies, and there must be millions of dollars held by mortgage companies in the form of prepaid taxes by landlords who need that money at the end of the year to pay back to his tenants. I would think that some provision should be made in the bill to take care of that situation.

As has been said previously, the whole idea of the residential property tax rebate is a good one, but since it is still on the books and not going to be repealed we will have to support this inadequate type of amendment to it.

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

**Mr. Lawlor:** Just a curious comment on this piece of rather pedestrian legislation, prosaic in the extreme, to say that it reminds me of poetry.

It reminds me, as a matter of fact, of two great poems; on one side, "The Ancient Mariner"—the minister in the context very much resembles the ancient mariner; he has an albatross around his neck and the damned bird will not die, it keeps on looking him in the eye.

The second thing seems, you know, most relevant, really. One thinks of Edgar Allan Poe's "The Raven." Poe was often very inebriated and he was pretty far gone when he wrote "The Raven" and this wretched stuffed bird above the door kept on looking with a beady eye down on him, and croaking, "Nevermore." I would trust that this minister has learned his lesson with this legislation, that nevermore will he seek to bribe the people of Ontario with their own money.

The legislation—and this is a little bit of the history leading into it—came on the eve of the last election and came out of the Smith report—one of Smith's dizzier ideas and he was fallacious in many areas in tax matters. But did the boys ever seize upon this one. The toxic substance went right to their brains. They were seized with a whirling, gyration vertigo, and they went off of the election—and you did rather well, I suspect, as a result of the damned thing.

But you know it is unscrupulous politics—

**Mr. R. M. Johnston (St. Catharines):** You would like to have had it, would you not?

**Mr. Stokes:** We are getting wise to you now, though.

**Hon. Mr. McKeough:** It worked a little better than 80 per cent of the cost of education did it not?

**Mr. Lawlor:** I know that the minister—well, I think, I know—that the minister himself regrets legislation with this underbelly and this hue to it.

First of all, it is inefficiency in administration—it causes extra cost, and one would like to know what the present administrative cost of running this iniquitous little gin mill that you have on the side runs to in any particular year.

But what has happened is that the minister, or the legislation, at least—the minister has not always been in suzerainty here, nor will

he always be—has floundered from pillar to post and has to be amended every year. There are some discrepancies, built-in anomalies, ineptitudes, stupidities of various kinds, being perpetuated, mollified a little bit here and there, anodyned the pain all over the place, but nobody is ever cured. The lep does not kill you in five years, it kills you in 10, that is all—

**Hon. Mr. McKeough:** That is exactly—

**Mr. Lawlor:**—and this is what the molting effect of the legislation is.

One who is a lawyer, you know—I do suppose you have to be—any member of the Legislature, as ombudsman, is besieged by landlords sometimes, and more by tenants in this particular context it is the failure of landlords to ante up.

It goes on. It is a perpetual cry. The bill just will not pass it on. You have had it established, I understand, another little emolument for yourself in order to try to bring a little weight to bear upon the head of Phyllis Wynn, and innumerable other landlords who have just thumbed their nose at you under this legislation, as to passing it on and making it easier for people.

So the legislation is one ball of wax which dirties the fingers when you try to play with it. The minister himself has said, in his budget statement of last year, they would jubilate to see the passing of this albatross. "Take it away from around our necks. We want a tax credit system in this province allied to an income tax."

They are in the doldrums on that one. The federal government, to a point at least, has pre-empted you in that area. Exactly what overtures you are making to them will precisely bring in your tax credit within the confines of—

**Mr. Nixon:** They have lost their nerve that separate income tax.

**Mr. Lawlor:** Benson is a real problem think that you might very well have to proceed with your own separate income tax if you are going to bring any equity and relief in this area to the individuals in the province.

But we will discuss that in accordance with the Treasury. It is a matter of grave importance that the sooner this incubus can be lifted from the back of the people of Ontario, the better it will be for us all.

**Mr. Nixon:** Why do they not let the people decide?

**Mr. Lawlor:** And to have to flounder around from year to year bearing the burden of this tax.

**Hon. Mr. McKeough:** The member said that the last time.

**Mr. Lawlor:** Are you gentlemen now finished?

**Hon. Mr. McKeough:** We were talking about the principle of the bill.

**Mr. Lawlor:** There are things we will talk about around here, but when a bill is without principle, God forbid that I should talk about principle.

**Mr. E. W. Sopha (Sudbury):** Did the member say that Edgar Allan Poe was drunk when he wrote that poem?

**Mr. Lawlor:** Yes, he was drunk when he wrote that poem.

**Mr. Sopha:** Well, more poets should get drunk.

**Mr. Lawlor:** The member is perfectly right. More ministers of municipal affairs should sober up here.

Just one final word. My own people in Etobicoke are going to enjoy a considerable increase. I am sure somebody is going to pay for it, namely themselves, in the course. They are going from \$57.46 on the average up to \$72.48. As a matter of fact, they are two cents over the \$15. I thought maybe the minister could stretch a point since the legislation is iniquitous to start with, and its guidelines are most questionable. Maybe the minister would stretch the point and give the people of Etobicoke another two cents.

**Mr. Speaker:** The member for Thunder Bay.

**Mr. Stokes:** I would just like to add a few comments to those made by the member for Wentworth. When you see what the amendment has done to the people of northern Ontario, I do not know whether the minister is aware of the injustices perpetrated by this bill with regard to the assistance provided by the Act. It seems to me that the minister would not think of bringing in a bill that had a deleterious effect on the people of northern Ontario in terms of the assistance offered to people elsewhere in the province, particularly at a time when his colleague, the Minister of Mines (Mr. A. F. Lawrence), is trying to impress upon everybody about how aware the people in this government are

of the needs and the aspirations of the people of northern Ontario.

Having regard for the additional cost of the additional moneys required to keep body and soul together in northern Ontario in terms of the colder climate, the cost of transportation, the increased cost of goods and thereby the increased sales tax, and almost any aspect of daily living that you want to mention, it has an adverse effect on people who, for any number of reasons find it necessary to live in northern Ontario.

I am wondering what the rationale is behind this particular bill when it does have an adverse effect over what was provided last year by, essentially, the same legislation. Would the minister consider changing the formula to give the advantage that is needed to people in northern Ontario—something that he set out to do, I think, by the Act? It has an adverse effect when you have more people in northern Ontario adversely affected by this bill than those who benefit elsewhere to any degree at all. I am wondering if the minister has any rationale for the particular formula that he came with and which has an adverse effect on people living in northern Ontario.

**Mr. Speaker:** Do any other members want to speak before the minister? The hon. minister.

**Hon. J. H. White (Minister of Revenue):** Last fall when this matter was under review I thought it would be interesting to compare the actual tax paid by a wealthy friend of mine and the actual tax paid by a citizen of modest means and to see what the result would be if suggestions like the one made by the hon. member for Waterloo North were adopted. The wealthy person, in a large house in London, Ontario, has an assessment of \$67,820; with a mill rate of 1.5 his gross municipal tax is \$6,307.26, less basic shelter rebate in 1969 of \$64.60.

Interjections by hon. members.

**Hon. Mr. White:** It is no wonder members opposite do not understand it. No wonder at all.

Interjections by hon. members.

**Mr. Speaker:** Order please!

**Hon. Mr. White:** I think 12 months ago the introduction of this—no, two years ago the introduction of it—the member for Waterloo North and half of the opposition do not understand it. Now be quiet for just the

minutes and I may be able to bring them some small degree of comprehension.

**Mr. Speaker:** Order please!

**Mr. Good:** Point of order!

**Hon. Mr. White:** The member does not have a point of order at all. Now I am going to start from the top.

Interjections by hon. members.

**Hon. Mr. White:** There is no point of order at all.

**Mr. Speaker:** Order please! We will hear the point of order.

**Mr. Good:** I did not make any suggestions: I asked them to justify the rationale of the limitations which were put on the—

**An hon. member:** You had better listen over there.

**Hon. Mr. White:** The member for Waterloo North asserted that the resources being expended in this basic shelter rebate programme, and which amount to \$136 million, should be diverted from this programme and put into unconditional grants. *Hansard* will prove me right. Some other opposition members implied that this should be done. Now I want to give members some figures.

**Mr. Ruston:** The minister never says anything but we will listen, anyway.

**Hon. Mr. White:** Mr. Speaker, if the Liberals can get out of their cat fit for a minute or two. Get out a pencil and write this down.

The wealthy man has a gross municipal tax of \$6,307.26, less the 1969 basic shelter rebate of \$64.60. His net municipal tax is therefore \$6,242.66.

**Mr. Bullbrook:** Can you imagine helping him? The very concept of helping him—

**Hon. Mr. McKeough:** Just wait. The member is walking into it.

**Hon. Mr. White:** Yes. The widow of modest means, who I am glad to say, is the district chairman of my Conservative organization, has an assessment of \$4,100—

**Mr. Nixon:** Why does the minister not put her on the land compensation board?

**Hon. Mr. White:** At a mill rate of 93, she has a gross municipal tax of \$381.30 less the 1969 basic shelter rebate, \$64.60, left her with a net municipal tax of \$316.70.

**Mr. Lawlor:** Now break that down centagewise.

**Hon. Mr. White:** Now listen, if the \$3 million were taken out of this programme and put into unconditional grants, the mill rate in London, Ontario, would decrease from 93 to approximately 84.

**Mr. B. Newman:** It would not decrease all. It would provide other services.

**Mr. Bullbrook:** Nobody is suggesting

**Hon. Mr. White:** And the mill rate of 84 would be applied to the high assessment properties and the low assessment properties in exactly the same proportion. That would mean a saving of \$566.13 to the wealthy householder and it would mean an increase of \$26.47 in the tax of the modest widow who is the owner of the small house.

Interjections by hon. members.

**Hon. Mr. White:** Now may I say in conclusion, I am very dedicated to this short-term solution and I hope the Treasurer will find the resources to expand it. It is in some ways cumbersome and I know that the municipal authorities found it aggravating initially, but it is a great deal better than the unconditional route suggested by my friend from Waterloo North and mentioned time and time again by opposition members both here and elsewhere.

Until such time as we can plug credits into our income tax for some or all of the properties on modest properties, we simply have to pursue this particular route. I do hope the members of the opposition will gain some comprehension and lend their reputation to their authority to an expansion rather than the diminution of this particular programme.

**Mr. Speaker:** The member for Humber and I hope he keeps to the principle of the bill.

**Mr. G. Ben (Humber):** Mr. Speaker, my remark was gratuitous but considering the hon. member for Lakeshore said there is no principle to this bill, I can hardly understand how you can expect me to stick to the bill. At any rate, though we say there is no principle to discuss, I will try to discuss the bill itself.

I was rather surprised at the Minister of Revenue getting up with such hogwash, because I can only recall that famous election when Mr. Diefenbaker last led the Conservative Party. He was trying to persuade the people to send his government in on the



that they would permit you to take the first \$500 of your real property tax off your income tax. Of course, the Liberals rejected that ploy for the very reason that the minister just gave—that the Tory friends in London would have saved \$673 and the poorer working people in Toronto, although they have some in London, too, I see, would have saved only \$38. It is surprising that all of a sudden we hear someone criticizing the federal Tories for what they were doing.

Mr. Speaker, it seems that discussing the plight of poor people and the cost of education and the assistance that they get from the measly and tightwad government in that regard is becoming an annual event. I do not think that we should just discuss it as a new bill and talk about principle. We should just have it come up annually like the daffodils, because things have not changed at all, Mr. Speaker—

Mr. P. J. Yakabuski (Renfrew South): What about the dandelions, they smell nice?

Mr. Ben: The taxes are still rising by between 10 and 15 per cent annually. Education tax is still taking the biggest bite. The high cost of education means that more than 50 cents out of every taxation dollar goes toward education costs. Many municipalities have a severe housing shortage because they discourage home building since every home that is put up means another burden on the educational dollar.

Mr. Yakabuski: Because the federal government will not do very much about housing. That is why they have a housing shortage and you know it.

Mr. Ben: The minister has tried—I should not say the minister—this government has tried devious ways of trying to placate the citizens who are indeed aggrieved by the conduct of this government. First, they came out with a sort of elderly home owners' tax deferment plan which proved to be an abysmal flop.

Hon. Mr. Welch: That is not the principle of this bill.

Mr. Ben: We agreed there is no principle here. They then came out with a bill that this particular bill proposes to amend and now they are amending it. Why? Because taxes continue to rise at an inordinate rate while all this government is doing is, now and then, throwing the people back a bit of their own money. It was suggested that they were being bribed with their own money. I would not say that they are being bribed

with their own money; I would just say that they are simply being lulled into a false sense of security, being led to believe that they perhaps exist another year or two until Liberal government gets in and finally do give them some satisfactory relief.

Mr. Yakabuski: Dreamer. With what?

Mr. Ben: Now, Mr. Minister—I am sorry, Mr. Speaker, the member for Waterloo North discussed the question of people who have cottages. It is incomprehensible to me why this bill, where it changes the definitions, does not provide that a cottage was not to be deemed a residential property unless it was occupied, as it was suggested, for at least six months of the year as a major residence. Why should the Americans be coming up here with their 80 or 90 horsepower motors, polluting our waters, buying up the best shoreline that there is, closing the beaches to Canadians, and be given grants to encourage them to expand such activities further?

I would even go further than what was suggested; I do not see why Canadian cottage owners who occupy their cottages for only three months of the year should be paying school taxes at all.

Mr. Speaker: Order, please! This has nothing to do with the principle of this bill. This bill simply changes certain amounts of money paid out this year from last year.

Mr. Ben: I think what this bill lacks is a provision that Americans would not receive any abatement in their taxes, and the amount they would be entitled to should go to relieve the burdens of the Canadians who own cottages and pay school taxes, although they do not send any children to the schools in the municipality in which the cottage is located. That might make a little more sense.

Certainly there is very little relief for people in the cities; almost no relief. They are still subject to double taxation. There is only one main residence now, so they cannot get their taxes abated on two residences. The Americans, in essence, can. They have a main residence down in the United States and they are still getting their rebate up here. Why give them special privileges? Why give non-residents a privilege that does not fall on Canadian citizens? Or to Ontario residents? This is one question I would like the minister to answer.

Otherwise, as I say, there is no principle in this bill to be discussed. It is subject to more disgust than discussion, I would think.

Mr. Speaker: The member for Sarnia.

**Mr. Bullbrook:** Mr. Speaker, it is difficult, I recognize, for the chair, in connection with this debate, to indulge itself in connection with what seems to be out of order. I hope I will not create too much difficulty for you in that connection.

I just want to rise shortly and I must, in rising shortly to discuss this, make the main weight of my remarks these—that it is an unfortunate circumstance, sir, that the people of Ontario are not here this afternoon to hear all these bills discussed, because this is essentially what is wrong.

The government goes throughout the province having their self serving meetings, to tell municipal officials that: "We really want to help you and we really want to, in effect, help the burden upon the residential property owners." The fact of the matter is that we get exactly this—a patchwork of enterprise from the government, really no established policy, no vehicle.

And, of course, we have the Minister of Revenue get up and use this simplistic approach.

Surely to goodness you do not think we are so naive, nor so stupid, that we would put into effect an unconditional grant system that would help his friend from London, who pays over \$6,000 a year? Because it is the policy of this party—

**Hon. Mr. McKeough:** It is exactly the same effect at—

**Mr. Bullbrook:** My leader has made it amply clear to the people of Ontario that it is the policy of this party that we do not intend to use funds of this nature to help people who pay \$6,000 a year taxes. That goes without saying.

**Hon. Mr. White:** The member had better try to explain it to the other members of his caucus.

**Mr. Bullbrook:** There is the essential rationalization that takes place. When the Minister of Revenue gets up and uses—he had been kind enough to send over to me the actual statistic note involvement—

**Hon. Mr. White:** I listened. The dumplings in your caucus have been saying it for two years.

**Mr. Bullbrook:** You see, Mr. Speaker, if I might, if I might—

**Hon. Mr. McKeough:** Do not try to kid us.

**Mr. Bullbrook:** Where they make their mistake is in the fundamental concept of their

responsibility in government. It is not responsibility of government, in our respectful suggestion to the minister, Mr. Speaker, help people such as the friend of the Minister of Revenue. We are vitally concerned

**Hon. Mr. White:** They are both friends

**Mr. Bullbrook:**—vitally concerned with a lady who was not constituted as his friend. We are vitally concerned in that connection.

**Hon. Mr. White:** Yes, she is.

**Mr. Bullbrook:** We really want to help her, but the problem here is, of course, we are faced with a patchwork, Mr. Speaker.

**Mr. Apps:** Mr. Speaker, may I ask the hon. member a question?

**Mr. Bullbrook:** A question? I am just getting into flight, I am just getting into spirit. If the member will bear with me, I am going to land in three minutes, so the member can have his day.

**Mr. Nixon:** No.

**Mr. Apps:** May I ask a question?

**Mr. Nixon:** The answer is no.

**Mr. Bullbrook:** In three minutes I am going to land.

**Mr. Lawlor:** Going to land? Okay, fly at 50,000 feet!

**Mr. Bullbrook:** The point that I want to make is this: We see, in two bills that are before us, an essential demigod—

**Hon. Mr. White:** The member's caucus does not understand it as usual.

**Mr. Bullbrook:** On the regional grant the member for Welland South got up and brought up this question—it is very important; vitally important; it will concern me if I get into a regional government in the St. Catharines area—and the minister said he answered facetiously said I was asleep; well, I was asleep. I toss and turn here all afternoon but I cannot get to sleep. That is the problem.

I did hear what he had to say, but he did not answer, because you see, in the bill that we passed previously, we forgot to include the Americans in the establishment of the population for purposes of calculating the availability to the municipality. We have to do that entirely, for it has an adverse effect on the municipality. And he sloped that off as if it is not important.

But then he has the unadulterated audacity to bring in a part to another bill which again perpetuates the payment to George Romney that I talked about two years ago. Now, I want to say in connection with the \$6,000 residential property taxpayer, that this party is less concerned—

**Hon. Mr. White:** The member had better try to explain that to his colleagues.

**Mr. Bullbrook:**—with using the funds that are entrusted to this government by the people of Ontario to help out George Romney. And I close in saying that this is what is wrong. This is really what is wrong, and this is why we become exercised at times at this continual patchwork, especially from this minister and his colleague in Education.

Interjections by hon. members.

**Mr. Bukator:** Mr. Speaker, I wonder if the man who just interjected could enlighten me a little with his super-knowledge of these affairs—

An hon. member: He is a statesman.

**Mr. Bukator:**—to tell me how they can help the tenant who rents a home and, knowing full well that the landlord will have to give him \$60, what is to prevent the landlord raising the rent only \$10 a month? This is simple mathematics; he collects \$120 from that same tenant who just collects \$60 from him. How are you helping the man in that position, or any tenant in this province?

You give the landlord \$60, and in turn he gives it to the tenant, and then he raises the tenant's rent by \$10 a month. What provision has the government made in this bill to protect a large multitude of the people in this province against this kind of a practice? I need not say any more. I think that simple question could perhaps get a simple answer from the very learned man. I would like that answer from the member who interjected, not the minister.

**Mr. Speaker:** Order please!

Before we proceed with this bill, I must say that we are dealing with an amendment to the original bill. I pointed out that I did permit the hon. Leader of the Opposition to speak to the original bill, and that, in my opinion, it was out of order to a great extent. Now in order that I would not be accused of inconsistency, I did permit other members also to speak to the original bill. Now I am not going to rule that sort of discussion out of order at this moment, but I do appeal to

the members to please stick to this particular amendment.

The hon. member for Windsor-Walkville.

**Mr. B. Newman:** Thank you, Mr. Speaker. My remarks will be quite brief on this. However, I look upon this Residential Property Tax Reduction Act as the third licence to increase rentals throughout the province of Ontario. We have now had a similar type of legislation for two years before; this is the third time. This means a third round of rent increases. It is three strikes against the government and, Mr. Speaker, you know that three strikes and you are out. In the area from which I come there are hundreds, and I can probably even say thousands of American owning property that are going to be benefited substantially from the bill before us.

I wonder if our American friends would treat us in the same fashion? In fact, Mr. Speaker, let me tell you that when a Canadian student attends an American university, he pays three times the tuition fees that an American student does attending the same university. So you can see that there is definitely no reciprocity when it comes to considerations similar to this. There was none in the case of tuition, and we know of none in the case of tax rebate.

Mr. Speaker, cities are hard pressed for funds to provide all types of services. The funds here, the \$140 million or so, now given to the property owners and to the property renting accommodation in the province of Ontario, should be given to the municipalities rather than to the property owners and the renters. Citizens appreciate this because it comes to them around Christmas time as they look upon it as sort of a little Christmas present, as a bonus. But immediately after Christmas they find out that all this has worked off. Their rents are no longer \$125 with the tax rebate and \$130 if you wish to accept the tax rebate.

I only wish, Mr. Speaker, that the minister in bringing the bill back to the Committee of the Whole House for discussion, would amend the original portion of the bill, so that it would require the landlord to make payment to the tenant not later than seven days after the last rental payment made for that current year. This would give into the hands of the tenant all of his tax rebate at a time of the year when he can put it to extremely good use. As it is today, the tenant has, in many instances, to appeal to the municipality through his member in an attempt to get redress.

and to collect his property tax, or to collect this rebate.

I would plead with the minister to come along and present some type of amendment that would overcome this problem of senior citizens begging to get their tax rebate before the end of the year, even though they have made all of their rental payments for the year. It could be the landlord has collected the tax rebate very early in the year when he originally made up and paid his total tax assessment for the year. Yet he keeps those funds, and does not distribute them to the tenant up until, in many cases, the last day of the year. He comes around like a Santa Claus, when to many of them in reality he is really a Scrooge.

**Mr. Speaker:** Any other members wish to speak on the bill? The hon. minister.

**Hon. Mr. McKeough:** Mr. Speaker, it seems to me that those parts of the discussion this afternoon which have probably had something to do with the principle of the bill have fallen into, perhaps, two categories. I would like to deal with both of them as quickly as I can.

There was the question as to why the switch was made. I will come back to that. This has some reference to the remark by the member for Thunder Bay, where some communities, in the north—perhaps more in the north than southern Ontario—suffered a decrease which was limited to \$5. Perhaps I should deal with this first. The concept of the Act this year has been changed to reflect more adequately what is the tax burden rather than just a flat amount, as previously.

The average tax burden in Cochrane, for example, is \$243. The average tax burden in Etobicoke is \$530. In the city of Toronto it is \$372. We think tax reductions should have some relation to the tax burden. We all know that the taxes are higher in a place such as Toronto, for a variety of reasons than they are, for example, in Cochrane. Although this government recognizes the particular problems of northern municipalities, the solution to those problems does not necessarily lie in their having their municipal tax bill reduced by a greater percentage amount than somebody's municipal tax bills in southern Ontario. Now if I can move—

**Mr. Deans:** They need more money for expansion.

**Hon. Mr. McKeough:** I beg your pardon?

**Mr. Deans:** They need more money for expansion.

**Hon. Mr. McKeough:** Right!

The Leader of the Opposition made point that this was taking money out of taxpayer's pocket and returning it to him.

For the sake of the record, of course, is exactly what happens in terms of the education grants; that is exactly what happens in terms of the unconditional grant; that is exactly what happens in terms of every transfer payment that is made. To just stand say that we are taking it out of one pocket and putting it in the other is not really a good argument, because the Leader of Opposition and members of his own party, presumably, would do exactly the same thing by adding this amount of money to the education grants. I think we should understand that.

As I listened to this conversation this afternoon, there were perhaps two suggestions from the other side as to how the money would be better spent. I am sorry, there were three. The member for Lakeshore, I think, is in considerable sympathy with the position that we should move to a tax credit and we would hope to move to a tax credit at some point or another. That position is not shared by some of the other members.

**Mr. Sopha:** He said that Edgar Allan was in sympathy.

**Mr. Lawlor:** We are always in sympathy with it.

**Hon. Mr. McKeough:** There were two suggestions then. If we are going to spend more money, we should add it to education grants or we should do it unconditionally. Let's deal with the education grants first. If we are really that interested in reducing the tax burden on homeowners or on tenants, do the members opposite in the Liberal Party realize that to achieve the same thing for a homeowner or tenant through the education grant schedule you would have to add something like \$250 million, because under the education grant schedule the commercial and industrial taxpayer also benefit?

**Mr. Nixon:** I think Smith's point was you could not do this to the exclusion of the rest of the reform package.

**Mr. Singer:** You can change it.

**Hon. Mr. McKeough:** You could put it in another way. You could put it in this context. If you have \$136 million to spend, you could add several points to the education grant and raise it up, whether it is from 60 to 65 per cent, or wherever it is, and you would get exactly the benefit which you—

**Mr. Singer:** Only if you maintain the present inefficient system.

**Hon. Mr. McKeough:**—would get for the people who deserve and need the help the most, the homeowner and tenant.

**Mr. Singer:** The minister wants to help his friends in industry all the time; that is his big problem.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. McKeough:** Mr. Speaker, I listened patiently. Members opposite did not really like the example given by the Minister of Revenue. I sat and listened to this. There were several members who said these things should be added to unconditional grants, and they did not like the particular example given by the Minister of Revenue. I would like to use another example. Let us take our same friend, the modest widow, the widow of modest means living in London.

**Mr. Ben:** She could not be very modest.

**Hon. Mr. McKeough:** Last year her tax bill was \$381.30. It was reduced by \$64.60 to—

**Mr. Nixon:** I bet she is out enumerating for the government right now.

**Hon. Mr. McKeough:** Now will members just listen?

**Mr. Nixon:** Yes, go ahead.

**Hon. Mr. McKeough:** It was reduced to \$316.70. If you add it to the unconditional grants which would have reduced taxation across the city of London by about 10 per cent, then her tax bill of \$381.30 would have been reduced by \$38 and she would have paid \$343.30; for \$26.60 more than she would on the straight flat rate reduction of \$64.60 last year.

Let us not talk about the particular friend of the Minister of Revenue. Let us talk about a home, I do not know what it is assessed at, the taxes on which are \$800 in that same community, London. The tax would have been reduced by \$64.20, and last year he would have paid \$735.80. If you use the straight unconditional grant approach which you advocated over there, one after the other, that tax would have come down from \$800—less \$80, 10 per cent—to \$720.

That man would have been better off by \$15.80 and our widow would have been worse off by \$26.60. \$800 is something more than the average tax in the city of London.

I suspect there are a lot of people not paying \$6,000 in taxes, but there are a lot paying \$800.

**Mr. Lawlor:** The minister is glowing like a bright incandescent bulb.

**Hon. Mr. McKeough:** My friend from Lakeshore would well understand, but I am afraid the Liberal Party do not—

**Mr. Lawlor:** The minister is perfectly right.

**Hon. Mr. McKeough:** My friend from Lakeshore would well understand that one of the features of the present system, with its fault is that it gets at the regressiveness of the property tax, in a way that the education branch—

**Mr. Speaker:** Order!

**Mr. Lawlor:** At a very high price.

**Mr. Singer:** Inefficient. Inequitable. It does not get at the root of the problem.

**Mr. Speaker:** Order!

**Hon. Mr. McKeough:** It certainly does. There is an example. For the woman of modest means, their proposal would cost \$26.60 more.

**Mr. Singer:** Depending on how you do it. You can adjust—

**Hon. Mr. McKeough:** Sure, the members can adjust all over the place, but put something concrete forward for one in his life, instead of saying "adjust it, adjust". It is wind over there and nothing concrete. Mr. Speaker, we in this party happen to believe in doing something about the widow of modest means—

Interjections by hon. members.

**Hon. Mr. McKeough:** This bill does it; we will stick with it.

**Mr. Sopha:** Do you know any more widows, Mr. Speaker?

Motion agreed to; second reading of bill.

**Mr. Speaker:** Shall this bill be ordered for third reading? In the event that it is ordered for third reading, according to standing order No. 47(c), the minister may then designate whether it goes to standing committee or committee of the Whole House.

Referred to committee of the Whole House.

It being 6 o'clock, p.m., the House to recess.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Thursday, May 7, 1970  
Evening Session

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**  
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 7, 1970

The House resumed at 8 o'clock, p.m.

## THE BLACKWELL-LAURIE BOUNDARY ACT, 1970

Hon. Mr. Brunelle moves second reading of Bill 59, The Blackwell-Laurie Boundary Act, 1970.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, this is a fairly straightforward bill, but I am wondering what the reason is for the realignment of boundaries, and I would like assurance from the minister, if possible, that all of the people shown in the schedule are aware of the changes and what repercussions they might have.

Mr. Speaker: Is there any other member who wishes to speak to this bill before the minister? The minister has the floor.

Hon. R. Brunelle (Minister of Lands and Forests): This bill fixes the boundary between the townships of Blackwell and Laurie in the territorial district of Thunder Bay. In issuing letters patent of this area, The Department of Mines and The Department of Lands and Forests have, over the years, from time to time, adopted different lines as the boundary, and, on occasion, the railway line meandering across the township was treated as the boundary.

This Act will establish the boundary between the two townships as a straight line, making each township conform with the square six-mile township pattern that is usual in that area. In addition, it amends the letters patent that have been issued containing descriptions that are inconsistent with the new boundary.

I also would like to mention that there is no municipal government in that township, and those 15 persons the member referred to have all been notified and they are anxiously awaiting the passage of this bill in order that they can retain their title.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered third reading?

Hon. Mr. Brunelle: I would like this to go to the Committee of the Whole House.

Mr. Speaker: The minister prefers the Committee of the Whole House, is it agreed? Agreed.

Mr. R. F. Nixon (Leader of the Opposition): Is the minister going to amend it?

Mr. V. M. Singer (Downsview): He is opposed to it.

Mr. E. W. Sopha (Sudbury): Are there people the six I saw waiting outside?

## THE LOGGERS' SAFETY ACT, 1962-1963

Hon. Mr. Brunelle moves second reading of Bill 62, An Act to amend The Loggers' Safety Act, 1962-1963.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered third reading?

Agreed.

## THE FOREST FIRES PREVENTION ACT

Hon. Mr. Brunelle moves second reading of Bill 63, An Act to amend The Forest Fires Prevention Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered third reading?

Agreed.

## THE PROVINCIAL PARKS ACT

Hon. Mr. Brunelle moves second reading of Bill 70, An Act to amend The Provincial Parks Act.

**Mr. Speaker:** The hon. member for Windsor West.

**Mr. H. Peacock (Windsor West):** Mr. Speaker, I wanted to ask a number of questions.

I was not present in the House, I believe, when the minister introduced the bill for first reading and for whatever explanation he gave of it at that time. I wonder if I might ask if the advisory committees which are to be established and associated with each of the provincial parks will have certain powers.

Among their powers, I would like to ask the minister, will the advisory committee be able to recommend to the minister, or his officers in charge of the parks, measures to deal with, particularly, the problem of litter and abuse of the grounds and tree cover and other natural cover of the park and parklands, and the waterfront?

And, where a park is considerably mistreated by the public, or some sections of the public, as I have seen in some areas of the province along the Lake Erie shoreline, I think that action could be recommended by such advisory committees—even ultimately, perhaps, recommendation for the closure of the parks—in the case of misuse of facilities in terms of litter, in terms of automobiles churning up beach if the park fronts on the water, for example. Such measures would draw vigorously to public attention the urgency for an end to this kind of abuse.

Those are two of the areas that I would like to ask the minister about. Do the advisory committees to be established by this Act have such powers, the power to take action, or to recommend action which would, in some way, curtail the littering and other abuse of the parklands? Second, would we be able to make such recommendations as would reserve waterfront areas free from either parking or the passage of motor vehicles?

Many of the provincial parks, I believe, do not yet have adequate parking areas well removed from the waterfront and, occasionally, persons are in some danger, if they move from the water to their own vehicles which are parked some distance away, by the passage of motor vehicles—motorcycles or motor cars. From my own personal experience, incidents of this kind make our parks much less attractive, and on some occasions, not at all safe places for use.

**Mr. Speaker:** The member for York Centre, if he wishes, has the floor.

**Mr. D. M. Deacon (York Centre):** Speaker, I am interested in the type of person who might be considered for appointment to these committees—that is, will they be people who live in the area—

**Mr. J. Renwick (Riverdale):** They will be Tories.

**Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs):** And some scouts.

**Mr. Deacon:**—or ones who have been active campers, maybe from more distant points—ones who apparently use the parks a great deal.

On what basis would the minister feel such a committee could be effective, because you certainly have to have people who are not just local residents perhaps, but people who are accustomed to using it and are aware of the type of reaction and the type of reaction that is given visitors. In other words, it might be advisable to get the reactions of tourists coming into the area from a distance. But is the minister just thinking in terms of local area residents or, in the case of Algonquin or Killarney parks, is the minister thinking of people from a more southerly area who go up there to camp and make use of the facilities? Is he thinking of getting the reactions and the observations of these people to what is necessary to improve the operation of the park?

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

**Mr. Sopha:** The principle that this seeks to give legislative sanction to finds an analogy that might be useful to refer to another practice engaged in by the Minister of Lands and Forests. In fact, I know of another department of government where the minister appoints advisory committees, as the minister does in respect of recreation areas and—

**Hon. Mr. Brunelle:** Other departments have advisory committees.

**Hon. A. B. R. Lawrence:** Yes, I have.

**Mr. Sopha:** Pardon? Well, not the same that I am now going to refer to. If the minister had just waited for the next sentence—

On these advisory committees appointed by the Minister of Lands and Forests, when we find the local member of the Legislature. Now, does the minister have any like that?

**Hon. A. B. R. Lawrence:** Not local, no.

**Mr. Sopha:** No. That practice in the recreation areas antedated the incumbency of this minister, and indeed was perhaps established by his predecessor. The committees have functioned very effectively, I think, and have involved the local member, of whatever political stripe he might be, in decisions that find their ultimate effect upon the constituents he represents. I would hope the minister can tell us tonight that the advisory committees he intends to put into operation under this statute will invariably include the local member of the Legislature.

Now, I have lost his attention entirely, and I hope he will address himself to it, because beyond question we have very fine provincial parks and large numbers of our people make use of them and, more significantly, large numbers of constituents of the local member. I myself have a very keen interest in the parks in my area, though I have none in my constituency. There are a number of parks in almost all points of the compass, except to the north, and I must confess that during the month of July I become a widower, to all intents and purposes, as my wife departs with the family to Grundy park which must be the modern equivalent of the Garden of Eden.

**Mr. Nixon:** How can it be if you are not there?

**Mr. Sopha:** Who knows what captivations there might be under the iridescent moon of summer?

**Mr. Nixon:** You could take a maple leaf.

**Mr. Sopha:** Who does not? Well, more seriously, I would like the minister to tell us tonight that when this practice goes into effect that, in all cases, he will appoint the local members of the Legislature to the advisory committee.

**Mr. Singer:** Notwithstanding their political affiliation.

**Mr. Sopha:** That would take care of the remark of my friend from York Centre, who seemed to have some anxiety about the characteristics of those to be appointed.

I could not think of an area-bearing in mind the love of the out-of-doors that the people of this province have—I could not think of an area where there would be more applicants to serve, than on this type of committee. If the minister gives any agreement at all to the proposition which I expound, the Minister of Financial and Commercial Affairs will thrust himself into the breach. He will

immediately appoint local members of Legislature to all the committees functioning in his department—when he gets finished talking to the Minister of Trade and Development (Mr. Randall).

**Mr. Speaker:** The member for Thunder Bay.

**Mr. Stokes:** I would like it, Mr. Speaker, if the minister would outline the terms of reference this committee will work under. I would like to know the kind of people who will be serving on it, what remuneration if any, will be given to them, and whether in fact, it is just giving some authority to the present committee that is dealing with, and addressing itself to, the subject of the use of Algonquin park.

We were just made aware of a study that was conducted of Algonquin Park. Is this of this as a result of the advisory committee that has dealt with Algonquin Park, or is this an independent study that was made available to us?

Will this advisory committee have the kind of resource person to assist them in reaching conclusions as to whether a certain part should be used for multiple use, or single use purpose, or for grading the five different grades that you have for different parts? Will the minister enlighten us as to the terms of reference that these advisory committees will have?

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

**Mr. R. S. Smith (Nipissing):** I would just like to make a few remarks in regard to the bill, particularly since I am a member of the advisory committee for Algonquin park, and I think I am the only one who is in the House tonight. I should think that this bill is a result of the setting up of that committee and it likely will deal with all the parks across the province eventually.

I should think that there is, perhaps, one area that should be looked at. That is the fact that I believe the Algonquin park advisory committee was set up after the government and the minister concerned found they were in some type of trouble in regard to the use of that park.

I would just like to point out that, since the committee has been established, we have met on eight or nine occasions since last October, and, up to the present time, we have not had any definite direction from the minister, or from the Lieutenant-Governor-in-Council, as to what we are to look at specifically in the park.

**Hon. Mr. Brunelle:** Was the member not at the last meeting?

**Mr. R. S. Smith:** Wait just a minute now. We have had direction on one matter only—I correct myself—we have had direction on one matter. That direction came as a result of the fact that the government waited six months to make a decision in regard to requests from the timber operators within the park. They then found that they had not made the decision and the decision had to be made in two weeks and we were then directed by the minister to advise him as to what he should do in regard to the regulations for the operations of the timber operators in the park this coming summer.

This matter had been before the minister since October 14, of last year. The committee was given perhaps two or three weeks to come to a decision on a very contentious matter. I believe that if this type of committee is to be set up for each park, it should not operate only when there is some contentious decision to be made that the minister and the government might like to give to somebody else to decide.

I think that perhaps there is one problem with this, and that is that the decisions to be made are the responsibility of the government and of the minister. These committees should not be used as an excuse, perhaps, to evade making those decisions when the time has come to have them made.

I would agree, perhaps, that if this specific matter to which I refer had been given to the committee in November or December last year, the advice that the committee could have given the minister would have been of some value. I should think it would have been of some value because the committee has undergone a lengthy process of education in regard to that specific park. But I would ask the minister that if he is going to set up more of these committees, the terms of reference and what the minister expects of the committee be given to the committee right at the start.

**Mr. Speaker:** Is there any other member who wishes to speak on this? The member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Speaker, I would like to ask a question of the minister and he can answer it when he speaks, I hope. We amended The Niagara Parks Act not too long ago and I believe that it was a step in the right direction when they decided the commissioners should get a

*per diem* rate for their work. If the minister is going to appoint a committee under the Provincial Parks Act, would not this be a proper place to have had a section dealing with the amount that those men would be paid *per diem*, and pertaining to the amount of work that they have to do and their travelling expenses, also? It would appear to me that we are giving this minister a blank cheque. He is a capable fellow and I would not think that he would do anything wrong but I do believe that the wage should be spelled out in the statute. I would like to see the question answered.

**Mr. Speaker:** Any further debate before the minister speaks? The minister has the floor.

**Hon. Mr. Brunelle:** Mr. Speaker, I have listened with interest and I wish to thank the members for their very constructive comments. May I say that, as the bill implies, it is strictly an advisory committee. There is no authority as such, it is advising the minister and the department and the government on ways to manage and plan a provincial park or parks. Each committee will have separate terms of reference because each park is different.

With reference to those who will be appointed to the committee, we certainly welcome the participation of members of the Legislature who are very familiar with parks in their area. For instance, the next advisory committee to be established will be for the Quetico park. I will get in touch with the Leader of the Opposition and ask him for the name or names of members to serve on that committee. I will do likewise with the leader of the NDP because they have certain members in their party who are certainly very much knowledgeable on parks in their own riding or close to their riding than members from some distance away.

I would also like to mention the work that has been done, and you know we learned a lot, Mr. Speaker, from hindsight; quite true. I believe it was the member for Niagara who said that—I think he said something such as, the minister appeared to be in trouble. I will admit, Mr. Speaker, that the Algonquin park was, if I may call it that, a bit of a hot potato, and we learn a lot from hindsight and we learn many things.

We learned, for instance, that in the provisional master plan, although we said it was provisional, we did not have enough information and that is why what we are doing now in all major parks, when they start—with Quetico, Killarney, Superior

the process of gathering information. At the same time, one of the members referred to Algonquin park. You know, Mr. Speaker, at the present time we have a task force which has had more than 50 meetings on Algonquin park. The advisory committee have had I do not know how many meetings, and they are just beginning to realize the extent, the scope of it. This information will be very valuable and therefore, through a secretariat that information will be available—

**Mr. Sopha:** One of the minister's chief troubles is that he is always gathering information. When is he going to start doing something about it?

**Hon. Mr. Brunelle:** My learned friend, who is in the legal profession, I am sure will agree that you have to know the facts and have as much information as possible in order to plan properly.

**Mr. Nixon:** The minister is using the committees to keep the heat off in Algonquin park.

**Hon. Mr. Brunelle:** Therefore, Mr. Speaker, the information gathered by the secretariat will be available to future committees. But, again, each park is different. Take Quetico, for instance. Quetico park is in northwestern Ontario and has different characteristics from Algonquin; so has Killarney, as mentioned by the member for Sudbury. I would think that the Leader of the Opposition would make a very good choice by appointing the hon. member for Sudbury on the Killarney provincial park advisory committee.

Interjections by hon. members.

**Hon. Mr. Brunelle:** The member for Niagara Falls raises the point as to why we do not stipulate in the bill the *per diem* rate. Well, these advisory committees are serving without remuneration. Where they have expenses involved when they go out of town, expenses of course are paid. But it was felt that it was better that the members should not be paid and it gives them more freedom.

**Mr. Singer:** Why does the minister need a statute for an advisory committee when he can forgive a loan without a statute?

**Hon. Mr. Brunelle:** Mr. Speaker, we like to do things in the proper way. It was felt that this was the proper procedure—that we should have statutes incorporating these advisory committees. Mr. Speaker, I may have missed some of the—

**Mr. Sopha:** What about the local members?

**Hon. Mr. Brunelle:** Yes, well, this will be left to the discretion of the respective leaders. We will be in touch; we will communicate with the member's leader to get the names of members for each advisory committee. We will do likewise with the leader of the NDP, as well as the leader of our government.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

Agreed.

## THE WARBLE FLY CONTROL ACT

**Hon. Mr. Stewart** moves second reading of Bill 68, An Act to amend The Warble Fly Control Act.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I just have a very few comments with respect to this bill. Actually we support the bill; it is a rather innocuous bill.

There is one aspect of it that I do want to refer to and that is with respect to the recovering of costs. I am wondering why the minister and his advisers have incorporated into the Act the fact that if an inspector goes in and sees that cattle and livestock have not been treated properly and orders the treatment to be done, and the farmer refuses to pay, the process is through the courts rather than simply to add it on to the taxes. I am wondering why the minister has done it this way rather than doing it by way of applying it to the tax.

**Mr. Speaker:** Is there any other member who wishes to engage in this debate before the minister?

The member for Riverdale.

**Mr. J. Renwick:** Mr. Speaker, I am concerned about the bill. I wonder whether the warble fly should not have a chance for treatment the next six months. Perhaps a hoist motion would be in order. It would give them the summer to get public notice of the new treatments that the minister is going to apply to them.

But, for practical purposes, I think I would like the minister to indicate to the House the meaning of subsection 3, which is the basic part of the bill, and it states in the explanatory note that the definition of "treated fly" is amended to permit methods

treatment other than the brush method or spray method. Perhaps, during the course of his remarks, the minister would enlighten us because of our concern about this kind of insecticide that is being used, as to what kinds of insecticide are used and what studies have been made to indicate that they are harmless from an ecological or other point of view if they are going to be used against the warble fly.

I again reiterate that perhaps the warble fly should be given a free summer before this treatment is applied to it.

**Mr. Speaker:** Any further debate? The member for Lakeshore.

**Mr. J. E. Bullbrook** (Sarnia): Here it comes!

**Mr. Singer:** A philosophical treatise on warble flies.

**Mr. P. D. Lawlor** (Lakeshore): One would be terribly remiss, Mr. Speaker, if he failed to rise to the warble fly. Who can let an Act of this momentum go by—

**Mr. Singer:** That is typical of the NDP! They can really put on a filibuster on the warble fly.

**Mr. Lawlor:** Whether or not, Mr. Speaker, the brush method or the spray method is utilized, makes no difference to me.

**Mr. Singer:** A warble fly filibuster.

**Mr. Lawlor:** I will only refer the minister to page 431, volume two, section 17, subsection name it, of Smith's report where he said, "abolish the whole thing." He says you are giving up votes for that control—the whole thing amounts to about \$150,000 a year for the warble flies. The grants made in this regard must be indicative of that. What is the purpose of this legislation at all?

**Mr. Speaker:** Any further debate before the minister?

**Mr. Sopha:** It should not pass unnoticed, of course, that—

**Mr. Singer:** It is going to be one of those nights.

**Mr. Sopha:** —the warble fly has played a very significant part in the political life of Ontario. Yes, indeed. Among the 14 or 16 people that Harry Nixon defeated, they found them all government jobs except one fellow, and they made him warble fly inspector in Brant county. That certainly should be an addendum to this debate, to indicate its great importance.

And I support the member for Riverdale. After all, the warble fly has as many victims as any other Canadian. It is entitled to a few months.

**Mr. Speaker:** The hon. minister has the floor.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): My hon. friend on the right says he wants to reconsider having seconded the bill, now. Too late for that, my friend.

**Hon. A. Grossman** (Minister of Correctional Services): I will stick with the government.

**Hon. Mr. Stewart:** I hope I do not cause another split in our friends from the Progressive Democratic Party. One fellow saying we do it one way and another fellow saying we do it another way. I do not care whether we do it that way or not.

Let me say that with—

Interjection by an hon. member.

**Hon. Mr. Stewart:** —with regard to the question asked by the member for Huron Bruce, frankly I can only say that I understand it is a more legal way of collecting the costs than the way it has been recovering, the costs than the way it has been previously done and the bill was so amended.

With regard to the methods referred to in subsection 3 of 1, there are other methods used now than the method that was prescribed at the time this Act was drafted, many years ago. It is known as a pour-on method with a type of insecticide that is simply poured on the animal's back at a particular time of the year.

It is a systemic that is taken into the system and the warble fly grub is killed. There is no danger whatever with that method, provided it is used at the proper time of the year and that it is carefully watched and provided the animals are not slaughtered within the prescribed time for the absorption of the chemical through the animal's system, which takes just a matter of a few days.

That is really about all I have to say. I am bringing the Act up to date, because at the time this Act was drafted there was only one known cure, and that was the Derris pour-on cure. Really this has become antiquated compared with the new systemic insecticides that are now available and that have been tried successfully for many years.

The cattlemen's associations and the municipalities that do have The Warble Fly Control Act bylaw operated in their respective municipalities have asked for modernization.

of this Act, bringing it up to date for the use of the insecticides that are now available.

**Hon. Mr. Grossman:** What could be more sensible than that?

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

Agreed.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, I feel that I owe the House an apology. For some reason unknown to me the Attorney General (Mr. Wishart) has been detained. We were going to go into Committee of the Whole House to start consideration of his legislation. I know he has not been feeling well, but I cannot locate him and so, under those circumstances, I would call order No. 18.

**Mr. Singer:** Mr. Speaker, before that motion is put, or the suggestion of the House leader is accepted, The Law Society Act is quite a complicated Act and I suspect that there is going to be quite a bit of discussion about it and we made substantial preparations. I accept the House leader's apology, but could he give us some indication of whether it is going to come on later tonight, or Friday, Monday, Tuesday—?

**Hon. Mr. Welch:** I think, under the circumstances, it is only fair that we go into supply and stay in supply for the rest of the evening. It will not be called tomorrow, because we will, in fact, be involved in the budget debate by pre-arrangement with the whips, and it will not be called Monday.

So that—

**Mr. Singer:** We can expect it no earlier than Tuesday? And this is positive, with no apologies?

**Hon. Mr. Welch:** I can assure the member it will not be called before Tuesday. I will have to consult with the Attorney General as to his timetable after Monday.

**Hon. Mr. Grossman:** Look at all the ammunition the opposition can pile up between now and then.

**Mr. Singer:** This will inconvenience several of my colleagues.

**Clerk of the House:** The fourth order, House in committee of supply; Mr. R. D. Rowe in the chair.

## ESTIMATES, THE DEPARTMENT OF HIGHWAYS

(continued)

On vote 802:

**Mr. E. W. Sopha (Sudbury):** Vote 801, it not?

**Mr. Chairman:** Just a moment, I had better check this. Yes, it is 801.

On vote 801:

**Mr. Sopha:** I take it that it is appropriate to discuss under this vote the statement made by the Minister of Highways (Mr. Gomm) this afternoon, it being a matter, I take it, that deals with the administration of the head office.

I was one member of the House—I am sure there were many others—who was very disturbed not only by the wide-range account of the activities of a good many otherwise reputable business people in this province, but even as important as that realization, I was as much disturbed by the method of approach that apparently is being adopted in dealing with the problem. I am fearful that unless one utters a word of caution here that something may go awry, because we do not had the vehicle of the question period this afternoon to elucidate from the ministry just what was the intent at this juncture.

My friend, the member for Downsview (Mr. Singer), will forgive me if I say that his statement was quite erroneous when he said that the initiative must arise in Ottawa, which is not the responsibility for the enforcement of The Combines Investigation Act. I acknowledge that that is so, that in the enforcement of that Act, as a matter of practice, the federal government hires the investigating staff and employs it. They hire a prosecutor to forward through the courts the matter of prosecution of charges under the Act. But that is not the whole story.

It is quite wrong to say that Ottawa is not the initiative because one does not have to be very erudite or very analytical in the law to appreciate that in most cases, if there was an infringement of the criminal provisions of The Combines Investigation Act—let me underline that by putting it another way—if there was criminal conduct on the part of the persons who came within the ambit of the investigation, then in most cases, if not all, that conduct would be as criminal in respect of violations of provisions of the Criminal Code.

I was particularly struck by the fact that on several occasions in the reading of that statement—now let me interpolate by saying this; it was difficult to tell in the reading of the statement when the minister was reading from the report made under the combines Act and when he was using his own words. One had to follow very closely to be able to tell whether the voice was the voice of Esau or Jacob in the case, and really you could not be sure.

Several times, the other members of the House will recall, the words "fraud and deceit" were used. Well, the moment there is a finding of fraud and deceit I am quite willing to give my opinion that there is probably a *prima facie* case under section 323 of the Criminal Code of Canada. As I recall that section, it is not necessary that anything be obtained. Now, that is important, that it is not necessary that the fruits of the criminal conduct be garnered. You do not have to get what you are after.

The criminality of the conduct is the intent and the accompanying action. If there be intent, then it becomes a question of fact; was there fraud and deceit? Once the finding is made by a court, which is used in due process, there has been a breach of that section and the proof of criminal conduct has been attained.

Now, quite apart from that, I did not like that report. I might say I did not like it because there were too many "buts" in it. They kept saying—

**An hon. member:** Wisly-washy.

**Mr. Sopha:**—that they found it was reprehensible and it involved fraud and deceit, but then they carefully pointed out that they did not have the effect of increasing prices. But that is not the point; the point is the conduct. What was the conduct and what was the intent of it? One can go on and wonder, rhetorically, that was there a conspiracy. If there was a conspiracy on the part of those who gathered together and collectively put in bids to The Department of Highways, then that in itself is a criminal offence. That is also a criminal offence.

Just to complete the roster, there is one other section of the Criminal Code, I think it is 301, it might be 310. I do not have a Criminal Code of 700 or 800 sections here and I may be forgiven—I have not got it in front of me—if I do not remember with accuracy what the sections are.

When I attend my church on Sunday morning—in my church they put up the numbers of the hymns—I look at them and I say, "Oh, yeah, leaving the scene of an accident—assaulting a policeman." These things come ingrained. There is another section, or 310, on cheating by false pretences. As I am pleased to add in order to find a plea in mitigation of that offence, you do not have to obtain anything. You do not have to come to court, because the section in here is another section of the code that says a person can be convicted of an attempt and garner half the penalty. Attempt fetches half the penalty under a well-known principle of law.

So then, under that section, the question becomes, was there an attempt to obtain anything by false pretences? To determine that, you have to get into the intent of the conduct. Why did you get together in the taffy-pull for which you were assembled and decided to put their heads together within non-measurable differences *in quantum*? I take it that was the practice that was followed in order to fix, ultimately, the amount of the contract that would be awarded by The Department of Highways.

In a sense, I gathered when I listened to the statement with the greatest of care, it was a form of price-fixing. They wanted to fix the price. They wanted to determine what the price of the contract would be as it emanated in final form from The Department of Highways. The important thing is the intent.

The Minister of Highways—and we correct this impression that was left, so there will be certainty about where we are—at that point, in the latter part of the exchange in the House, said, "I have not given it to the Minister of Justice for the point of view of proffering charges." I think that is an accurate paraphrase. My immediate reaction was, in the world would he give it to the Minister of Justice (Mr. Wishart)? What intent would the Minister of Justice have in doing so? I cannot conceive that the Minister of Justice is going to make a recommendation to him on how he subverts any similar conduct in the future. The Minister of Justice is not a qualified person to do that. He would want a staff of engineers, people practised in the art of paving highways and mixing asphalt, and he would be better able to advise him on that.

The only possible reason to have recommended to the Minister of Justice is to give advice in the laying of charges. The Minister of Justice, fortunately, corrected the Minister of Highways. I take it from what he said that is precisely the point of view from which he will look at it.



It has always bothered me, in all these reports, in all these investigations that he trotted out—now maybe I got a bit prickly in this area—the solicitude, the great solicitude that is demonstrated toward thieves of this nature. Maybe I am overly simplistic, but I happen to believe that if a man goes into a bank with a gun and he says to the teller, “Give me all the twenties in the cash drawer or I am liable to blow your head off,” that is reprehensible conduct. There is no question about it, that is terrible conduct, which must make the person an apostate from a civilized society.

But it is a hell of a lot more honest conduct than some of the shenanigans that go on in the corporate board rooms, where people exhibiting great reputation out in society are not against getting together in clandestine fashion and fixing a few bids. They fix prices or influence prices for their private gain and then emerge from their sessions and once again put on the mask of purity and speak out, with great ethical outrage, at the fellow next door who may be squiring a choir girl on Saturday nights. They are capable of great demonstrations of ethical purity, all the while stealing from the public purse.

For example, I will never forget Robinette’s defence of the lawyer in Oshawa who beat the government out of \$400,000 taxes. Robinette got up in court and said, “My client is a man of great integrity, you cannot say anything bad about my client except he steals from the government.”

So that is these people and as Mr. Justice Schroeder—Schrader you pronounce that, not Schroeder, as you did this afternoon; it is spelled Schroeder but it is pronounced Schrader—as he found fraud and deceit, he said that they were guilty, then it is probably true that they are guilty of criminal conduct.

You will notice that I said “probably”. I am not deciding the case and I am not exercising the ultimate wrong of final condemnation of any other person, but as a lawyer I said “probably”. That is to say, there is a *prima facie* case to be made against them.

The Minister of Highways has lawyers—he employs lawyers in his own department, and I cannot understand why all the shilly-shallying around, in the fact of all these reports, and taking refuge behind the fact that the combines law of the country is inadequate. Of course it is inadequate; it always has been inadequate. Canadians have never been serious about their combines law. Our combines law is in the dark ages. We have never

been a serious people about it. The Americans have had on their books combine legislation, I think, since about 1896 or 18

**Mr. C. G. Pilkey (Oshawa):** 1898.

**Mr. Sopha:** 1898, the first of the anti-trust provisions found their way into American law. But we are bush-leaguers up here about it, we really are.

I mean that phrase in its true meaning. We are in the bush league and have not been serious about the prosecution of people who manipulate prices and contracts for their private gain.

I am considerably outraged about the statement this afternoon, and the qualifications that were put on it. I, for one, am prepared to accept holus-bolus all this whining and gnashing of teeth about the combine law being inadequate. If you are really serious about halting the people before the bar of justice then you can lay the appropriate charges under the Criminal Code.

**Mr. J. Renwick (Riverdale):** Or a suit for damages.

**Mr. Sopha:** I will tell you another legal principle that I believe in. I will make a little secret, so long as nobody will tell a secret to me. When people are guilty of reprehensible conduct, I have never been against the proposition that, if you are in doubt—if there is a small measure of doubt—about whether criminal conduct is inherent in it, I have never been against haling them before the bar of justice to inconvenience them a bit.

You see what I mean—to put the onus on them; to cause them a little expense. If there is a doubt in your mind about it, in cases like this, I am against giving them the benefit of the doubt and saying, “We are not sure what a terrible thing it would be—”

**Mr. R. F. Ruston (Essex-Kent):** Let the judge decide.

**Mr. Sopha:** Let the judge decide. The crown attorney, the crown attorney that serves his people best, is the crown attorney who is immune to importunings from somebody he meets after church on Sunday morning about a charge of careless driving. The best crown attorney says, “I cannot do anything about that, the judge will have to decide”. There is the point.

In that report we heard—and, really, it is surprising with Information Canada that they have just set up that there is only one report extant in the country about the investigation under the combines Act, I

one, and that one, no doubt, is locked in the safe of the minister tonight. There is really a paper shortage in Ottawa.

**Mr. Ruston:** No paper shortage around here.

**Mr. Sopha:** That they can learn to—

**Mr. M. Gaunt (Huron-Bruce):** You have it, I have not.

**Mr. Sopha:** It was not available until the later stages of the day because I followed that questioning also. I want to take the position here that—here is the way I nail it down—the intentions of the combines people in Ottawa at this point are irrelevant to our task and our duty. There was enough in that statement to indicate that some hanky-panky—that is the way the member for Grey-Bruce (Mr. Sargent) would put it—some hanky-panky was going on in bidding for contracts with The Department of Highways. Since there were such scathing words used, such words which, to a lawyer, give such a flavour of criminal intent, were used—“fraud” and “deceit”—the duty—

**Mr. E. A. Winkler (Grey-South):** You use some other good ones on lawyers, too, you remember that.

**Mr. Sopha:** What?

**Mr. Winkler:** You use some other good ones on lawyers, too.

**Mr. Sopha:** What did he say?

**Mr. Gaunt:** “You use some other good ones on the lawyers too, you will remember that.”

**Mr. Sopha:** I do not follow. I do not get it. I lost my train of thought.

But I was saying since the words “fraud” and “deceit” were used, those are lawyers’ words; those are legal words. They are not just nouns gathered out of thin air. They have a definite legal meaning and if you want to look at section 323 of the code, you are going to see them in it. Those are the very words that it uses.

I will leave it to others—I have spoken quite long enough—but I will leave it to others to make the argument that you might begin a civil action for damages also if there has been any loss to the public treasury at all. Others can point the way to you that you bring these people to the courts and force them to pay up. No doubt there are well-established principles of law to support that contention.

**Mr. Chairman:** Does the minister wish to reply at this time? The member for River

**Mr. J. Renwick:** Mr. Chairman, I am concerned about this because the minister knows that we have followed this matter along since it was first raised in the Legislature and particularly as late as 1968. We omitted to ask the question whether any other investigations were underway, but the minister did, at that time, indicate that certain matters had been referred to the Restrictive Trade Practices Commission, if my memory serves me correctly.

What I want to say to the minister is that my understanding is that when the collusive bidding practices were established in 1965 or came to the attention of the department, he moved very promptly to suspend those companies from bidding on any contracts for a period of time. What I cannot understand is why he has not moved in that instance irrespective of the final legal ruling that may flow from it—why he has not moved in order to suspend the companies which were involved in this action.

Surely the minister is not going to be put up on the proposition that because, under the Criminal Code or under The Combines Investigation Act it is not possible to prove beyond a reasonable doubt the effect of these collusive practices, he cannot, in fact, adopt the provisions of the Restrictive Trade Practices Commission that they were very detrimental and destructive of the whole tendering system. There it seems to me on his own initiative, without even considering the question of whether or not there are charges which can be laid against the minister for his own satisfaction and for the satisfaction of the public, through the department which he represents, should suspend those companies on the basis of having shown cause whether they have, in fact, benefited from this kind of practice in times more recent than those covered by the report of the Restrictive Trade Practices Commission. I see, in that portion of the report which deals with the conclusions you get statements as this:

The evidence in the inquiry indicated in a general way that the 13 firms who were not represented at competitors’ meetings submitted cover bids from time to time. The evidence does not show that this collusive bidding was associated with an organized anti-competitive structure of any sort, such as an agreement to refrain from bidding for jobs in competitors’ territories or common rotation, nor does the evidence prove collusion or rigging with respect to any specific com-

to show that in a particular case an agreement to destroy competition was implemented by means of cover bidding. One may suspect that persons who engage in cover bidding have at times been able to defeat the competitive tender system. But the evidence with respect to these 13 firms does not establish it.

Then he goes on to deal with another group of 18 firms, of which 15 attended meetings; on one of the pages of the report this whole group is represented and, after dealing with the meetings that were held, there is this specific quotation with respect to those companies.

In summation, with respect to the 16 companies whose only activity alleged by the director to be improper with that of cover bidding, the commission has found that in the case of three companies the evidence is so indefinite that it cannot be relied on. The remaining 13 companies have been shown to have participated in cover bidding but it is not possible to determine in any particular instance, or generally, what effects on competition resulted from their submission of cover bids. In the case of these 13 companies, the evidence does not establish that their actions in making cover bids, however reprehensible they were in terms of the tender system, had the effect of restraining competition unduly.

Well, I think that the whole sum and substance of my comments is that the very fact the reference is to the Attorney General of Ontario would indicate that for practical purposes the Minister of Justice in Ottawa has already given his views that these are matters that cannot be effectively prosecuted under The Combines Investigation Act or any of the other appropriate criminal provisions. But that is not their problem. The problem of the minister is these tenderers to the department, or an allocation of markets, was in fact destructive of the tender system in which the minister takes so much pride.

I think my first question to the minister is, why does he not suspend the 13 companies? Why does he not suspend them automatically at this present time in order that they can establish to the satisfaction of the minister if they want the business—and I assume they do—that in fact they have desisted from this kind of collusive practice? That is something that the minister can undertake, irrespective of any final decision that may be made by the law officers as to whether or not offences have been committed.

My own guess is that under the inadequacies of the combines law, to which the member for Sudbury has alluded, in fact they are not going to be able to prosecute the companies for breaches of the criminal law, both because of the nature of the collusion that took place and because of the problem in criminal cases of proving beyond a reasonable doubt the charge that has been laid in any specific case. But that does not absolve the responsibility of this minister to move immediately against those companies by way of suspension when they have been shown to have engaged in cover bids, as the report of the Restrictive Trade Practices Commission has shown, "however reprehensible they were in terms of the tender system." Why does he not move now and suspend those companies because the tender system is the pride of the department. This is what was defended in previous years; this is what was defended again in 1968; and this is what was defended again in the minister's statement earlier today.

I have some other comments to make on that, but I would like to know why the minister does not feel impelled to take a position and—in fact, if I may, I think they should be listed for the record—why he does not suspend the following companies:

Onway Construction Company Limited; Warren Bituminous Paving Company Limited; Disher-Farrand Limited; Standard Paving Limited; McNamara Highway Construction Limited; King Paving & Materials Limited; Curran & Briggs Limited; Dufferin Materials & Construction Limited; H. McFarland Construction Company Limited; Brennan Paving Company Limited; Dibble Construction Company Limited; Rayner Construction Limited; Miller Paving Limited; K. J. Beamish Construction Company Limited; and Peel Construction Company Limited.

Those are the 15 companies that I believe should be suspended. It may be that those I have listed there are only 13, but of those are the ones which I would like to ask of the minister now, why he does not suspend them.

Hon. G. E. Gomme (Minister of Highways): Mr. Chairman, in reply to the hon. member's question, I think that if he analyses the report more fully, there probably are 31 companies and they have been acting in different ways but still probably forming the same problem for us. This, of course, would have a great effect on employment and such things

that. This is why we have taken the attitude of turning to the Minister of Justice and Attorney General of Ontario for an opinion, and I do not rule out the fact that this very thing may happen. I remember, in discussing it back in 1968, one of the things the hon. member criticized us for not doing was to get the opinion of the Attorney General at that time, and we are seeking that first. We hope to have that very soon.

In reply to the member for Sudbury when he refers to the fact about the report not being distributed, the letter was written to me on May 6, telling me the report would be published this morning, May 7. I received this letter late last night, so I had no opportunity to distribute anything. As I say, I had only the one copy, which is not in the safe, but I have it with me tonight. As soon as I was asked for it, I made copies of this one copy available for the two opposition parties.

**Mr. J. Renwick:** Mr. Chairman, I do not buy the proposition that the minister's overriding concern in this particular instance is the question of employment. The overriding concern is that he now has before him a report that is destructive of the tendering system. And the conclusion I draw from his statement is that what he is trying to say is that, because there is a vacuum in The Combines Investigation Act at the federal level, all he can do is to have the matter referred to the Minister of Justice and Attorney General for the province of Ontario.

Well, the very fact that the Restrictive Trade Practices Commission did not recommend that charges be laid is a very clear indication that the Attorney General of the province of Ontario is not going to be able to find any basis for laying a charge. The practice of the Restrictive Trade Practices Commission, when they make such a report, is to indicate quite clearly whether they think further investigation should be made with a view to laying charges.

The director who laid this complaint, at the request of The Department of Highways of Ontario, to the Restrictive Trade Practices Commission is a man of long experience in the field of the applicable sections of The Combines Investigation Act. So I do not think we should kid ourselves that it will be a miracle if the Minister of Justice and Attorney General comes to the conclusion that charges under the Criminal Code can be laid against these companies.

I am quite aware that there was a larger number of companies available or subject to

this investigation; that there were the 31 companies. It was then reduced to 16, and then was reduced to 13. But so far as the 13 companies are concerned, it is abundantly clear that, on the balance of probabilities, engaged in practices which are destructive of the tendering system.

The minister is asking us to believe that because those were events which took place in 1965—which, of necessity, take a considerable period of time to surface and be subjected to such an investigation—they should not be subject to a suspension by the department.

My view is very simple. If on the one occasion, which related to municipal spraying and contracting work, the minister had promptly to suspend them, then he should take the same action right now to suspend those companies in order to indicate to any other company which proposes to bid on contracts for The Department of Highways that the minister is not going to tolerate nonsense.

Otherwise, as I see it, this report is going to pass into history. Nothing is going to happen about it. The minister is going to have to rely on the explanation, which he gave in 1968 and which he relied on again today in his statement, that the department arrangements for an estimating committee of the department is adequate to protect the department in these instances. That is another question.

I do not think for one moment that it is a discharge by the minister of his public responsibility if he does not forcibly bring to the attention of all persons who bid for contracts for road paving of any kind in the province of Ontario that the tender system is the keystone of the arch and he is not going to tolerate the kind of practices which are destructive of that system.

The minister spent a great deal of time and effort to arrange for the members to go out and watch the tendering system. The members came back duly impressed by the tendering system, but the result has been, of course, that there is nothing to indicate the steps which the minister took in 1967 and 1968, and subsequently, are adequate to protect the department against cover bidding.

I will come back to that in a few minutes from the point of view of the minister's statement itself, but I want to know whether or not the minister is going to take some corrective action to draw to the attention of all contractors in the province of Ontario that cover bidding or like practices—whether

are related to the allocation of markets, whether they are related to the allocation of specific jobs to specific companies, whether they are related to meetings between the contractors for the purpose of discussing mutually beneficial arrangements amongst themselves—are practices which this minister does not accept.

I think he was quite right and I do not think that the reading of the remarks which were made in 1968 was in any way a criticism of the minister for suspending those companies instantaneously and automatically. I ask him to pursue that same policy now, or to give us a reason why he is not going to follow that same practice at this time.

**Mr. Sopha:** There is another aspect of it that ought to be verbalized, though it is so obvious that you would hardly wonder you would have to call attention to it.

We are the second largest spending jurisdiction in Canada and, indeed, the amount we are asked to vote for Highways, in these estimates, is more than the budget of a good many political jurisdictions in North America. We are perfectly aware of the proportions of the evil that have been perpetrated in highway construction in such jurisdictions as, for example, Massachusetts, where the activities are purely venal and acquisitive. Or, if you like, the type of activity in respect of highway contracts that are part of the way of life in Alabama, where the thrust is purely political, where Governor Wallace used The Department of Highways, and other departments, to maintain his political suzerainty.

We have been free of corruption in Ontario and we do not want to be in the position of the Dutch boy with his finger in the dike. We have to maintain the integrity of this expenditure of a vast sum of public money, and I protest to you, Mr. Chairman, that the best way to do that is to advertise to all who have reason to take notice, that Ontario is not going to tolerate any kind of skullduggery or conduct that harbours in it an element of criminality, and we will react in a suitable way.

The important thing is our response. It is the response that we make to it, because we will be judged. Our seriousness, our sincerity, our dedication to the protection of the incorruptibility of this vast sum of money will be measured by our response.

These are the proportions of the responsibility the Minister of Highways has; he cannot afford to be wishy-washy in any way about this. He has before him a report and he proclaims to the people of Ontario, to

whom he has a trust, to protect their money. At the same time, he serves notice on those that do business with the department who he administers that things are going to be the up and up and that is the only type of business that will be tolerated.

Let me say in conclusion that highway corruption has been demonstrated in modern political history, are particularly susceptible to intrusions of corrupt behaviour and we must be eternally vigilant in Ontario, that the security of our funds, our incorruptibility maintained. There is nothing short of that and one does not have to invent rhetoric to proclaim that principle which we must support.

To that end I am positive any action taken by the Minister of Highways will gain support from all sides of the House. There is no question about it, because we just do want any whittling away of the edifice.

The member for Riverdale is perfectly right when he says the focus under attack here is the keystone of the arch. This is the point of most important contact between the ministers and those who do business—the tendering system. This is where he meets them. It does not meet them anywhere else, and it is crucial, therefore, that the inviolability of the tendering system be maintained.

I say to the Minister of Highways from the good old place out in eastern Ontario, you do not have to become a white knight, or a sadder, or take on any of the elements of a drama shows on TV, the private detective or Perry Mason, or anything of that nature. All you have to do is look them in the eye. Just look them in the eye and say, "As I am in charge of the responsibility of \$500 million—more money than I ever dreamed that I would have under my jurisdiction—boy, there is just going to be a question of you getting at it improperly, because I am going to protect it. Watch me if you do step out of line, then the first thing that is going to happen to you is you can do business."

That is a good Christian principle. It is a good principle of ethics, that you stop doing business with those whom you cannot trust. That is the first reaction, well recognized in rural Ontario, in that part of rural Ontario that you come from. You do not do business with people in whom you cannot put your trust. I do not see how you can do anything else. We are not asking you to engage in particularly courageous conduct. We are asking you to state the principle under which we are going to operate the highway system.

Ontario. I hope that you do it. I hope that will be your response in the light of these disclosures.

**Mr. Chairman:** The member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, in 1966 there were 13 companies charged. As the trial took place, a no bill came in on one company and they proceeded against the 12. The reports of the trial judge, Mr. Justice Jessup, and the court of appeal were a castigation in no uncertain terms of the social role that these companies played. The report before us here, while the earlier one made some mention of it, seems to broaden out the scope, wherein—far more horrendous than 12 companies—31 companies are formally cited here as engaging in restrictive practices.

I would remind the House that the area in which the restriction takes place here is with respect only to road surfacing or asphalt paving, which is a rather minor part, an almost insignificant portion of the total picture of road construction and maintenance in the province of Ontario.

Then there was a debate we had here in 1968, on April Fool's Day as a matter of fact, when it was pointed out and the thought expressed that the same virulent disease did not run through the veins of the department in all its ramifications. It was pointed out that, while this was a relatively minor matter touching road surfacing, the millions and millions of dollars that were involved in road construction in all its other aspects were equally, on the surface, subject to the same abuse, and the methods that were to be employed to stamp it out or to detect it must be brought fully into operation.

At that time, the minister mentioned an estimates committee had been set up in his department. I would like to know, when the minister comes to answer, precisely when that estimates committee came into being; the very date, if he will, of that estimates committee as it came into being; secondly, the role and function and criterion employed by this committee, which is now supposed to be a watchdog.

The minister in his statement today says that it is not simply a question of relying upon past experience—that is, comparing bids coming out of the past. Because the collusive practices have gone on over an extended period of time, obviously the bids being submitted now as compared to the past would

be no guide at all. You would be simply falling into the slough of despond.

With that in mind, the department no; it has 17 people, some of whom are engineers, and the others highly qualified in other ways, who will peruse, analyse and come up with objective and critical figures touching the matter. On page 12, the minister says, of the 702 contracts for which tenders were submitted, detailed studies were made and reports submitted to the department in 370 of these cases. In 33 of these cases, or 8.92 per cent, the estimating officer recommended that the contract be awarded. Direct savings to the department by not awarding the contracts amounted to \$227,000-odd. These savings were achieved either by recalling the work or making other arrangements to get it done.

Before coming to that—that was my question—what is the basis on which the estimating offices arrive at their fair price? Keep on coming back to that area. I believe you do some work yourself, or have done in the past. By doing the work yourself in some areas of highway construction, repair and maintenance, then you would be able to do time studies and what-not to come to a fairly shrewd guess as to what the true price of doing a strip of paving would be. That is determinative and wholly within your control and does not rely upon anybody else. I am not trying to pick figures out of bids previously submitted.

My second question has to do with the way in which the estimating committee will finally make a determination within its own logic of what is a fair price.

The third question has to do with making other arrangements to get it done. If you make other arrangements to get it done in some cases, why can you not do so in more cases? Or if you do not deem that, from your economic philosophy, to be feasible, so be it. Let that be.

But I would like you to spell out for me a bit just how you do manage to get it done. If you think that they are being rigged—that the prices are fixed as submitted to you—if you come to the definite conclusion that in 33 of these cases such are the facts of the case and then you go off and do it on your own—this is recent. That this has taken place—when you come to these conclusions, I would be most interested in learning how you handle that situation.

Again, within the total area of these bids in a talk that I gave on April 1, 1968

reference was made to something called "policing" the bidding. That is where the contractors have access to information as to who the other bidders on a contract are.

If a black sheep, one of the boys who is a new man coming into the field, has bid, then of course they gang up on him and deliberately underbid him to drive him out of the market to keep him from getting the contract. And The Department of Highways lends its assistance to this amiable project by supplying, without any difficulty whatsoever—you simply go into your office and pick it up—a list of the people who are doing the bidding, so that you undermine your faculties in the process of this.

This went even further in the case of the municipalities to whom you give substantial sums of money, and in the region of 50 per cent of the money was used in building highways within the municipalities. In that case the activity was even more notorious. The text read:

I would ask the minister to place under advisement that his department, in giving substantial sums to municipalities for this kind of work, or for any work connected with highway development, one of the terms should be that these tenders be not made known—that the firm which draws the tender forms and which submits the tender be not made known to the other tenderers. As regards municipalities, the information as to what firms have requested tender forms was available at the office of the township or the county.

And I asked at that particular time that this undermining, selfdefeating and even nefarious practice be discontinued.

Has it been discontinued? Has it been discontinued in the case of your own department? Has it been discontinued by advisement to the municipalities concerned, so that they do not fall within the same devious device?

I noticed, for instance, in this report that you gave us today coming from the combines commission, that in my own area of Etobicoke they found a most curious practice occurring as to the bidding in five different areas. It looks again as though the various major paving companies in this province had divided up certain road jobs to be done at that particular time—or so they intimate—and that partially arises because again they have foreknowledge. Now, of course, I assume—I would like to be confirmed though, God knows what happens in some of these departments—that your "fair price" is something buckled to your heart with hoops of

steel; that no one has access to that "fair price" except people within your department and that in no way could there be leakage to what that "fair price" would be, because that would give a good indication to contractors of what they should bid and as to what was very likely to be accepted by your department.

Just to cover any possible loophole in the avenue of escape, I would ask you to advise us that the "fair price" arrived at within your department is not made known at any time prior to the opening of those tenders. I assume this is the case.

But as to the other aspect—the business of disclosing to bidders who the other bidders are—that would again be a matter which would like conclusive assurances from the minister it is either not being done at the present time or will be discontinued if it is presently in practice—for the obvious reason of playing into the hands of the people who you, quite deservedly so as a minister who is seeking to carry out his mandate, are most anxious to cut off in the division of territory on the geographical basis or in any other way.

By the way, in your estimates committed to do these men take into such consideration, the business of a particular company, let us say Beamish, occupying, as though by cartelization, a particular territory and getting the bulk of contracts? I know you can explain that away by saying, "This is their primary area of operation," but it is a darned curious thing, nevertheless, that contract after contract, and year after year, this particular company, without any real severe competition, is the predominant force and the overwhelming power.

Is this element of the weight and magnitude and quantity of contracts given to a particular contract, or maybe to one or two in a major region, an index or a criterion by which you judge the validity of their bids?

Hon. Mr. Gomme: Mr. Chairman, I will try to answer the questions the hon. member asked. If not, he can repeat some of the questions. The date of the setting up of the committee of the special group, to examine this, was approximately July, 1965. Of course, this committee was not in effect when the examination of these companies and their records was done. This happened before that. Now, when the committee determines the "fair price" they are given the contract drawings and specifications the same as the contractor would get them. These men are well qualified, for instance, to know the cost of trucking and they would know the cost of operating

of the truck, the time it would take, the man-hours involved in it. They would know the distance the truck was operated on the contract which they are, in fact, bidding on. The same thing is done with all the requirements which are used on a contract.

**Mr. Lawlor:** May I ask the hon. minister a question?

**Hon. Mr. Gomme:** Yes.

**Mr. Lawlor:** Have these men, or a number of them, been employed—not on your side of the fence, on the government side, but in the field, for contractors, in the past—in a real practical way, operationally trying to carry out contracts and then subsequently been hired in your department?

**Hon. Mr. Gomme:** Yes, we have two such men.

**Mr. Lawlor:** Two such men, I see.

**Hon. Mr. Gomme:** I hope that explains the system. It is worked out just the same as a contractor would work it out in bidding the price and, I may say no one has access to that. That is classified information.

In regard to the list of contractors, there is no list posted as to the contractors who pick up tender forms. But it is public information and this is often advertised in the *Daily Commercial News* and such papers, for the simple reason that a lot of these contractors involve suppliers and sub-contractors. These people have to know who the bidders are, so they can offer their services for the supply of, for instance, steel or any of the other things which may be needed on a contract.

**Mr. Lawlor:** May I ask the minister a question on that again?

**Hon. Mr. Gomme:** Yes.

**Mr. Lawlor:** Could it not operate the other way? It seems to me that the disclosure of this information is a loophole, a way for the deviousness that we abhor in this situation to take place.

Now if this were not available in the *Daily Commercial News* or the contractors' papers, would not the contractor, the man who is doing the tendering, make his own phone calls to the suppliers? He knows who they are in the field; he can make his arrangements. In making up his tender, he has already determined what the cost is going to be and pretty well who he is prepared to deal with. Why do you have the suppliers

coming to the tenderers? Can it not be in the opposite way?

**Hon. Mr. Gomme:** Yes. Well of course this is the way the contractor would prepare his tender, by getting prices from the suppliers, and this is the only method by which I think he could get competitive prices and suppliers to be able to submit his tender.

**Mr. Lawlor:** But what I understood you to say was that in the *Daily Commercial News* the names of the tenderers, the actual *facto* tenderers on a contract, are set out and suppliers will know who is tendering for the job and they can contact them. I think the mistake is where some kind of mistake lies. I think that, once the tenders go in, it must be kept secret as to who the various tenderers are. The mere fact that prior to the announcement of a job, a tenderer indicates he is interested in it, cannot be held to mean that he actually tendered. But once the tenders are in, then to allow this to be spread in the whole construction trade permits the thing that I said: when a new man, or a certain firm that they are trying to block, comes into the field, it becomes known to them that this is the firm in operation.

**Hon. Mr. Gomme:** Mr. Chairman, I probably I may have misinformed the member. It is the people who pick up the tenders and specifications; that is the list that is known. There may be more than 50 tenders and specifications picked up on a job, but when you get down to the point of tender there may only be five or six or seven tenders such as that.

**Mr. Lawlor:** Mr. Minister, then there would be a fair number of people who would pick up the forms for tender and not necessarily tender at all?

**Hon. Mr. Gomme:** This is right.

**Mr. Lawlor:** This, then, would not be a conclusive indication of who the competitor in the field really was for that particular job?

**Hon. Mr. Gomme:** No.

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

**Mr. S. Lewis (Scarborough West):** Mr. Chairman, I cannot pretend a facility in the field or particular understanding of the conclusions at which the Restrictive Trade Practices Commission arrives. But I would like to know whether the minister can help us in so



out certain aspects of it. Is he aware, as he now sits in his seat, which are the 13 firms whose conduct was most reprehensible in the eyes of the commission? Is he able to sort that out?

**Hon. Mr. Gomme:** Well, Mr. Chairman, that is in the report. It specifies that in two different ways. I will have to look for it, too, but it is in there.

**Mr. Lewis:** With great respect, it is not in the report. This is one of the clumsiest documents I have ever laid eyes on in a casual reading. It draws the obvious implications from the evidence tendered—forgive the word—but it sets it out in ways that are almost incomprehensible. As a matter of fact, it is as though the Restrictive Trade Practices Commission were saying, “If you take them to court you will lose,” because no one will be able to work his way through the labyrinth. Only by a careful process of subtraction can you possibly determine those companies to which the evidence refers, those companies which are most culpable. I would have assumed that the minister might have been told that or known that, but they are nowhere listed.

As a matter of fact, if you look at the conclusion, the conclusion sets out 34 firms that have some evidence of possible guilt. It then subtracts three firms which it thinks should not have been named. It then says there are 18 firms in a second group of companies involved in meetings, and then says the 15 who attended meetings regarding contracts “are as follows,” without indicating to you which are the three firms not mentioned in the discrepancy between the 15 and 13. It then mentions another 16 companies involved in cover bidding and mentions nine without giving you the suggestion of the other seven. And so you are in a very, very difficult process of trying to sort it out.

Now is the minister saying that in all the preparatory work, in all the information which his department must have been modestly informed about, that he really does not know those 13 that are most reprehensible in their behaviour?

**Hon. Mr. Gomme:** Mr. Chairman, that is quite right. We have only this document which the member is reading from and we received it only this morning. We have not done the mathematical figuring which the member says should be done, but it can be devised from this. It would take a little time.

**Mr. Lewis:** With great respect, I am even certain it can. I am sure that if you phone the offices of the Restrictive Trade Practices Commission or you drop them a note, they will vouchsafe to you, as the minister, in whispered conspiracy, the names of the 13 greatest culprits.

But I really must say that, for total obfuscation—is that what members of this House would say?—to complicate matters unbelievably, there has never been a report like Mr. Chairman, what the report says in effect if I understand it, is that we are dealing with all with 31 companies. Can I agree with the minister on that? That much?

**Hon. Mr. Gomme:** Yes.

**Mr. Lewis:** Okay! All right!

Now of the 31 companies, the report effect says, if I read it correctly, that 18 of these companies were engaged at one time or another, in the period 1959 to 1961, in at least an attempt to set up tender rigging schemes in respect of paving contracts.

However, they say:

While there is some general evidence that the scheme had some success for a short period, The Department of Highways of Ontario survey of provincial highway and Toronto area municipal paving contracts between 1956 and 1961 turned up virtually no conclusive evidence of successful tender rigging on specific contracts.

We in this party do not for a moment believe that that exempts those 18 companies from reprehensible conduct. Even to contemplate such a practice is intolerable.

However, there is a qualitative difference between what they were engaged in and what the other 13 were apparently engaged in, which says—and you may find it on one of the pages which, of course, as with everything else in the report, are not numbered; there are no numbers to my pages—it says that in the case of these 13 companies, the evidence does not establish that their actions in making cover bids, however reprehensible they were in terms of the tender system, had the effect of restraining competition unduly.

All right, so we have 13 companies designated by the investigation as having been destructive of the tender system, in the form of whatever is, or is not, known about the effects on the issuing of contracts in terms of restraining competition unduly.

Mr. Chairman, assuming that between now and tomorrow morning there is a wizard

the offices of the Minister of Highways who will figure out who these 13 companies are, will the Minister stand in the House tomorrow and say these 13 companies will suspend all contract work in Ontario henceforth until they have demonstrated to the satisfaction of the minister that they are not involved in any cover bidding practices at this time, or any other malpractices in the field of contract tendering? Is that not acceptable to the minister and his government?

**Hon. Mr. Gomme:** I do not know whether or not I have got the question quite correctly from the hon. member, but we will try to get some mathematics. I can see the problem. It is very difficult. In our trying to analyse the report and prepare a statement, we of course did not have time to do everything that might be done.

I pointed out that we received this only this morning. We made available a copy to your party and one to the opposition from our copy of the report because no more were received by us. We can try to sort out the very thing that you are talking about.

**Mr. Lewis:** Okay, Mr. Chairman, that is excellent. Suppose we do. I am going to repeat this just once more so that when we get back to it no one is under any illusions. No one is exempting the other 18 companies from the malpractices which are implied, but it is suggested that there is some marginal difference in the effect. The report says quite specifically the remaining 13 companies have been shown to have participated in cover bidding, but it is not possible to determine in any particular instance, or generally, what effects on competition resulted from this submission of cover bids. So these 13 companies have been involved in cover bidding which is destructive of the tender system and specifically set out as such.

Now what we in the New Democratic Party are asking you, Mr. Minister, is that you will by morning have ascertained the precise names of the 13 firms. Will you then rise in your place and say, "Because they are involved in cover bidding, and we now know them, we are suspending their activities as contractors in Ontario on government road contracts until such time as they have satisfied us as to their practices"? Are you prepared to do that?

**Hon. Mr. Gomme:** No, Mr. Chairman. I am not prepared to do that for the simple reason, in the mathematics that we are talking about, I am not sure about the other 18 and the involvement that they have in the

same type of thing. This is one of the reasons that I have referred this to the Minister of Justice for advice on the matter. I do not think we can resolve the matter as to the involvement of 18 or 13. My reading of the report says that the 18 had been associated in petitioners' meetings. It does not say that they were cover bidding or not cover bidding. These are some of the things that are known yet but will be discovered.

**Mr. Lewis:** Again, that is why I try to make a division which may not be real. I expect that one of your colleagues may rise and say it is a false distinction, but the assessment of involvement for the first 18 is not exact, known except that they participated in some meetings. For the 13 it is categorical, and categorical. They know that they were engaged in at least one cover bid and that was destructive of tenders.

There is no equivocation about it. It is out. Now can the minister tell the House how many companies of this kind—can his officials tell him so he can tell the House—how many companies there are involved in the field of tendering on various provincial and municipal contracts? Is there an estimate of the number of companies?

**Hon. Mr. Gomme:** I am sorry, Mr. Chairman, I was listening to my deputy minister. Would you ask that about municipal contracts again?

**Mr. Lewis:** How many companies, many contractors *in toto* have, with regularity, submitted tenders for the municipal or provincial contracts in this field? Must have a range of companies.

**Mr. E. W. Martel (Sudbury East):** It is the report.

**Mr. Lewis:** I do not see it.

**Hon. Mr. Gomme:** Are you talking about the total number of 13 who have done—

**Mr. Lewis:** No, I am talking about the total of companies—not the 31—the sum of companies which have tendered on contracts over the last few years in the field of provincial and municipal highway construction.

**Hon. Mr. Gomme:** My information is that there probably would be 500 or 600.

**Mr. Lewis:** Five or six hundred! All right. Earlier you said that your timidity was from the feeling that if you put the cl

on 13 you would cause, I suppose you would feel, massive unemployment.

**Hon. Mr. Gomme:** I think this is a true statement, because I think you would realize that these companies are probably the ones that employ the most people.

**Mr. Lewis:** Is it not, perhaps, possible that if there are 500 or 600 prospective competitors, that to suspend 13 would allow for a redistribution of labour among the other 487 or 587?

**Hon. Mr. Gomme:** Mr. Chairman, there would be a good many of these others that would not be equipped to do the size of jobs we have.

**Mr. Lewis:** Let us not play games. If there are 500 firms in the field, then surely there are some not designated in this report capable of fulfilling the contracts as let, provincially and municipally. Surely we are not confined to the corporates. Is there no construction in the province of Ontario that can take place other than by those engaged in cover bidding and other nefarious practices? Is that what you are saying?

**Hon. Mr. Gomme:** No, that is not so, Mr. Chairman.

I am simply saying that these are the largest contractors in all probability and out of the 400—we are just using the figure roughly, I do not know—that are left, a lot would not be equipped with either equipment or engineering or anything else to bid on these larger contracts. A lot of these small companies do municipal work or they may do very small contracts for crushing or painting or such things for us and they could not handle these. A lot of them do not employ much labour. Some of them are operated by maybe a man and one or two members of his family and such things as that. They naturally could not handle some of the large contracts that we have.

**Mr. Lewis:** Fair enough! I am going to let you depreciate it down to the bottom level. You have dropped from 600 to 400 in three minutes.

**Hon. Mr. Gomme:** I do not think we ever said 600.

**Mr. Lewis:** You said 500 to—

**Hon. Mr. Gomme:** I said 400 or 500.

**Mr. Lewis:** Oh, 400 or 500. *Hansard* will show you said 500 or 600, but it depends to

which official you were listening. Well let us say 400; let us say at 11 minutes to the hour, 11 o'clock that it is 400. When you say some of them are not able to handle larger contracts, of the 400 how many would the sum of them constitute, do you think?

**Hon. Mr. Gomme:** Mr. Chairman, I would have to get that information for the hon. member. I would not have that at hand.

**Mr. Lewis:** You will have to get it?

You know what you are implying, Mr. Minister. You are implying that highway construction in the province of Ontario, provincially and municipally, is dependent on those engaged in nefarious trade practices. That is what you are saying. You are saying that highway construction in the province of Ontario and in the municipalities is dependent on—

**Mr. O. F. Villeneuve (Glengarry):** No, you are saying that.

**Mr. Lewis:** You are saying that it is dependent on those who are rigging prices. I am reading from a report by the Restrictive Trade Practices Commission.

Interjections by hon. members.

**Mr. Chairman:** Order!

**Mr. Lewis:** With great respect to the learned gentlemen who have worked out this report, it says that 18 companies were involved in meetings which were probably discussing the rigging of prices in a manner of sufficient concern to the minister that he has referred it to the Minister of Justice and the Attorney General. You have another 13 companies, which, it is categorically stated, are engaged in at least one instance of cover bidding and were destructive of trade practices. Categorically, there is no qualification about it.

The minister says these are the biggest companies. The minister says all the others, of the 400 or 500, whatever it may be, are not equipped to enter this field. He cannot mobilize them and suspend them because of the unemployment which would ensue, based on their size. Therefore, our highway construction is apparently dependent on those designated as potential culprits.

Surely in simple logic that cannot be the case. Surely in Ontario there are more than 31 companies capable of undertaking major contracts, municipally and provincially. Certainly there are more than the 13 direct

responsible, and it seems to me that the minister is engaged in what might be called his own little cover protection scheme.

It just does not make any sense, because if you think these firms are engaged in serious malpractice, as is indicated in the report, then you move in on them and you suspend them. And because you have confidence that the jobs and the contracts will be absorbed by others in the field, then you deal with them in a no-nonsense way in your office—as I know you would—and wring from them guarantees and evidence that they are not now engaged in any further restrictive price practices.

Mr. Minister, have you any idea how many contracts these 13 or 31 companies are presently engaged in in the province of Ontario or in the municipalities? Have you any idea what Beamish is doing? Have you any idea what McFarland is doing? Have you any idea where in the province of Ontario they were doing the work in 1968 or 1969 or 1970—as my colleague from Sudbury East will shortly show the House? Could it be that precisely the pattern that was evident between 1959 and 1964 is evident in 1969 and 1970? Could it be that perhaps you should move in and suspend now, or find within three months that the same construction work is being undertaken under precisely the same cover guise?

It seems to me, when we have got this kind of evidence, when we have got this kind of material, that you do not have to waffle; you do not have to equivocate. You just take a stand: you will not abide companies that have been declared categorically to have been involved in cover bidding, until they prove otherwise.

I had a very strong suspicion, and some evidence may be forthcoming, to show that the patterns are very very clear indeed. Do you really feel you have to establish a criminal or civil suit for damages before you can suspend? Is that why you referred it to the Attorney General?

Hon. Mr. Gomme: No, Mr. Chairman, as I have explained before, since this was found out and examined, we have this committee of our own on estimating and bidding which gives us a great deal of protection as far as the prices are concerned. We feel that with the work they do we have the protection that is necessary as far as price is concerned. As to where the contractors are working and what jobs they have, that is all a matter of record and we certainly can make that list available. We do not try to hide anything.

Mr. Lewis: I am not saying you are trying to hide. I am saying it might show an interesting pattern and I would have thought there was some substance in suspending, but are you asking of them? You are asking them simply to prove to you, to give you evidence or guarantee, as a minister, that they are no longer engaged in the specific cover bidding operations of which they have been found implicated—that is not asking much of a company—and that until that time they will not continue to do this kind of work in the province of Ontario because there are others not so engaged who can do it equally well. If the chair will allow—

Mr. N. Whitney (Prince Edward-Lennox): I doubt that very much.

Mr. Lewis: You doubt that?

Mr. Whitney: Yes, I do.

Mr. Lewis: Well, you probably have some familiarity with one of the firms.

Mr. Whitney: Yes, I do.

Mr. Lewis: More close and acute than some of us.

Mr. Whitney: I have a familiarity with a firm that got a contract and they could not fulfil it all year long. They have to give up. Somebody else had to bail them out.

Mr. Lewis: Right.

Mr. Whitney: That is the firm whose name I have the familiarity with.

Mr. Lewis: Right.

Mr. Whitney: It was not a local firm either.

Mr. Lewis: One of those 18 companies which may be part of the 13 is named McFarland Construction Company Limited. It is located in an eastern Ontario hamlet and has a certain notoriety in all aspects of its reputation.

Mr. Whitney: Great credibility!—

Mr. Chairman: The hon. member can read his own speech.

Mr. Whitney: —not notoriety—

Mr. Lewis: I appreciate that, Mr. Chairman.

Mr. Chairman, is it possible for this member to defer for a moment, with the indulgence of the House, to my colleague from Sudbury who has, interestingly enough, just acquired

the locations of two or three of these contractors named, which shows a direct parallel with what was originally true?

**Mr. Chairman:** The next member who has caught my eye is the member for Huron-Bruce, who wishes to pursue the same matter.

Perhaps you could finish your question.

**Mr. Lewis:** For the moment I have certainly finished my question.

**Mr. Chairman:** The member for Huron-Bruce.

**Mr. Gaunt:** Mr. Chairman, in my view the very least the minister can do, certainly is to come into the House tomorrow and to say that as of this moment he is not going to do business with these 31 companies.

Now 13 companies, as has been indicated, were engaged in cover bidding. Just as reprehensible were the activities of the other 18. Let me read to you what the report says:

The other 18 were shown to be involved, at one time or another, in the period 1959 to 1961, in at least an attempt to set up a tender rigging scheme in respect of paving contracts.

Mr. Chairman, in my view it is a maxim of business that one does not do the business with anyone who is trying to beat him and it seems to me that the evidence here is obvious.

Whether these companies—the 13—were engaged in cover bidding or whether they were engaged in a device called in the report “a tender rigging scheme,” is immaterial. They were engaged in a nefarious practice to deceive, and in my view the department should have no qualms about taking that kind of action. They were able to create for the department the illusion that there was competition. They did it once, and may I suggest to you, through the Chairman, Mr. Minister, that if they did it once, they could do it again.

The safest practice for you, in your capacity as the protector of the public interest, is to say to the companies: “I do not want to do business with you until you have given me every assurance and I am satisfied that your practices have been rectified and that you, from this point forward, are going to do business in an honest and upright fashion.” Having reached that point, then perhaps you can engage all of the mechanisms which you have within your department to protect the public interest.

But surely that is the first step, no matter what happens. No matter whether the Attorney General comes in with his report and

says: “I agree and I give my opinion, in legal opinion, that we should go ahead and prosecute the 13 or the 31 or the 18 companies”; whatever the case might be.

Now I want to pose two or three questions for the minister. I want to know if the department noticed any difference in the bidding practices of the various companies after the practice was discovered and after the investigation was undertaken? I would be interested to know this.

Then I would like to know, and it is more than a passing curiosity, the actual procedure that was involved in detecting this practice. Did the department detect the practice; or was there someone involved who was dealt the two of hearts and felt he should have been dealt the ace and in turn came in and squealed on his buddies? Was that the system that resulted in this particular device being recognized for what it was?

I think it makes a substantial difference because if the former is the case, then I suspect that the department will be much more lenient in its approach to these companies; going on the premise that having discovered the practice once they can do it again.

If the latter is the case, then I say that the department does anything else than suspend doing business with these companies; it is just simply inviting this kind of thing on the part of these 31 companies that are involved in this report.

I would be interested to hear what the minister has to say on that.

**Hon. Mr. Gomme:** First of all I can, and I will, call these companies in and do as you suggest as soon as I can get them together.

The way it came about was from our own staff and the financial controller's office. It was not one of those things that was cut and dried that we could say it was being done. We had suspicions that this might be taking place and this is why we handed it over to the people who looked into it.

**Mr. Gaunt:** If I just may pursue the point, Mr. Chairman.

Have you noticed any perceptible difference in the bidding practices since the investigation started?

**Hon. Mr. Gomme:** Well I think, Mr. Chairman, that this is covered pretty well in the last two pages of my statement. Of course you realize that at the same time, really as they started, we set up this committee to arrange our own bidding. But we have seen from the

where we have made substantial savings. I think that is covered on pages 10 and 11 of the statement I made.

**Mr. Gaunt:** I read with interest those pages, Mr. Minister.

Now you indicated that in the two fiscal years ending March 13, 1970, 3,234 bids on 702 contracts were examined, and 405 of these were contracts for capital construction. An average of 5.39 bids were submitted for each contract, and you give the total of the low bids, and you give a figure which is 1.68 per cent below the estimated cost.

A further 297 contracts were for maintenance operations. An average of 3.54 were submitted for each of these contracts. I am wondering, in order to get that kind of average, 3.54, there must have been some contracts in which there was only one bid. Would that be a fair assumption? Were there any contracts on which there was only one bid?

**Hon. Mr. Gomme:** There would be very few in that class. There might be the odd one, but very few.

**Mr. Gaunt:** But there would be a few?

**Hon. Mr. Gomme:** There have been a few.

**Mr. Gaunt:** Would it be possible for the House to get the names of the companies that got the contracts? In the event that they were the only bidders, could that information be given to the House?

My purpose in asking is that I want to determine whether in fact a company which was the only bidder on a particular job happened to be one of the 31 companies named in the report.

**Hon. Mr. Gomme:** We of course check the price against our own bidding practices and we would not let it unless it was within the proper range of what we expect.

I think we could get the information which the member requests. It probably would take a good deal of research to go back over all the contracts in the last year, but very, very few are like that.

**Mr. Chairman:** The member for Sudbury East.

**Mr. Martel:** Thank you, Mr. Chairman.

I read with interest this report. One thing stuck in my mind, which was the following point. It says:

The evidence in this inquiry indicates in a general way that the 13 firms who were not represented at the competitors'

meetings submitted cover bids from to time. The evidence does not show this cover bidding was associated with organized anticompetitive structure of sort, such as an agreement to refrain bidding on jobs in competitors' territory or contract rotation.

Now I had the research staff contact Department of Highways this afternoon just before going into that, Mr. Chairman, you will recall that last fall I raised considerable consternation. I might call it, over the fact that the public accounts really do help the members. And this is where part of the weakness starts in the whole system because the public accounts simply give number, the name of a firm and the number of dollars that the firm receives for specific contract. Unfortunately, with limited information it is impossible for to determine whether or not, in fact, certain contractors are getting all the jobs in certain areas.

This afternoon, after reading the newspaper clipping, I gave to the research staff, indicated, two names, because they appeared in the paper and they appeared very dominantly in the report. You know, there were two very active people, a man by the name of Doherty—a very Christian name—a man by the name of Titus. These two were very active—oh, great Christian names these people.

Nonetheless, I took two names, one of them Beamish, for whom Doherty seems to have a lot to do, and the other one, good old "Harv" of the H. J. McFarland company, and I had my research staff to phone DHO to find out where Harv had most of his contracts. He got 10 of them.

And it is interesting, Mr. Chairman, if you plot them on a map, as I did. There was a little skulduggery. One of the 10 went to northern Ontario, but of the other nine, was located here and the rest right in the Belleville-Picton area.

Now I do not know if that is coincidence. I do not know if old Harv was getting all in that same place by coincidence.

**Mr. J. W. Snow (Halton East):** Many people like to work around home you know.

**Mr. Martel:** Oh right, the member for Halton East, I think it is, says many people like to work at home. I do not think the tractors go out on a job that much themselves. I would not think old Harv spends too much time in a tent.

But of the other companies. We took Beamish—

**Mr. Snow:** Oh, I would be surprised if he did not.

**Mr. W. Hodgson (York North):** He has spent a lot more time in a tent than the member ever did.

**Mr. Martel:** Then we took Beamish, Mr. Chairman, and Beamish had 14 contracts, the majority of them right in around Toronto and up Highway 11. Not too far—North Bay.

Interjections by hon. members.

**Mr. Martel:** What I am saying, Mr. Minister, is that it looked very much as though that statement might not quite be true. That statement that I read from the report that in fact there is no evidence to show that "this cover bidding was associated with an organized anticompetitive structure of any sort, such as an agreement to refrain from bidding on jobs in competitors' territories," might not be true.

I only took two of the 31. I am wondering, Mr. Minister, what would happen if we took the other 29 and plotted all of their contracts on a map—if a very significant pattern would not develop.

**Mr. A. K. Meen (York East):** Why do you not try?

**Mr. Martel:** We do not have the information. That is why I wanted it in public accounts. But I wonder if a very significant pattern would not develop wherein each company has a territory for itself.

I am suggesting maybe that we could plot this too easily if this were in the public accounts. And maybe that is why it is not in the public accounts, despite the fact I am going to be told it is not up to the Minister of Highways to lay out the public accounts.

Certainly this information should be readily available to the members. I am saying tomorrow maybe the minister could have some of his people take the books, which I understand are available at DHO, and plot every contract that these 31 companies have, bring it back to the House for us and show us where each of these 31 companies have their contracts.

I am quite positive that that statement might just prove to be a bit erroneous.

Interjection by an hon. member.

**Mr. Lewis:** What kind of nonsense is that? You do not let every contract in your home area.

**Mr. Lawlor:** Little principalities all over Ontario.

**Mr. Lewis:** Unless you are some kind of fiefdom.

**Mr. Martel:** Finally, Mr. Minister, might come back to the point I was trying to make just yesterday and all last fall, that it is high time The Department of Highways become directly involved through several crown corporations in doing some of the contract work in the province to keep some of the companies honest.

**Mr. Snow:** That is socialism.

**Mr. Martel:** Oh it is socialism! I might just say to the hon. member for Halton East that I guess Ontario Hydro is socialism and I guess the ONR is socialism, and I could go on and list a few more.

**Mr. Snow:** The highway system is not socialism.

**Mr. Martel:** So those are services. Spending the people's money is not a service that we should just disregard with the type of abandonment that has gone on over the past number of years. I would suggest, Mr. Minister, get this crown corporation, and it would as I said yesterday before this report came out, keep the companies from becoming too dishonest.

We would get an accurate account, not only of what paving costs, but also what it would cost in the overall development of highways. We would have at last something that, I am sure you must agree now, would be more efficient than your present system. You would have people on the job doing competitive work with the same type of equipment. There could not be any skulduggery, because the second it started you could start a crown corporation to do that particular job that everybody was playing hanky-panky with.

**Mr. Lewis:** You will admit that a Toronto crown corporation could be dishonest.

**Mr. Martel:** Well—

**Mr. Lewis:** That is the only kind of crown corporation that—

**Hon. A. Grossman (Minister of Correctional Services):** That is a good dialogue those two members are having.

**Mr. Martel:** I would hope that the minister would: first, produce a map for us with the 31 companies involved and all of the contracts they had, maybe in different colours; he could use pins. Second, would the minister consider having the public accounts, using his good influence to have the public accounts have some made for the members next time around? Finally, would the minister once again take a look at the possibility of setting up a crown corporation or two to act as a measuring stick in this province?

**Mr. Chairman:** The member for Prince Edward-Lemnox.

**Mr. Martel:** Here we go.

**Mr. Whitney:** Mr. Chairman, I have listened with a great deal of interest to the remarks that have been made. I might say that I have been here through the days when there were lost bridges. All of these things took place.

An opposition member referred to the great overpayments on highway contracts. The truth was that they were not really overpayments. The truth was that in those days inadequate engineering was done. Based on that inadequate engineering, with maybe a test hole every quarter of a mile, information gathered by The Department of Highways was given to the different contractors and they tendered on that basis. When they got involved in the job they discovered there was a lot more wrong—even quicksand in certain places that was not revealed in those preliminary surveys. Consequently, they got to a point where they asked for extra help and they got paid on that basis by an engineer on the job assessing the extra costs necessary.

But it pleased the opposition parties in those days to refer to those things as overpayments when they were actually overruns on a contract through the missing or insufficient information that was given.

Now with all these things, here is a situation I have experienced. I was reeve in my township when we had a construction job on a township road and McFarland Construction Company did not get the job. Another contractor came along and had the lowest tender, because of cheaper fill material which was approved by the municipal roads branch and he got the job. And that is the way these things are done.

But the point of this thing is this, that I can understand well with the huge investments the contractors have to make in order to be able to tender for some of these jobs, they hesitate to do this unless they have

some assurance that they can continue to operate.

I mean it is there just naturally. Some of this equipment has to be paid for over one or three years. I have known it, and I have seen it, when a contractor has had local jobs and they have run into difficulty and could not complete them. The public suffers and had to have a broken-up road for months because the contractor could not complete the job. That one left and somebody else had to take it over. This is detrimental to the province and to the public interest.

Now I am not making excuses for cover bidding or anything of the kind, but you know, we have our manufacturers associations; we have different things for people to get together on for mutual protection. We have it in labour unions, negotiations, all the rest of it. I do not think really that it is terribly unnatural if certain contractors and their goodwill did get together and say, "We are going to protect ourselves some way, or one way or another, or we are all going to go broke."

**Mr. Lewis:** Goodwill. Was that the kind of goodwill you used?

Interjections by hon. members.

**Mr. Whitney:** Just a minute, just a minute, sir.

**Mr. Lewis:** You are joking!

**Mr. Whitney:** I do not say it is unnatural. I have said it might not be unnatural.

**Mr. Lewis:** What do you mean, contractor's goodwill? Whose will?

**Mr. Whitney:** Goodwill among themselves.

**Mr. Lewis:** Among themselves? It is a definition of goodwill.

**Mr. Whitney:** All right. The tenders are open, wide open.

Interjections by hon. members.

**Mr. Whitney:** Of course they are—just a minute—you know as well as I do. The hon. member for Sudbury East talks about how certain contracts were centred in certain places. Well that is only natural. A contractor who has to move his whole outfit and all his equipment 200 or 300 miles away is not in a position to bid at the same prices perhaps as somebody local. Therefore it is only natural that these contractors operate in a certain sphere; it is only natural as can be.



Mr. Lewis: I think you are covering up.

Mr. Whitney: All right then. But here is the vital thing—

Mr. J. E. Stokes (Thunder Bay): The great Picton cover-up.

Mr. Whitney: No, here is the vital thing right now.

Mr. Gaunt: Here is the rigging system.

Mr. Whitney: Sure, you do not care if a contractor goes broke.

Mr. J. Renwick: You are on our side. Come on over.

Mr. Whitney: I am not out for any contractors to make an unwarranted profit; neither am I out to put anybody that is carrying on a legitimate business out of business and create more unemployment. I am not for that; I am not in favour of it.

Mr. Gaunt: You do not count a little rigging?

Mr. Whitney: But here is the point that I am trying to make right here tonight.

Mr. J. Renwick: But what about the law?

Mr. Gaunt: What about the Criminal Code? Do you check that?

Mr. Whitney: Here is the point I am trying to make: I know of no better system than that The Department of Highways has instituted. It is the system that I use in doing my income tax returns.

Mr. Lewis: Everything you say I am taking down.

Mr. Whitney: Okay. Take it down; maybe you will learn something.

Mr. Sopha: About what?

Mr. Whitney: You can learn something. You can take a man's receipts and his disbursements, as he gives them to you, but then you want to prove them. Which I do. I look at his bank book; I look at his investments; I check what machinery is bought. I check all of these things, and then I say, "You made more money than this. You could not have lived on the difference."

Mr. Gaunt: And it does not matter about the public purse?

Mr. Whitney: And then I get the truth and here it is; here is the point. The Department of Highways now has the people going after it, and this just shows they were equal to it. They are the highways people putting in their own estimates; they are the people testing the contractors' estimates. And I am telling you, if the lowest tenderer gets the job and it is approached on that basis, then the people of Ontario are protected. I was told this afternoon that the tenders, on the average, were one or two or three or four per cent than the estimates of The Department of Highways. How much better do you get it? Do you want to sort of go after people, put them out of business, play the same game in the past, or anything of that kind? I am telling you, time after time we have had the same story about overpayment and the people who were talked about that were turned down; they were defeated at the polls.

Mr. Sopha: Who?

Mr. Whitney: The people who talked about it.

Mr. Sopha: About what?

Mr. Whitney: Your party for one. And they were not asked, because they were really the same ones. And now you are going to do the same thing again. I am telling you we need the contractors all over Ontario, we need the thing divided up, we need the employment that they give all over Ontario. If we can put checks on them such as are being put on now. The Department of Highways right now, I think that all of us should be proud of it and should support it.

Mr. Lewis: You are joking.

Mr. J. Renwick: Mr. Chairman—

Mr. Chairman: The hon. minister would like to make some comments? All right, a member for Riverdale.

Mr. J. Renwick: Mr. Chairman, I have tried to sort out the numbers game and would like, just before the adjournment here, to correct what I said earlier and put on the record exactly what happened to these companies in this matter which is before tonight. There were 34 companies listed by the director in his presentation to the Restrictive Trade Practices Commission, and they are listed in the report in chapter four headed "Conclusions".

Of the 34 companies, three companies were exonerated — Antici Construction Compa

Limited; Cook Paving Company Limited, and Peacock Contracting Limited. Thirteen of the companies were stated in the conclusions of the report to have engaged in cover bidding. It states in the case of these last 13 companies that the evidence does not establish that their actions in making cover bids, however reprehensible they were in terms of the tender system, had the effect of restraining competition unduly. Elsewhere in the report the conclusion is stated that cover bidding is deceitful and a fraud upon the authority.

Those 13 companies are as follows: Cox Construction Limited; Drope Construction Limited; Glen Lawrence Construction Company Limited; Greenwood Construction Company Limited; Johnson and Hogan Construction Limited; Kilmer Van Nostrand Co. Limited (formerly Cross Town Paving Company Limited); Mel-Mix Concrete and Asphalt Limited (formerly Kilmer, Van Nostrand Limited); Donald J. MacDonald Construction Limited—

**Hon. Mr. Grossman:** Oh! Oh!

**Mr. J. Renwick:** Donald J.!

**Mr. Lewis:** Not to be confused with the president of CIC.

**Hon. Mr. Grossman:** It might be a subsidiary company.

**Mr. J. Renwick:** McHaffie-Birge Construction Company Limited; McNamara Highway Construction Limited (formerly Geo. W. Porter Construction Company Limited); Pioneer Construction Co. (1967) Limited; Smiths Construction Company Arnprior Limited; Towland Construction Limited.

Then there were 18 companies that were found to have been associated in competitors' meetings in the period from 1959 to 1961 and they are as follows: Advance Paving Co. Limited; K. J. Beamish Construction Co., Limited; Brennan Paving Company Limited; Curran and Briggs, Limited; Dibblee Construction Company, Limited; Disher-Farrand Limited; Dufferin Materials and Construction Limited; The Godson Contracting Co. Limited; R. W. Heron Paving Limited; King Paving and Materials Limited; Miller Paving Limited; H. J. McFarland Construction Company Limited; McNamara Road Construction Limited; Onway Construction Company Limited; Peel Construction Company Limited; Rayner Construction Limited; Standard Paving

Limited; Warren Bituminous Paving Company Limited.

The position of this party is very I asked in my original comments for suspension of the 13 firms and in the course of the discussion, it was quite clear that other 18 firms are equally—

**Mr. Gaunt:** Hear! Hear! That is right.

**Mr. J. Renwick:**—subject to suspension are asking the minister in the circumstances to protect the authority of his department by initiating immediately the suspension of 31 companies until such time as he is satisfied that they have desisted from these particular forms of collusive practice, regardless of whether or not in the long run the Minister of Justice and Attorney General is or is not able to bring charges against any or more or all of the companies. That is my position.

**Hon. Mr. Gomme:** Mr. Chairman, I have a commitment to the hon. member for Hants Bruce that we would have all these companies in immediately to get a statement from them that they were not participating in it. I do not want to say that this will be the final answer at all. This will give us an opportunity, probably to tide us over for a few days until we get the opinion from the Attorney General and Minister of Justice, to do this immediately.

**Hon. Mr. Grossman** moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply reports progress and asks for leave to sit again.

Report agreed to.

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, tomorrow we will proceed with the budget debate.

**Hon. Mr. Grossman** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.30 o'clock.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Friday, May 8, 1970

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 8, 19

The House met at 10 o'clock, a.m.

Prayers.

**Mr. Speaker:** This morning in the east gallery we have now and will later have students from Lawfield Public School, Hamilton; from St. George Public School, St. George; and from Bishop Ryan High School, Hamilton. In the west gallery now or later we will have students from St. Anthony's Separate School, Harrow, from Collingwood Senior Public School in Collingwood, from Sault Ste. Marie Collegiate Institute in Sault Ste. Marie, from St. Theresa's High School in Midland, the Meaford Cubs, and students from the Bishop Ryan High School in Hamilton.

Statements by the ministry.

Oral questions.

**Mr. H. Peacock** (Windsor West): **Mr. Speaker:** I have a question of the Prime Minister.

**Mr. R. F. Nixon** (Leader of the Opposition): Well, I have too.

**Mr. Speaker:** Perhaps the member would allow—

**Mr. Nixon:** I thought the member had a point of order.

**Mr. J. E. Stokes** (Thunder Bay): It is kind of early, **Bob**.

**Mr. Nixon:** Thank you very much, **Mr. Speaker**, for your kind protection. I have a question of the Premier.

**Mr. Peacock:** After you, **Mr. Leader**.

**Mr. Nixon:** I would ask him if he has any information he can impart to the House about plans definite or tentative for continuation of the federal-provincial conference on the constitution. I believe at the last conference, which was not open to the public, plans were made for a continuation, and I would like to know further what plans can be released concerning that.

**Hon. J. P. Robarts** (Prime Minister): I am not aware that we have any plans. There has been no date set for resumption of those conferences.

**Mr. Nixon:** By way of a supplementary question. In view of the Premier's speech last week and comments further in the House as to the importance of proceeding with this in the light of the results of the Quebec election and for other reasons, is he prepared to put to the government of Canada some initiative for proceeding with this programme to revise the constitution?

**Hon. Mr. Robarts:** Well, **Mr. Speaker**, you will see how the situation develops. I think **Mr. Bourassa**, for one, has his hands full at the moment, but after he gets his government set up I am sure the talks will resume in the normal course of events. They are really under the aegis, if I may put it that way, of the federal government. But we are ready to resume at any time.

**Mr. Nixon:** I would like to ask a further supplementary question, **Mr. Speaker**, about plans for conferences in the coming months. Can the Premier make any definite statement about his plan to have an international conference on pollution of the governors and premiers associated with the problem in the Great Lakes basin?

**Hon. Mr. Robarts:** Yes, this is proceeding. We have been in touch with all the states concerned. I cannot tell members exactly of this morning how many have replied, but the replies have been favourable; there is much interest. As soon as we firm it up a little more I would be happy to report to the House. I would hope that the conference might take place in June. The time is short, and it is going to be quite a task to get it under way but we are working on it.

**Mr. Nixon:** **Mr. Speaker**, I have a question of the Provincial Secretary—

**Mr. F. A. Burr** (Sandwich-Riverside): supplementary question, **Mr. Speaker**. Does the Premier intend to invite to this conference independent ecologists or will it be restricted to government people?

**Hon. Mr. Robarts:** We are in the process at present of drawing up the agenda, and that is one of the questions that will have to be settled. I could not give the member a definitive answer this morning.

**Mr. Nixon:** A question of the Provincial Secretary, Mr. Speaker. Does he plan a series of meetings here in Toronto with Indian bands from across Ontario, as was held a year ago, or is he instead intending to visit the bands himself this summer?

**Hon. R. S. Welch** (Provincial Secretary): I intend to visit the bands myself.

**Mr. Nixon:** A supplementary question. Would he give some consideration further to the suggestion that came from my colleague, the member for Rainy River (Mr. T. P. Reid), of inviting the members in the Legislature associated with the bands he visits? Would he give consideration to recommending the establishment of a select committee on Indian affairs in the province so that, as he undertakes these visits himself, he could be accompanied by a group of members from the Legislature who have perhaps some special interest and concern in this matter?

**Mr. E. Dunlop** (York-Forest Hill): The hon. leader's members would walk out.

**Mr. Nixon:** Oh, not if the committee is well chaired.

I would ask the Provincial Secretary to give his comments on that and, hopefully, his careful consideration.

**Hon. Mr. Welch:** Mr. Speaker, the establishment of select committees would be a matter for government policy to determine. My primary interest now is to visit as many bands as I personally can to become that much more familiar with them and with the matters we have before us. But whether or not this would develop into the type of study to which the hon. Leader of the Opposition makes reference, of course, would depend on the matter of government policy.

**Mr. Nixon:** A supplementary question. Is the minister aware that about 14 years ago there was such a select committee? Probably its findings are now out of date and it would be reasonable at least to give consideration to the prospect of a renewal of the committee work.

**Hon. Mr. Welch:** I did know of the existence of that report, but I certainly cannot give any more by way of answer than I have already, Mr. Speaker.

**Mr. Nixon:** Mr. Speaker, I have another question of the Provincial Secretary which pertains to his responsibility in The Department of Civil Service. Is there still a group of employees, who were transferred from

The Department of Health to OHSIP October, who have not obtained a pay increase, even though the recent announcement by the Treasurer gave a blanket increase of nine per cent this year with a second increase of between six and 14 per cent?

**Hon. Mr. Welch:** It is my understanding that—and I am doing this from memory when the matter was first raised by a member for Parkdale (Mr. Trotter), I think some time ago, in the reclassification of certain positions within that branch of activity there were some whose classifications were such that the pay they were then receiving was in excess of what they would, in fact, have received had they been hired in the first instance. They were, I think, to use the language of the personnel people, red-circled. It may be—now, I am just speculating— even with the increases, they have not reached the red-circled amount. But I would be glad to get further details for the member.

**Mr. Nixon:** A supplementary question. The minister says he would be glad to get further details, and I appreciate this. Would he undertake to examine specifically this group of people, who have not had a pay increase for some considerable length of time due to this red-circling, with an eye to getting them back in the mainstream of the general pay increases that have been awarded?

**Hon. Mr. Welch:** Yes, I would be happy to do that.

**Mr. Speaker:** The member for Windsor West, the member designated by his caucus to lead off. I have received assurance from the NDP whip that he has been designated.

**Mr. Peacock:** Mr. Speaker, my question is of the Prime Minister. Will the government amend The Landlord and Tenant Act in the light of Judge Macdonell's opinion that the Act makes no specific provision for the requirement of a security deposit once the landlord is applied to the courts to withhold it from the tenant?

**Hon. Mr. Robarts:** I think we would like to examine that. I am not immediately aware of this decision. I do not know whether it is being appealed, but, certainly, if it has any effect on The Landlord and Tenant Act, what we intended to do with the Act, I am quite sure that it will be examined in detail.

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

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, I have a question of the Prime Minister. I wonder if the Prime Minister would consider the use of the Ontario Addiction Research Foundation by school authorities in Welland and Lincoln counties for questioning children relative to the activities of their parents? Would the Prime Minister consider that a significant invasion of privacy?

**Hon. Mr. Robarts:** I do not know the specific instance the member is referring to. I do know that there are some schools that have asked certain questions, and it raises the whole matter that the member mentions. Of course, there is some invasion of privacy there; there must be. They are asking children to provide information about their parents. I suppose no child really can be forced to answer those questionnaires, if the parents do not want them to. I do not know; I think it is an area that certainly should be examined. That is my own reaction to it.

**Mr. Bullbrook:** By way of supplementary, can we from the Prime Minister's answer feel assured as a Legislature that this will be examined by the government from the point of view of privacy?

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

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

**Mrs. M. Renwick (Scarborough Centre):** A question of the Prime Minister. Would the Prime Minister look into a matter concerning The Department of Social and Family Services, the national health and welfare ministry, and the borough of Scarborough welfare office, where men on strike are being denied welfare assistance for those in need until their strike payments are received, even though this has been clarified recently in the House of Commons by the health minister, Mr. John Munro?

**Hon. Mr. Robarts:** I am sure the minister would be happy to look at that question?

**Mr. Speaker:** The member for Welland South.

**Mr. R. Haggerty (Welland South):** Mr. Speaker, a question of the Minister of Revenue. Has the minister given any consideration to a feasibility study as to the amount of revenue that could be made available to this province through off-track betting parlours?

**Hon. J. H. White (Minister of Revenue):** I have not had a feasibility study done, as

such. We do know from the experience of other jurisdictions that games of chance whether it be off-track betting or a form lottery—impose an extraordinary burden on the poorer citizens, on those least able to pay. We know, also, that the cost of administration, the cost of collection, is ever so much higher than the costs we have for conventional forms of tax revenue and which amount about 75 cents per \$100 collected.

For these several reasons, Mr. Speaker, I would be reluctant to see us depending on games of chance of whatever kind for our revenues. This is not to say that the Attorney General (Mr. Wishart) has not explored the possibility of having off-track betting primarily to remove revenues from illicit groups. I think there is some merit in that, and I know that those studies are being conducted by the Attorney General. For these practical reasons, I think we should not look to that source for revenues *per se*.

**Mr. Speaker:** The member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** A question of the Minister of Lands and Forests. Is the minister aware of the carnage resulting from the rainbow fishing date of May 1 being done away with and opening two weeks earlier. In our area they were using baseball bats and nets to catch thousands of large rainbow trout that had not yet spawned. In the whole area, our people want the date left as May 1. So I would like to ask if you would consider setting the date with the area involved because—

**Mr. Speaker:** The hon. member has asked his question, and I would draw to his attention that he started correctly by asking the minister "if he would" and then he changed it to "if you would". Questions are directed through the Speaker.

**Mr. Sargent:** Well, he knows that I want

**Mr. Speaker:** Perhaps the member would give the minister a chance to reply then.

**Hon. R. Brunelle (Minister and Lands and Forests):** Mr. Speaker, we are certainly always very pleased to try to accommodate the wishes of the hon. member, and I will be pleased to look into it. However, I would like to remind the member that these fishing regulations are set some time in advance and that they have been set in accordance with biological reasons as well as the local fish and game associations in those areas. Also, this year, Mother Nature is a little late; I believe that the warmer weather, generally speaking

is at least one week later this year than normally, and this is probably resulting in the spawning being about one week late. However, Mr. Speaker, we will look into the member's request.

**Mr. Sargent:** Will the minister consider banning the use of spawn for bait? That is a very serious thing, too.

**Hon. Mr. Brunelle:** We will give this consideration, too.

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

**Mrs. M. Renwick:** A question of the Minister of Trade and Development. Is the Ontario Housing Corporation collecting, at the present time, the maximum shelter allowance under The Family Benefits Act and The General Welfare Assistance Act from its tenants?

**Hon. S. J. Randall (Minister of Trade and Development):** If I understand it correctly, the question is, are we collecting the amount set by Social and Family Services for housing?

**Mrs. M. Renwick:** The amount set under the two Acts, The Family Benefits Act and The General Welfare Assistance Act.

**Hon. Mr. Randall:** We are collecting the amount of money established by Social and Family Services; that is the amount we get, yes.

**Mrs. M. Renwick:** A supplementary question, Mr. Speaker. How much would the corporation stand to have benefited in this housing increase, as of the first operating month, in May, and would the minister consider putting these people on a rent-g geared-to-income scale as other tenants are, so that The Department of Social and Family Services would have some shelter money in surplus to give to persons who are paying more than the amount that is allowed under their Act?

**Hon. Mr. Randall:** First of all, if I understand the question correctly, there has been no increase in their rents because of the extra benefits they have received. Their rents have remained exactly the same. If there are any benefits to put them on rent geared to income, I will be glad to have it looked at by the Ontario Housing Corporation. Does that answer the member's question?

**Mrs. M. Renwick:** Just to clarify the question for the minister: I was asking, first of

all, how much the corporation benefits a month from the fact that the shelter allowance has been increased. The minister said previously about 25 per cent of people in his housing are people in need, therefore the housing corporation should have benefited by about \$50,000 at least.

**Hon. Mr. Randall:** We did not take advantage of the increased benefits from those on welfare, so there has been no increase. Although some people received extra benefits we have not increased our rents to these people.

**Mrs. M. Renwick:** Mr. Speaker, that was my first question. Was the minister collecting the maximum amount that is allowed under the Acts, which would be a \$10 increase? Did the minister's department not check their rents as of May 1 in order to collect this \$10 increase that has gone into the shelter allowance under The Department of Social and Family Services?

**Hon. Mr. Randall:** We did not change their rents. We left them as they were. There have been no other collections from these people who get those extra benefits.

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

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

**Mr. Speaker:** Has the member completed her supplementaries?

**Mrs. M. Renwick:** To clarify, Mr. Speaker, the question of the second supplementary was: Will the minister consider putting tenants in need on a rent-g geared-to-income system the way that every other tenant is on, so that they understand fully, for one thing, why they are paying a higher rent—their own, not understand now; so they understand the operation of the department—and the moneys to be held in The Department of Social and Family Services to go to the families who are paying more than the amount that is allowed?

**Hon. Mr. Randall:** Mr. Speaker, I will have to take that question as notice and check it with the housing corporation. I will be glad to do that, but the member should also know there is a new rent scale coming into being. The information I get is a family with two youngsters can pay as little as \$1 a month and every youngster they have that knocks off another \$2. We could go to the point that if they have nine youngsters



we could be paying them \$14 a month to live in Ontario Housing.

I am suggesting that I will take that question as notice. I think between the new rent scale suggested by Central Mortgage and Housing Corporation and the other things that they have recommended, perhaps we can give the member the information she wants and be a little more factual.

**Mrs. M. Renwick:** A final supplementary, Mr. Speaker.

**Mr. Speaker:** This shall be the last supplementary because this is a matter which I do not think should be in this oral question period. The member has the floor for a final supplementary.

**Mrs. M. Renwick:** Thank you, Mr. Speaker. Would the minister say when that new rent scale will be available?

**Hon. Mr. Randall:** We have got about 30,000 tenants there. We hope to put it into effect, I would think, in the next 30 or 60 days. We have some major changes to make. I think, also, the member will remember that we froze the rents in May, 1968, and even though we may go back to the new rent scale, there will be some increases for those people whose income has gone up in the meantime; perhaps some others have gone down.

The bookkeeping is being done now and I would hope that at least by July 1, we will be able to put that into effect, along with the new tenant and landlord lease and also take care of the return with interest of the security deposit. We are trying to put it all into one package and get the bookkeeping over with.

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

**Mr. B. Newman:** Mr. Speaker, a question of the Minister of Trade and Development. What progress can he report on the sale of the Ontario Housing Corporation homes in the Bridgeview subdivision to their tenants?

**Hon. Mr. Randall:** Last week I talked to the Minister of Housing, Mr. Andras, in Ottawa, and asked about the 5,000 units we have been asking him to give us permission to negotiate a sale on. It is my understanding that we will start on the first 1,000 almost immediately; I believe the area the member is talking about would be included in that first 1,000. I can let the member know better, perhaps, some time next week

when I get a chance to talk to Mr. Sullivan who has had negotiations with the president of Central Mortgage and Housing Corporation.

**Mr. Speaker:** A supplementary? The member for High Park.

**Mr. M. Shulman (High Park):** A question of the Minister of Transport, Mr. Speaker. Does he intend to bring in legislation increasing the number of studs to 150 in each tire in view of the study which has just been released by the National Highway Safety Council showing that more than 150 studs in a tire actually decrease traction on both wet and dry pavements?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, the matter of the use of studs is under consideration by both The Department of Highways and our department at this time as I reported some time ago. We are awaiting a report on the safety factor of studs which should be available, I would think, within the next week or two at the latest.

**Mr. Shulman:** In view of the fact that the study was released last week, perhaps you are talking about two different studies. Has the minister seen the most recent study from the National Highway Safety Bureau?

**Hon. Mr. Haskett:** Mr. Speaker, I am referring to a study being made in Canada by the Canadian safety council.

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

**Mr. R. S. Smith (Nipissing):** Mr. Speaker, I have a question of the Minister of Trade and Development. Will he be bringing forward legislation in this session to establish the northern Ontario development corporation? What funds are to be made available to that corporation during this fiscal year and how are these to be made available?

**Hon. Mr. Randall:** I think the question with reference to legislation should be directed to the Minister of Mines (Mr. A. F. Lawrence).

**Mr. R. S. Smith:** He told me yesterday to direct it to the Minister of Trade and Development today.

**Hon. Mr. Randall:** I am sorry. I will be guided accordingly. If legislation is necessary, and I am not sure it is, to appoint a development corporation for northern Ontario, I would say yes, it would be com-

in this session, because we want to get underway with the programme. The member's second question was—

**Mr. R. S. Smith:** What funds will be made available to that corporation during the fiscal year?

**Hon. Mr. Randall:** I think I answered the question some time ago. We have sufficient funds in the Ontario Development Corporation now to start the programme in northern Ontario because, as the member will recognize, we do not require the money in the next 48 hours. If a plant comes, by the time they build a plant it may take eight or nine or 10 months before any cash is required.

I think I mentioned the other day that the first year the EIO programme was in effect, we spent about \$3 or \$3.5 million although we committed about \$16 million. There are sufficient funds in the budget of the Ontario Development Corporation right now to take care of the needs of the northern development corporation. I do not think the member need concern himself that the funds will not be there. I can assure him they will.

**Mr. R. S. Smith:** How much?

**Mr. Speaker:** A supplementary question?

**Hon. Mr. Randall:** It is rather limited because the Ontario Development Corporation has sufficient funds to carry on with the programme as long as the government has the policy of assisting small industry—of carrying on the EIO programme. We do not have a fixed amount; we go back to the Treasurer (Mr. MacNaughton) when the funds we have are used up, so there will be more funds available for that programme.

**Mr. Nixon:** Mr. Macaulay had \$100 million.

**Hon. Mr. Randall:** I think this is—

**Mr. Speaker:** The member did not rise to his feet to ask a supplementary the last time. He directed a remark across the floor of the House. He has lost the floor.

The member for Thunder Bay has the floor.

**Mr. Stokes:** A supplementary to the same minister. What will be the basic difference between the way that the northern development corporation will operate and the present EIO programme?

**Hon. Mr. Randall:** I do not know what basic difference there would be, except we will probably give a greater consideration to

economic expansion in northern Ontario in many areas.

For instance, already in northern Ontario we have undertaken to finance a repair for diesel engines. We have undertaken to finance a bakery. Some of these things in this part of Ontario would be in the area, but in northern Ontario we have not pulled any punches.

If anybody came along with a programme that will help us assist northern Ontario that we had it carefully examined and it has been made available. I think I pointed out that other day we put our man in Minneapolis, we have opened an office there. If he brings in new opportunities into northern Ontario or takes opportunities from northern Ontario to Minneapolis, we look at it with regard to helping him finance the projects, whether it is an import project or an export project.

**Mr. S. Lewis (Scarborough West):** A supplementary, Mr. Speaker. If I understand the minister correctly, he is not establishing a northern Ontario development corporation, he is simply establishing a branch office of the ODC in the north. There is no qualitative difference at all.

**Hon. Mr. Randall:** No, the hon. member is completely wrong.

This will be an entirely separate body from the Ontario Development Corporation. Perhaps only one man from Ontario Development Corporation will be on the board that will be Mr. Etchen, the president, to help guide it. But they will make the decisions as to the loans they make, whether the term loans or EIO loans, to the people in that area. They will be chosen from northern Ontario; they will be northern Ontario people and they will make the decisions, not the Ontario Development Corporation.

**Mr. Lewis:** Then if I understand it clearly now, it is simply because the government has discriminated against the appointment of northerners in the past, on the current ODC—

**Hon. Mr. Randall:** We had a northern Ontario group when we had the—

**Mr. Lewis:**—and now the government is trying to set up a branch.

**Mr. Speaker:** Order!

**Mr. Lewis:** Well, what is the difference in the programme?

**Hon. Mr. Randall:** There is no difference. We had a northern Ontario group when we had the regional development corporation. We had a northern Ontario group up there guiding the affairs of northern Ontario. We have a group up there now associated with the Economic Council of Ontario. So we have not discriminated against the north.

**Mr. Speaker:** Order!

**An hon. member:** The minister had better go back down to the States to make a few more statements to labour to keep out of Ontario.

**Mr. Speaker:** A further supplementary?

**Mr. Lewis:** The minister did a good job down there.

**Mr. Speaker:** The Leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, a supplementary question on this matter to the minister. If it is not going to be just simply a committee of ODC, then how can he expect to bring it into being without legislation? He indicated in his first answer that he did not think such legislation would be required.

**Hon. Mr. Randall:** All I said was, I am meeting with the minister of northern affairs next week to see what legislation is required—if it is required—and I am not too sure whether it is or not. If it is, we will bring it in. There will be no delay on the programme—we said we will go right ahead.

In the meantime, if we put the body together, we are still carrying on with our EIO programme—our loans to northern industries—and we are accepting applications. So there is no delay in the programme we have for northern Ontario.

**Mr. Nixon:** That is just what the minister said all along.

**Mr. Speaker:** Are there further supplementaries?

**Mr. Lewis:** He will never pull it off.

**Hon. Mr. Randall:** It is working. The member has no faith.

**Mr. Lewis:** That is true; I have no faith in the minister's statements.

**Mr. Speaker:** Order! The hon. minister has answered that question.

**Mr. Lewis:** He just—

**Mr. Speaker:** Order! The member Nipissing has a supplementary.

**Mr. R. S. Smith:** Will the minister indicate that he is going to meet with the Minister of Mines and the Premier to decide just who has responsibility, so we do not get this go back and forth for another two or three years?

**Hon. Mr. Randall:** No, I do not think there is any confusion on our part. There may be on the opposition members', but not on ours.

**Mr. Lewis:** It is the same programme.

**Hon. Mr. Randall:** What is wrong with interjections by hon. members.

**Mr. Speaker:** The member for York Centre.

**Hon. Mr. Randall:** What is wrong with interjections?

**Hon. Mr. Roberts:** They are so worried they must be good.

**Mr. Lewis:** The government is going to lose every seat in the north.

**Hon. Mr. Randall:** Want to bet?

**Mr. Lewis:** Yes, so that we get—

**Mr. Speaker:** Order, order! The hon. member is out of order. The member for York Centre has the floor.

**Mr. D. M. Deacon (York Centre):** A question of the Minister of Municipal Affairs.

Does the minister expect to introduce within the next two weeks the so-called Mississauga bill to alleviate the assessment shift?

**Hon. Mr. McKeough:** I would hope so.

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** I yield.

**Mr. Lewis:** A question of the Minister of Social and Family Services.

In view of the information this morning that his colleague immediately on his right, that no rental increase has taken place in the Ontario Housing Corporation subsequent to the announcement of the increased family benefits, what will happen to the \$10 per month additional money for benefit recipients which was to be applied to shelter?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, any recipients whose shelter costs have not gone up will not get any increase.

Mr. Lewis: I see.

Mr. Shulman: Will not get it?

Mr. Lewis: Will not receive the \$10 a month additional benefit for shelter if they are in the Ontario Housing Corporation?

Hon. Mr. Yaremko: Mr. Speaker, the increases in payments are made to take care of increasing costs. If anyone's rent has not gone up, he will not get any more money for any increase that has not taken place.

Mr. Lewis: I see. So that in fact the \$10 a month, which was averaged into the supposed increase across the board for those who are resident in the Ontario Housing Corporation premises, was a false ingredient in that overall increase?

Hon. Mr. Yaremko: No, Mr. Speaker, we indicated very clearly that we had taken the money and placed it where the need was. Where there was no need for an increase in the shelter allowance, because there was no increase in rent, there would not necessarily be any money needed to put in that place.

Mr. Peacock: A supplementary, Mr. Speaker.

Mr. Speaker: The member for Scarborough Centre. A supplementary?

Mrs. M. Renwick: Mr. Speaker, would the minister explain why, at the present time, he allows the maximum amount that is allowed under the Act to be paid to the Ontario Housing Corporation, when there is a rent-g geared-to-income operation and they are not really entitled to that money? It would administer money for those persons—

Mr. Speaker: Order. The hon. member has asked her question.

Hon. Mr. Yaremko: Mr. Speaker, I have given the answer four times. I do not know whether they do not understand; I think they do not want to understand.

Mrs. M. Renwick: Whose decision was it?

Hon. Mr. Yaremko: Our programmes are geared to meet the needs of the people. One of the needs of the people is shelter. When shelter is provided for them through an agency of the government, that particular need is satisfied, and we look after the other needs of the people.

Mr. Speaker: The member for Windsor West. A supplementary?

Mr. Peacock: Has the Minister of Social and Family Services obtained the agreement of the Minister of Trade and Development that OHC will not raise the rents of tenants who are in receipt of public assistance to a maximum of \$95 per month?

Hon. Mr. Yaremko: Mr. Speaker, understanding is that the Minister of Social and Development has already answered that particular question.

Mr. Lewis: That means yes.

Mr. Speaker: The Leader of the Opposition.

Mr. Nixon: A question of the Minister of Municipal Affairs, Mr. Speaker. Does he have general oversight and control of municipal enumeration that is in progress at present across the province?

Hon. W. D. McKeough (Minister of Municipal Affairs): Yes.

Mr. Nixon: Is it approved that the enumerators ask questions pertaining to increase in assessment such as, "Are there additional improvements on this dwelling or improvements in property?"

Hon. Mr. McKeough: I do not think the enumerators will be doing that. The assessors will be doing it, but I do not think the enumerators will. I could be wrong about that. But I do not think the enumerators would be doing it.

Mr. Nixon: A supplementary question. Is he aware of some complaints that the enumerators are in fact doing a sort of unregularized reassessment on this basis? I have been asked to bring this to the minister's attention, which I now do.

A further supplementary, if he will please. Is it generally a part of the instructions that go out from the minister's office to the local assessors that the naming of the enumerators is to be done in conjunction with the former provincial returning officers in each area?

Hon. Mr. McKeough: The answer to the second part of the question is no. The answer to the first part of the question is that I am not aware of any complaints. If the member has something specific, I would be glad to follow it up. In any case, I have not had any complaints until the member mentioned.

Mr. Speaker: The member for High

**Mr. Shulman:** A question of the Minister of Transport, Mr. Speaker.

In view of the statement by the Secretary of Transportation in the United States, John Volpe, that advertising of the high performance of "muscle" cars is contributing to auto accidents, and his intention of seeking legislation in the United States to prevent such advertising of high speed in cars, does the minister intend to take similar action here in Ontario and limit this type of advertising?

**Hon. Mr. Haskett:** I have no intention of dealing with the advertising of new cars and their horsepower. Since the province has agreed with the federal government that responsibility for safety in cars at the point of manufacture or import is a proper responsibility of the federal government, and that responsibility was assumed by the Minister of Transport for Canada, I am prepared to leave the matter there. I would say, for the information of the House, that I have made representation to my colleague, the Minister of Transport for Canada, that consideration should be given to maximum horsepower.

**Mr. Shulman:** As a supplementary: Would not the limitation of advertising, if such is to be done, come under provincial jurisdiction rather than federal?

**Hon. Mr. Haskett:** Mr. Speaker, this is a matter I have not considered.

**Mr. Shulman:** Well, would the minister consider it?

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

**Mr. B. Newman:** Mr. Speaker, I have a question of the Minister of Trade and Development.

In view of the recommendation submitted by his department concerning the need for 732 one-bedroom senior citizen housing units in the city of Windsor, would the minister consider a study as to the feasibility of the use of the Prince Edward Hotel, now vacant for some two years, to house senior citizens as a temporary measure up until the time housing units can be constructed for these people?

**Hon. Mr. Randall:** I will take that as notice, Mr. Speaker, and look into it for the hon. member.

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

**Mr. Lewis:** Sorry to pursue this, Mr. Speaker. A question of the Minister of Social and Family Services.

Am I right in recalling that the over increase he granted in the recent upgrade of family benefits was \$18 million? That be the case, sir, was \$10 a month appropriate as a portion of that \$18 million for all residents sheltered at the present time, public or private?

**Mr. Speaker:** In my opinion, this is no matter of urgent public importance, and I think it can be obtained through other means.

The Minister of Lands and Forests has answered to a question asked by the member for Thunder Bay.

**Hon. Mr. Brunelle:** Mr. Speaker, yesterday the member for Thunder Bay asked a question with reference to royalties to be paid to Indians on their lands. I believe the member was referring to The Indian Lands Act of 1924. This Act ratified an agreement with Canada, which provided, among other things, that royalties in respect of minerals on Indian reserve land are payable on a 50-50 basis to Canada and to the province of Ontario. The agreement of 1924 will be amended very shortly in this respect, so that the Ontario share of any such royalties will be waived in favour of Canada, which in turn will dispose of them to the Indian people in a similar manner as it is now doing with Canada's 50 per cent share. My understanding, briefly, Mr. Speaker, is that the Indians will get the royalties on their land.

**Mr. Stokes:** If I might make a supplementary to the one I asked yesterday. Is it, in my understanding, or am I right in assuming that money was always made available to the Indians, that it was a straight transfer from the provincial to the federal government until just recently, and now the minister finds it necessary to bring in legislation in order to release that to the federal government, which holds it in trust for the Indians? Why does it become necessary to change it at this point in time?

**Hon. Mr. Brunelle:** My understanding, Mr. Speaker, is that it is the federal government which has been dealing with the Indians with respect to this.

**Mr. Stokes:** But the government is holding the money.

**Hon. Mr. Brunelle:** Pardon?

**Mr. Stokes:** But the government is holding the money.

**Hon. Mr. Brunelle:** Apparently we need authority, legislation. We will have to amend the legislation to bring this about.

**Mr. Stokes:** He did not need it before.

**Mr. Speaker:** The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** I have a question of the Minister of Transport. Does the minister have any regulations controlling the use of more than one trailer behind an automobile?

**Hon. Mr. Haskett:** Mr. Speaker, a year or so ago The Highway Traffic Act was amended to provide for trailer trains, where they use double bottoms, with a maximum overall length of 65 feet allowed.

**Mr. Ruston:** Mr. Speaker, a supplementary. I mean, shall we say, house trailers or boat trailers, behind automobiles.

**Hon. Mr. Haskett:** Yes, Mr. Speaker, about two or three years ago the Act was amended to prohibit the trailing of a boat trailer behind a house trailer, behind a normal passenger vehicle.

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

**Mrs. M. Renwick:** A question of the Prime Minister.

Is the Prime Minister sufficiently concerned with the federal-provincial relationship to put an end to the agreement between The Department of Social and Family Services and the Ontario Housing Corporation which is allowing them to collect rents which bilk the Canada Assistance Plan on the one hand, while the Canada Assistance Plan is providing this government with \$111 million on the other, before May 25 when the minister will appear before the Senate poverty hearings?

**Hon. Mr. Robarts:** I do not know whether to say yes or no, but I can only say that I am concerned.

**Mr. Speaker:** Are there further questions? If not, then this completes the oral question period.

Petitions.

Presenting reports.

**Hon. Mr. McKeough:** Mr. Speaker, I wish to table in the House this morning and draw attention to a booklet which will be placed in the members' boxes and given wide circulation across the province. It is a booklet on subdivision procedures which has been prepared by the community planning branch of my department. It is designed for those who

want to know the procedures leading to approval and registration of a plan of division under The Planning Act. It outlines the steps for subdivision plan preparation from the pre-application stage when the developer first examines the site, and discusses the preliminary proposals with the municipality, to the stage of final approval. We are rather pleased with this booklet and think it will be of help to municipalities, public generally, to builders and developers. It will be available at the bookstore for a charge of \$2.

**Mr. Nixon:** Does it deal with the lapse?

**Hon. Mr. McKeough:** It explains the lapse.

**Mr. Nixon:** It must be a long, long

**Mr. Speaker:** Motions.

Introduction of bills.

Orders of the day.

**Clerk of the House:** The fifth order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now take the chair and that the House resolve itself into committee on ways and means.

## ON THE BUDGET

**Mr. S. Farquhar (Algoma-Manitoulin):** Mr. Speaker, I am pleased to have this opportunity to make a short donation to the continuation of the budget debate. I know speakers following me today and on Friday will join me in complimenting you on your continued good judgement in conducting the affairs and the business of the House in orderly fashion.

My remarks will mostly deal with northern affairs, of course, and with some of the problems being experienced there. I must say some of the statements emanating from the municipal-provincial conference two weeks ago, had to do with the added responsibility and authority being placed on the Minister of Mines (Mr. A. F. Lawrence) in his capacity as minister of northern affairs. I am sorry it is not here today, I had some suggestions for him.

**Mr. D. A. Paterson (Essex South):** He would use them. He would never listen to

**Mr. Farquhar:** As has been said, it does not seem reasonable that a Toronto lawyer

moving around northern Ontario and, perhaps, superimposing policies on other departments, would not run into conflict with such people as the Minister of Lands and Forests (Mr. Brunelle), for instance, who has some knowledge of northern Ontario.

**Mr. R. F. Nixon (Leader of the Opposition):** Try to quiet it down.

**Mr. D. M. Deacon (York Centre):** Can we not get some order in the House?

**Mr. Speaker:** Order!

**Mr. Farquhar:** It has been very difficult for those of us who have worked with northern problems all our lives and are aware of what we consider the priority items and needs. Let me say that one of these priority needs is communications and transportation. We would wonder how this new minister can influence highway policy, for instance. Perhaps there is a middle of the road, or supporting position, that he can assume, that may have the effect of strengthening programmes and policies already established.

We cannot help but wonder just how this can work out with respect to highways. However, if the minister can simply have the effect of injecting some initiative and some drive and some muscle and influence in these policies; and if he can recognize that planning and policy are not necessarily lacking but that a recognition of the importance and urgency of implementation is what is lacking, then we in the north cannot help but benefit.

**Mr. Deacon:** You should fly over the country, not drive over it. The Highways minister does that.

**Mr. Farquhar:** In this regard I had the occasion this year to spend the early part of February in British Columbia. I would like to try to establish some comparison between the philosophy of highway building in British Columbia and in Ontario. It was hard to avoid being struck by the way that government has approached its highway building responsibilities.

The difference seems to be that that province, oriented as it is to moving goods and services and raw materials and commodities, has given scant attention to the movement of people in and out of the metropolitan centres and a tremendous amount of effort and expenditure of funds have been dedicated to the moving of resources. If you have not travelled, Mr. Speaker, through northern British Columbia, through country that would

cost millions more per mile of road building, it is hard to explain how the philosophy shows through. If the initiative and muscle to implement a programme like that over the years had been done in this province, four-fifths of this province would not be sparsely populated. The north would now be attracting people and industry.

**Mr. E. Sargent (Grey-Bruce):** The Minister of Highways (Mr. Gomme) is not listening.

**Mr. Nixon:** He should write a letter to Mr. Gaglardi and find out how to do it.

**Mr. J. W. Snow (Halton East):** We have not got a jet airplane.

**Mr. Farquhar:** All King's Highways in the north would not now, except for a few major arteries, be so obsolete and unattractive to industry and tourist development, if the highway policy of this government had been a more enlightened and had had a little more vision over the years. If it had been a little less attuned to the need to move people and out of Metro, and a bit more conscious of the need to open up the wealth and resources of this province, it would not be necessary to panic today.

**Mr. Sargent:** We need a new Minister of Highways. A new Minister of Highways would do it.

**Mr. Farquhar:** I must say that it seems to have finally dawned on this government, that the sound of things at the recent conference that this government has been running has, in fact, been encouraging the development of a lopsided province. The many statements emanating from the conference are being looked at in some quarters with a rather jaundiced eye.

Personally, I cannot help but be excited about them. There have been occasions during my seven years here when I wonder when this government would ever become aware of the treasure chest of the north. They are now, I promise you, Mr. Speaker, there will be those of us concerned who will be ready to co-operate and to help make the best use of any initiative and energy that might be provided by the new minister.

One of the statements that was interesting in the Premier's (Mr. Robarts') speech which he announced a new northern programme was very significant. He referred to, "We also wish to fill the very real communication gap which now exists between the people in some areas of the north and

the governmental policy makers at Queen's Park."

What he really meant is that the Conservative Party in a very real way has lost and is still losing support in northern Ontario and, of course, this is a real major concern. Even at that, if this concern can spark this government into some lasting programmes, we will not worry about the reason. I think the Premier has become painfully aware that this party has rejected or, at least, paid lip service to the cries and requests from the north a few years too long. Now it will be very difficult to persuade northern municipalities that he means business.

In spite of the fact, Mr. Speaker, that we are dealing these days with highway spending estimates, you will realize that as we discuss the votes item by item, it is difficult to make general reference to highway needs during the consideration of the estimates. Therefore, you will forgive me if I spend a few minutes on highway matters in the interest of making some suggestions and asking some questions, which might generate some replies during the estimates.

Let me once again, then, spell out the north shore and Manitoulin as examples of the need for an expanded, even a crash, programme of highway building, a need for the kind of effort we see every day going on in southern parts of Ontario. I must say that the minister and his staff have implemented a programme that, in time, will give us highways on Manitoulin. I also feel sorry for him in this regard. As I read copies of correspondence directed at him by Manitoulin people, he must have days when his morale suffers a bit. I have in front of me two or three of these letters, and certainly the odd paragraph is not entirely flattering.

For instance, here is one, and at the moment the writer will remain anonymous.

This road is also limited to half-loads, but no one seems to know the reason for this protection as no noticeable damage would occur either from horse-drawn wagons or 50-ton tankers.

In that regard, it has always seemed ridiculous to me to try to protect roads and levy fines on truckers when the roads are not worth saving.

Here is another paragraph:

It is the opinion of almost every citizen on Manitoulin that if our roads had been brought up to highway standards, as has been promised for so long, many lives would not have been sacrificed nor would

we be penalized for overloading on which should be posted, "Drive at own risk" or "A bonus for those arrive without mishap".

An excerpt from another letter to the minister:

As a property owner and a frequent visitor to the island, I think it is time hon. Minister of Highways was made aware that the deplorable condition of this island can no longer be tolerated by residents or visitors.

And excerpts from yet another letter to the minister:

We meet many people who are tired of this highway during the summer months and almost all say they have never driven over more deplorable roads. A favourite question from many of these tourists is "the people of Manitoulin Island maintain their own roads or do they receive assistance from the provincial government?"

These are a few excerpts from communications that get to the minister's attention. I am sure, as I have said, that there are days when he will wonder if the job is worth it.

**Mr. Sargent:** The minister should drop everything there some time and see the roads.

**Hon. G. E. Gomme** (Minister of Highways): I have been there and this is not the story I get.

**Mr. Sargent:** That is part of Ontario.

**Mr. Nixon:** The minister just talks to the local Tory president.

**Hon. Mr. Gomme:** That is not the story I get from tourists, either.

**Mr. Farquhar:** I will send the minister over these letters, and he certainly cannot deny that this is not the story that has come from these people.

I once again plead with the minister to expand the road building programme on Manitoulin Island, to recognize the highways that have been developing as cars get more numerous and as larger and fewer schools call for the movement of more people.

The tourist industry rejects the use of a beautiful country. Let me point up a situation which may stir this department to action.

Less than a month ago nine people were killed on Highway 68 between Little Current and South Bay Mouth. This goes down



history, Mr. Speaker, as the second worst single car accident in Canada.

Where was the worst? Not 50 miles from there.

Unless this department gets the message and starts to eliminate—

Hon. Mr. Gomme: Tell the rest of the story; tell us about the cause of the accident. Tell it all!

Mr. Farquhar: Wait till I finish.

Hon. Mr. Gomme: Tell it all!

Mr. Farquhar: I am going to tell it all.

Unless the department gets the message and starts to eliminate some turns and curves and improves conditions and upgrades these roads more quickly, there will be more.

I realize it is unfair to lay the total blame for these terrible tragedies at the door of the minister or his department, because over the last two or three years there has been recognition of the need for a plan of improvement. No one knows it better than I. I appreciate these things.

It is my responsibility, however, to point up the fact that the department will have to accept some responsibility for these conditions. Nobody driving over those highways will deny the fact that road conditions were partially responsible. I am just saying that it simply has not happened fast enough.

If some of the officials of the government could have heard with me the terrible bitterness during the days following that tragedy, in which a small municipality lost a good part of a generation, it would certainly occur to them that nothing but an all-out programme is good enough.

Mr. Sargent: That happened on Highway 10 too.

Mr. Farquhar: I have one more highway matter I would like to deal with.

I must say, Mr. Speaker, that you will go a long way in this province to find even country roads that are as deplorable and as obsolete as some sections of Highways 68, 540 and 551. Between West Bay and Mindemoya is perhaps the worst example.

Some 10 years ago the department did some engineering as a beginning of a new alignment that would eliminate a treacherous winding section of road around Mindemoya Lake. For some years now we have had a real stalemate that defies all understanding. Tentative moves were made to purchase strips of land from farmers and cottage owners.

Stakes were driven. A plan is on record, which I have seen, but in spite of the best efforts of myself and municipal bodies no acquisitions have been proceeded with.

In fact, a few weeks ago I received from the department, through its North Bay branch, the following words:

Please be advised that no action will be taken in the forthcoming year with respect to the purchase and final survey work around Mindemoya Lake. It is planned to carry out the reconstruction of the section, but due to overall priorities it is not being considered in the immediate future.

Well that is practically a photostat of a letter I got last year, the year before and the year before that. And the worst part of this is that since then there has not been, nor will there be, any effort expended to even keep the existing roads in anything like travelling condition, because, as I am continually told, funds spent would be wasted in view of the intended new alignment. This is a situation right in the heart of Manitoulin.

Well Mr. Speaker, for at least three election years that I know of, engineers and more stakes have appeared, only to disappear a few days after. It will be pleasant to re-encounter their acquaintance again next year. And there are enterprising developers and too many expansion possibilities in this area on which people have been literally holding their breath pending knowledge of finalization to where the roads are going to be.

I ask the minister either to get on with the new alignment or upgrade the old.

Mr. Speaker, what I really am saying is this: does the authority of this new ministry include some jurisdiction over road building plans and programmes in northern Ontario? Because if it does not, if he has no say at all, one, if not the most important, roadblock to northern progress, then the fanfare surrounding his appointment is just that—a lot of fanfare.

At the conference, Mr. Speaker, much was said about the establishment of regional departments, or desks, in northern Ontario in which problems and complaints could be channelled to Queen's Park. I quote the Premier again:

By July 1 of this year, there will be 12 northern affairs officers located in 12 communities across the north. Within the next year the staff will have been built to a maximum of 25 northern affairs officers.

Well, this is an interesting concept for northern development, I am sure, but let me suggest that these are also empty words, unless the elected municipal and provincial members for these ridings who have been dealing with these problems for years and are as close to them as anyone can possibly get, are included in this structure. The whole exercise has no meaning unless policies at the Queen's Park level are changed in a way that will mean that these problems are actually and forcibly dealt with when they do reach Queen's Park.

Communication is not the problem; the members have been providing this. The policy at government level is what is the problem and unless that changes, the only result will be a lot of appointments of people who have no real authority and would just add to the proliferation of bureaucracy.

It has always been surprising to me that the provincial members, who always have the opinions with respect to regional government, are very seldom taken into the confidence of the department. Continuation of vast areas of unorganized townships is the most ridiculous thing and the biggest drawback. In my opinion, if these municipalities cannot afford municipal government, a different level of municipal government should be offered in order to group these townships together under such an arrangement as an improvement district. This could give them a chance to experience and to take some local action with respect to the arrangement of their own destinies.

It would be wrong, for instance, as a first step, to change by legislation the authority and the financial assistance available to improvement districts. Call them some other name if you like, but get rid of local road boards and provincial land tax and get a normal grant structure moving. Make a beginning of assisting these great structures of the north to govern themselves, toward the day when they have been helped through infusions of industry to become autonomous. I have discussed this matter with the minister and his people in his department and I await his reaction. The new minister might acquaint himself with this very real northern problem.

I have had an experience living and working in an improvement district for a few years. While I will agree that such an arrangement is not the ultimate, until such time as these municipalities are able to bear the cost of governing themselves, establishing the appropriate offices, finding leaders in the community with the ability to bring them along into a

municipal government, I think it is the step and one that should be carefully looked at.

Mr. Speaker, I have detected a lack of enthusiasm on the part of this government in liaison between municipalities and the federal government. In the case of Blind River, for instance, the province waited to apply for special designation until much longer than the 11th hour. This is hard to understand since it has long been apparent that the federal government was not going to do anything to relieve the plight of that town.

It is easy to say that there is no use applying for incentives until we have someone to give the incentives to. Incentives do not, Mr. Speaker, follow industry. Industry follows incentives. The municipal officials and members proved this in the town of Massey where industry was located and settled, not a long one, but a start. It does not take a long time for industry to relieve the hardship of towns like Blind River. A couple of small ones will do just as well.

Interjection by an hon. member.

**Mr. D. M. Deacon (York Centre):** What was the matter then? Why did you not?

**Mr. Farquhar:** We found one there and can find more, even without the help of the government, once the incentives are laid down and those of us concerned with the future of towns like Blind River are given a chance to help. Until the government learns to provide the necessary assistance, it is absolutely essential that liaison and close co-ordination between municipalities of northern Ontario and the federal government be allowed to continue.

Those of us who have been working for many years with incentives and shared programs like ARDA activity and Manpower and, as far as I am concerned, with things like Derwent Mines problems, know that we would be doing much in northern Ontario if channels of communication with the federal government were limited in any way. Our approach to benefits, incentives and shared programmes is that we try initially to do what we can at the provincial level, and when that fails, we make no apologies for approaching other jurisdictions for the things our people need.

In this connection, I must say that the Minister of Trade and Development (Mr. Randall) has been given special responsibility for the economic part of the programme in northern Ontario. He always did have that responsibility. The people of northern Ontario

take a look at this proposal, especially under this minister, with a very jaundiced eye, I am sure, as those of us who have invited and escorted people from the north to 950 Yonge Street well know.

This matter received a little bit of comment earlier this morning. You will forgive me, Mr. Speaker, if I suggest that the people in northern Ontario will not necessarily feel that this statement this morning is something to get up in the middle of the night and write home about until they have seen some action.

**Mr. R. F. Ruston (Essex-Kent):** The way they are confused over there this morning they will not want to.

**Mr. Farquhar:** On a slightly different note, Mr. Speaker, the new minister of northern affairs would do well to look at the airstrip development programme under the Minister of Transport (Mr. Haskett). I have no idea, once again, how much he can alter to adjust policy in that department, although I must say that the Minister of Transport has been, to date, more than fair in his recognition of Algoma-Manitoulin, and more power to him, but some adjustments will need to be considered here also.

**Mr. Deacon:** He is a pretty fair man to be ignored by his associates.

**Mr. Farquhar:** It is well known that the federal government is limited to a cross-country network of building airports. The niggardly amount, however, of money that has been made available to the provincial Minister of Transport must be expanded so that a communication network in northern Ontario is really developed in a way that will have some meaning in smaller areas.

In conclusion, Mr. Speaker, let me say that there are a great many areas that a new programme will have to include, and a great many diverse activities will need to be examined and co-ordinated by any minister who intends to bring his energies to bear on the complex problems of the north. As I said before, there are those of us who are prepared to continue to help. But it must be remembered that in many areas of northern Ontario, the real difference between northern and southern Ontario is that the population is sparse, incomes are low and for purposes of the provision of services in many small towns and communities the assessment base and the tax revenue capacity make these areas completely unable to provide the level of services that simply are taken as a matter of course in southern Ontario.

I refer to the availability of doctors, dentists, for instance, and senior citizens homes and nursing homes and low-rent accommodation; provision of water and sewers in municipalities that cannot afford them, and a host of other services necessary to bring these vast areas up to the present standard of living amenities expected in this province.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Speaker, you will be pleased to hear that my remarks today will not put much emphasis either present or past pollution. However, in order to approach my main theme, which concerns our future, I shall use the pollution gambit.

What is pollution? To the Windsor mother of wheezing children, it may mean chiefly a pall of smoke that floats over from Pelee Island, Michigan. To the fisherman, it may mean chiefly the fact that he no longer finds fish in his favourite stream or lake because some industry has driven away the fish with its chemical wastes. To the people of Sandwich, pollution may be chiefly the chimney of Inco, especially after the strike last summer during which they were able to enjoy relatively clean air.

To the countless industrial workers, pollution may mean chiefly the toxic fumes that they breathe during the daily eight-hour stint beside a local factory. To the conservationist, pollution may be chiefly the pesticides which have upset the balance of nature and are threatening to wipe out many species of insects, birds and animals.

To the neighbours of the Erco phosphoric acid plant at Port Maitland, pollution may be chiefly the fluoride emissions which deplete their crops, contaminate their drinking water, harm their animals and jeopardize their own health. To one who works in the healing profession, pollution may be chiefly the adulteration of man's food through pesticide residues and countless additives of doubtful value.

If this is so, then we are like the group of blind children who were taken to visit an elephant. To one child who felt the elephant's side, an elephant was very much like a wall. To the child who felt the elephant's trunk, an elephant was like a hose. To the child who examined the elephant's leg, an elephant was like a tree trunk. And to the child who handled the elephant's tail, an elephant must be very much like a piece of rope.

To most of us, pollution has meant chiefly one or two annoyances which we ourselves have experienced or heard about. Many of us are still blind to the magnitude and the seriousness of the crisis.

Fortunately, a few people have concerned themselves with all aspects of pollution. They study man in relation to his environment. In recent years these scientists, now known as ecologists, have become increasingly concerned about man's thoughtless, ruthless, relentless and suicidal destruction of his home, the planet Earth.

Every pound of coal we burn, every gallon of gasoline, every pint of oil we use, adds slightly, but surely, to the total pollution of our atmosphere. Even the electric lawnmower, which at first thought seems to be a nonpolluting machine, requires electricity produced by coal at some generating station. It is a depressing thought that even the electric toothbrush, the vacuum cleaner, the can-opener and the electric toaster, add imperceptibly to the total pollution and eventual destruction of the earth's atmosphere. Almost every industrial process pollutes. That is the message ecologists are frantically trying to communicate to us.

Because we now realize that an affluent society is a polluting society, we find ourselves in an almost hopeless situation. We are probably in the same position as the rich young man, who, seeking to know how he could save his own soul, was advised to give up all his wealth. You know the story; you know that he could not bring himself to pay the price. Many people doubt that 20th century man will agree to pay the very high price to be paid for a clean environment. What are we to do? Are we to close down all industry? I do not think this will be necessary.

But this is where economics and ecology confront each other. Some ecologists tell us that civilization, as we know it, has only a few more years left. Some say that the thin 12-mile layer of atmosphere around the earth is an aerial sewer that we are filling at an alarming rate; that the time is not far off when it will be filled and can hold no more.

Ecologists seem to differ about the eventual fate of man. Some think that the global oxygen supply will be depleted to the point at which man cannot breathe. Others think that the sunlight will be shut off by the thick blanket of pollutants floating perpetually around the earth. Others believe that the heat of the sun will reach the earth's surface, but will be trapped by the blanket, causing a melting of polar ice, a 50-foot rise

in the oceans and the drowning of all coastal cities.

I have simplified these theories, Speaker, but the point is that the ecologists agree that our atmosphere is an indispensable natural resource and that man is squandering it at a criminal rate; just as he is squandering the unrenewable natural resources of the land, and even of the ocean.

Until my election to the Ontario Legislature in October 1967, as a private citizen I assumed that government departments employed top scientists in the various fields of knowledge. I thought they had researchers who kept abreast of events in the world of science. I have had a rude awakening.

The mercury incident has taken the provincial governments and our federal government by complete surprise. They were years behind the government of Sweden, becoming aware of the problem, and about 15 years behind a Japanese doctor. In the matter of phosphates, again they were about five years behind Sweden.

**Mr. E. Sargent (Grey-Bruce):** That is for the course!

**Mr. Burr:** In the matter of waste disposal I am told they are 20 years behind Europe.

In the Newfoundland fishing disaster caused by Erco, the federal government was caught unaware, although previous experience with the same company could have enabled a pollution problem to be anticipated.

In Ontario, Erco was allowed to open a phosphate fertilizer plant and pollute an adjacent area, despite the fact that similar disasters at this kind of plant have occurred in the United States and elsewhere for many years; also despite the fact that the plant had been refused permission to locate in England.

Our government departments, in the pollution field, have been either incompetent, understaffed or both. I say this, Mr. Speaker, not unkindly but sadly, for one of our problems is:

The primitive condition of our fundamental knowledge of how living things are affected by long-term, low-level exposure to pollution. A second is the even more primitive condition of our knowledge of the effects of pollutants on the ecology. The relationship of contaminants to the ecology is very nearly a total mystery. Scientists are just beginning to study ecosystems on the multi-disciplinary basis that is clearly required.

That assessment is the sober conclusion reached by the American Chemical Society in its "Report on Environmental Improvement." I repeat, therefore, that our government, and all others for that matter, are almost totally unprepared to tackle the environmental crisis which daily grows more acute.

Before I came to the Legislature, I had often heard that government commissions were almost invariably devices to get the government out of a predicament. The investigation into the air pollution at Port Maitland was my first experience with such a whitewash procedure. I had only half believed that these happened before I was elected.

The Minister of Health at that time admitted that he was unfamiliar with fluorosis and that he was not a toxicologist. The committee appointed by the government called in as experts men who admitted they had never encountered a case of chronic fluorosis, although one claimed that he could recognize a case as easily as he could, perhaps, leprosy.

Despite the fact that fluorosis is endemic in various parts of the world, for example India, North Vietnam, southern Italy, North Africa and the Persian Gulf, no experts from these areas were called. The Hall committee's investigation and report of the pollution by Erco was an incredible farce that reached unbelievable conclusions.

So much for the past, what of the future? In the pollution field, can we expect any better performance from government departments? The presence of mercury in Lake St. Clair means no more to the whole ecological crisis than a cold sore or a hangnail means to a man dying of cancer.

What is urgently needed, Mr. Speaker, and this is my theme for today, is an ecology council or a committee on environment that would commandeer or co-opt, either on a parttime or on a fulltime basis, the most knowledgeable scientists in the whole field of ecology. This, of course, should be done nationally and internationally, but our jurisdiction is restricted to Ontario. A beginning must be made somewhere, why not in Ontario?

Such a committee, or advisory council—call it what you will but form it at once—would no doubt suggest some drastic solutions. It might recommend some unpleasant short-term measures, such as rationing gaso-

line, rationing electricity, perhaps outlaw power lawnmowers, perhaps a moratorium on some forms of construction, as has been done in California. It might forbid the manufacturing or importation of any new passenger cars with more than 50 horsepower.

I do not know what the council would suggest, but there are various possibilities which would cause an immediate outcry on the part of many of us. But the long-term recommendations would certainly emphasize, if I insist upon, emissionless vehicles, closed systems of production, the recycling of waste products; the replacement of broad-spectrum scattergun pesticides by selective, one-target types; and strict conservation of our renewable natural resources and minimum of toxic pesticides.

It would also recommend, probably, elimination of hard pesticides; the reversal of the trend toward synthetic fertilizers; exhaustive testing of all new drugs, additives, preservatives, and other potential insults to the human body; the licensing of all new industrial processes after they have passed logically acceptable tests—as well as the rationing of children perhaps.

The ecologists might even conclude—

**Mr. Sargent:** The member is going too now!

**Mr. B. Gilbertson (Algoma):** Is the member saying—

**Mr. Burr:** I am saying what the council would probably consider in its long-term recommendations.

The ecologists might even conclude that a planned economy is prerequisite for holding pollution within tolerable bounds.

All of us can recall the effect that Russia's Sputnik had upon us, at least here in Canada and especially in Ontario. There was an almost immediate consensus that our educational system had somehow failed us, that a shift toward science was imperative. That was followed great changes in curricula. Whether these should be called progressive, revolutionary, or simply chaotic, is a matter of opinion. Overlooked at that time was the importance of a news item of casual interest to most, which disclosed the fact that the Russians had a corps of translators who could do nothing but translate into Russian the scientific literature of the rest of the world. That was the trouble, Mr. Speaker, to know what the rest of the world was doing, especially in the field of science, and to take advantage of that knowledge.

I believe we have made the mistake of trying to raise the level of scientific knowledge of the general public, instead of attracting the talents of our most knowledgeable scientists into the public service.

Let us now, faced by the accelerating ecological crisis, invite, co-opt, enlist, recruit, commandeering, conscript—whatever you think should be done—an adequate corps of top ecologists into the public service—and I do not mean the civil service—so that we can find out exactly how bad this crisis is; find out whether there are solutions, and if so, what those solutions are and whether we are willing to pay the price. Let Ontario lead the way; the others will follow!

If Barry Commoner's guess is right, it will take the whole decade of the 1970s to "begin the vast process of correcting the fundamental incompatibilities of major technologies with the demands of the ecosystem."

He feels that we may have the 1970s as a period of grace in which to establish "a vast pilot programme to guide the coming reconstruction of the nation's system of productivity."

Few men have given more thought to this crisis than Barry Commoner. This is his urgent warning and we must heed it. Yet, Mr. Speaker, it is appalling to find that some cabinet ministers of this government have not yet anything more than a superficial appreciation of the urgency of the environmental crisis. Our Minister of Trade and Development (Mr. Randall) seems to have none. On April 9 he was speaking in Kingston about electric heating and, believe it or not, environmental control.

What a strange idea he has of environmental control! His idea of success for Ontario is forecasting in 30 years, "a supercity of 22 million people, stretching from Windsor to Montreal with superhighways, running the length of this 600-mile strip."

That is one way to control the environment. Pave it over, bury it. He still believes in the theory of the 1960s: the more people, the more customers, the more production, the more affluence, the more happiness there will be. An ecologist would have a hard job getting into this minister's office I am afraid. He is still living in the 1960s, the "salesmanship sixties."

**Mr. H. Peacock (Windsor West):** The 1750s.

**Mr. Burr:** We are moving fast, and the ideas of the sixties are outdated in the seventies as far as our environment aware-

ness is concerned, because, Mr. Speaker "ecological era" has now suddenly arrived. This minister and his government should get out more about it. Not that they are aware by any means, in their blissful ignorance. Early in May, a Reuters dispatch from London reported:

The French government has launched a major propaganda campaign to encourage the birth rate in a bid to make the country catch up with its more densely populated neighbours.

They do not realize their own good fortune in living in a thinly populated region. Ask the people of Japan, the people of China, the people of India; in fact, ask the people of old London or New York City. The French government has not awakened to the implications of the population explosion yet.

Later in the dispatch we are given a different opinion which sets some kind of record for original thinking, and I quote:

Experts here [that is, in France] consider that high population density can be an important factor in affluence. Now government planners are considering measures designed to make bigger families more attractive.

An affluent society is an effluent society. Under current conditions, we cannot have the former without the latter. Unless we commit ourselves immediately to apply ecological standards to all future planning, we shall find ourselves launched on an irreversible voyage to destruction, human oblivion.

The problem for the ecologists will not be an easy one; in fact it will be almost insurmountable. I shall list only a few of the problems to give you some idea of the work to be done, the research to be undertaken in the 1970s.

First, if they try to reduce automobile pollution by exhaust devices that reduce fuel emission, they will probably make pollution worse because of an increase in nitrogen oxide. Second, if they decide to incinerate garbage, they will probably increase air pollution. Third, if they insist upon new sewage treatment facilities, they will probably increase, through added nutrients, the rotting masses of algae in our lakes. Fourth, if they try to reduce the chemical assault upon man and his environment, they will cause serious economic dislocations. And fifth, if they decide that fossil fuels must be abandoned, some people now suggest, what will be used instead? How long will natural gas reserves last?

One of the sad realizations of the past few months is that almost everything that is ecologically good for all is economically bad for some. To illustrate: should the ecologist decide that the gasoline engine must be banned, the oil companies and their employees—in fact, the whole industry—would suffer. A serious economic dislocation would result from this one move alone.

Wherever we seek to improve, protect, reclaim or preserve the integrity of our environment, there will be a confrontation between economics and ecology. In future, every new industrial process, each chemical innovation, must be subjected as in the past to the economic test—will it make a profit? But it must pass in future a second, more important test—will it cause no harm to man himself and to his environment?

One of the best examples of the conflict between economics and ecology is provided by the controversy over the tall chimney at the Hearn plant, and I use this to illustrate what I have been mentioning in the last few moments.

By developing two or three hydro sites in northeastern Ontario, we could produce as much power as the Hearn plant now produces. We could replace the Hearn plant. This would reduce air pollution greatly in the Toronto area, thereby improving the health and comfort of thousands of citizens. Because electricity produced at waterfalls is responsible for virtually no pollution whatever, this would be a great ecological victory and a great step forward in improving Ontario's total environment.

Economically, however, it would raise the price of electricity in Ontario. At the moment the government and the HEPC are committed to the building of the 700-foot-foley at the Hearn plant at a cost of \$9 million. This may alleviate the health hazard to some of those living nearby, but it will merely diffuse the pollution and will gradually poison the soil around Toronto as it has done around Sudbury.

Swedish scientists studying soil conditions in Scandinavia and the Netherlands over the past 12 years have noted a significant increase in acidity. They attribute this to the fallout of sulphur dioxide compounds drifting in from the chimneys of Britain and Europe. The recent fall of black snow in Sweden is evidence supporting this theory.

Yet the chairman of Ontario's Hydro commission, in supporting the proposal to build the Hearn chimney, stated that, I quote:

It is demonstrably true that sulphur dioxide neither remains in the atmosphere nor eventually comes down to the ground in the same form or quantity that it originally emitted from the chimney. It is measurably weakened and changed by the combined influences of weather and conditions.

Professor Ross Hall, the chairman of the department of biochemistry at McMaster University, Hamilton, comments on this statement as follows:

This so-called "measurably weakened and changed" sulphur dioxide is rained down in the form of sulphuric acid, sulphurous acid, sulphites, and sulphates which, in addition to harming plant and animal life, contribute to the deterioration of the soil. Once the soil is poisoned the sulphates the effects remain for decades.

Thus, Mr. Speaker, there is a choice between clean, nonpolluting, but somewhat more costly, electricity generated on a couple of northern rivers on the one hand; and on the other hand dirty, smog-producing, health-destroying, soil-destroying, somewhat cheaper coal-produced power generated at the Hearn plant. The latter is more economical, the former is ecologically superior.

This decision by Ontario Hydro is made basically by auditors, cost accountants, or those who are influenced by their arithmetic. The ecologists would have made the other decision.

Month by month it becomes ever more obvious that few, if any, governments in North America have had any real appreciation of the seriousness of the ecological crisis. They still have no comprehensive ecological policy, except to ignore pollution problems as long as possible and, as each new crisis appears, to ban something or other.

This piecemeal approach is less than ideal, because it gives the public—and we still the governments themselves—a temporary feeling that a crisis has been met and passed despite the relentless approach of an environmental disaster which many prominent scientists urgently warn us may make the planet uninhabitable, at least for man.

For those of us who took comfort in President Nixon's apparent interest in supporting our ecology, that comfort was short-lived. In a speech in Detroit, April 27, 1970, the newly appointed vicechairman of the National Industrial Pollution Control Council dissipated any hope that he had an understanding of the ecological problem. He spoke

about "American business people moving effectively against industrial pollution," as if that were the major part of the problem. The shallowness of this man's comprehension of the crisis was revealed by his surprise that many people "genuinely believe that society must move away from the ideals of growth, consumption and progress if pollution is to be checked." If this is the man, or the kind of man, who is to guide the United States through the storms of the pollution crisis into the harbour of ecological sanity; then heaven help America and Canada and the Earth!

President Nixon's science adviser, Dr. Lee Dubridge, will be of no comfort to us either. He says:

Let us face it, waste products are a fact of life we have to recognize.

Clearly, the United States will be producing more waste in the future, not less.

The solution is a simple one—to determine reasonable levels of pollution consistent with good health.

We can expect no leadership from the Nixon administration, only a boom in the pollution control gadgets industry.

If I may oversimplify this situation, Mr. Speaker, the extent of our dilemma—of the dilemma in which we find ourselves—can be indicated by the following equation. I am oversimplifying, but I hope to good effect.

Greater production equals greater affluence. Greater production equals greater pollution. Greater affluence equals greater pollution. Now this brings us to a four-part proposition:

(a) If we are to curb pollution, we must at the same time curb affluence and production;

(b) If we are to reduce pollution, we must also reduce affluence and production and jobs;

(c) If we decided to eliminate pollution, we would have to eliminate virtually all affluence, production and jobs.

And at this point, of course, we would find objections. Slogans would be coined such as, "Better dead than destitute"; or, "Onward with pollution." You can imagine what slogans people would be able to create at this point.

(d) The rationing of pollution: if we decide to ration pollution, then we must ration affluence, we must ration production, we must ration jobs; indeed, we must ration population too.

As far as I can see, this all means that we are headed for a planned economy as well as a planned ecology. In fact, it seems highly

unlikely that we can achieve the latter if we accept the former.

Now if it true that there is a limit to amount of toxic fumes the atmosphere absorb, a limit to the amount of pesticides our oceans can tolerate and a limit to amount of chemical compounds our bodies can endure in the way of preservatives, sweeteners, tenderizers, emulsifiers, baking agents, colourings, flavourings and other additives of doubtful benefit; if true that there are limits to the amount of pollution man can survive, have we choice but to forego affluence, curtail production, change our habits, revise our philosophy of life and especially abandon materialism?

With the exception of electricity produced at waterfalls, every form of energy yet uncovered, or likely to be discovered, causes some kind of pollution. If the ecologists and engineers conclude that uncontrolled use of energy cannot be permitted, and if man is to survive for long, our engineers must devote their best efforts to keeping pollution to a bare minimum by establishing closed systems, i.e., factories that recycle their waste materials, reclaiming the effluent for further processing.

Our entomologists must speedily replace synthetic hard pesticides with non-chemical methods of pest control and ecological techniques to most restore the natural food cycle of our culture that prevailed for thousands of years before man's ingenuity upset nature's balance.

Broadly speaking then, I suggest that ecologists, engineers and technologists must conceive plans for restoring and preserving our environment, that economists, sociologists, politicians and lawyers must preside at their birth, and that the public must be on constant guard, lest the irresponsible and avaricious among us abort or seek to abort these plans. This, of course, is a brief and sketchy outline of what I conceive to be man's task in the decade that lies before us, a decade that will go down in history as the "shocking seventies", which laid the foundation for the "logical eighties", when man finally gave up his selfish, predatory, soul-destroying philosophy and devoted himself to a co-operative commonwealth, the simpler but superior system envisioned many years ago by that great Canadian, J. S. Woodsworth, who never tired of preaching a simple but unexcelled creed: "What we desire for ourselves, we wish all others."

In concluding this section of my speech, Mr. Speaker, may I urge again the immediate establishing of some kind of ecological



visory council that will make wise plans today for a safe environment for man's tomorrow.

I know, Mr. Speaker, that you would not feel right if I did not mention air pollution down in Windsor. On looking back through *Hansard*, I find that in the very first speech I made in this House I made a plea for help against air pollution in the Windsor area, especially that coming from the Michigan side in the vicinity of Zug Island. Since then I have had occasion to refer to Zug Island so many times that the *Hansard* staff members no longer have any trouble spelling that name.

But instead of speaking on their behalf, I intend to let a few citizens of Windsor speak for themselves. I have many letters, but I shall put just a handful on the record.

**Mr. Speaker:** In order that the hon. member will not be carried away, he will remember that two or three letters, or extracts from letters, are what are allowed in these debates.

**Mr. Burr:** Very well, Mr. Speaker, I shall select three, the maximum permissible. The first one comes from Adstoll Street in Windsor; it is dated March 5, 1970:

Dear Mr. Burr:

The past few years I have found it very difficult to get through the winter months without coming down with some illness related to the respiratory system.

In February, 1969, I was absent from work two weeks with pneumonia. The year before I had pleurisy, and dating back to 1956, when I came to Windsor, I have had a history of heavy chest colds and lung disorders.

In January of this year I developed asthma and was absent from work for one week. I am still under medication and on overcast days I develop heavy congestion and wheezing.

The Windsor atmosphere is overburdened by the present major polluters: industrial smoke, automobile exhaust and tons of noxious sulphur dioxide, which has many a Windsorite coughing. Doctors say that healthy adults can withstand several days of such pollution, but children and those with respiratory diseases may find themselves in serious difficulty whenever the peak conditions are reached. Is it not time we did something?

L. D.

Another letter from Lafferty Avenue, in LaSalle, April 20, 1970:

Dear Sir:

I write this letter to urge you to exert every effort to bring pressure upon your government and upon the U.S.A. to put a stop to the pollution of our air and waters.

I came here two years ago from the coast of Georgian Bay, and I am still appalled at the terrible orange smoke that hangs over a pall over this community known as LaSalle. Some days it is so dense that one can literally taste it. For the first time in my life I have a breathing problem and am under the doctor's care for it.

I pray that the authorities do not intend to let a major catastrophe occur. Hundreds die, as in London, England, before they remedy the situation.

So I add my voice to those who protest and ask you once again to do your utmost to get the wheels turning.

Yours truly,

Mrs. Eleanor Laramie

And now I am restricted to one more; I shall choose a letter written on May 3, 1970:

Dear Mr. Burr:

I have mentioned to you previously that I have noticed that since I have moved to the LaSalle area I suffer from sinusitis worse than I have ever done. My two boys also seem to get stuffed noses, especially when they first get up in the morning, although they have not colds.

The vaporizers which I have in my bedroom, do not seem to make much difference. My belief that there is something in the air that aggravates respiratory ailments, was further sustained by the incidents which occurred this week. When my father was visiting at our home he began to feel very uncomfortable when being outside working in our "fresh air".

This is the second time this has happened to him, although the first time I did not think too much about it because he has somewhat bronchial. However, he began to feel very short-breathed and tight-chested. When he returned to his home later he was fine again in a matter of a few days.

Another friend of mine was visiting last week, which was a bad week for her due to pollution and heavy air. She lives in the west end of Windsor, which is also a polluted area, but after visiting with us for about two hours she began to gasp. The window was open and she was getting a good

of "fresh air". She is an asthma sufferer. However she had not had an attack until she came to our house. That was also the second time that she began to feel short of breath while visiting with us. She also remarked: "I seem to feel an iron taste in my mouth."

I agree with her. You can sometimes smell the iron in the air. What does it do to our lungs?

Sincerely,  
A concerned citizen.

So Mr. Speaker, that is the story. We need an ecological advisory council more than we need anything else in Ontario today; and the people in the Windsor area need help against the air polluters of Michigan. Thank you.

Mrs. A. Pritchard (Hamilton West): Mr. Speaker, in rising to speak to the budget, may I compliment you on your unbiased and careful administration. I would also like to express my sincere appreciation to the Treasurer (Mr. MacNaughton) for his efforts and those of his department in the presentation of a budget that exemplifies the careful consideration of the areas of deep concern to Ontario taxpayers and sets a pattern of excellent management of Ontario's great resources.

I watched the TV rerun later at home and was delighted at the aplomb of the hon. minister and his smiling rebuttal of the groans of a frustrated opposition to a budget so practical in its composition.

Mr. D. M. De Monte (Dovercourt): Who wrote that for the member?

Mr. C. G. Pilkey (Oshawa): Did the Treasurer write that again? Is the Treasurer writing those speeches again?

Mrs. Pritchard: Mr. Speaker, although there are only two women in this Legislature and the Ottawa press club has just got around to including female members, the 1970s have been proclaimed the decade of women and already women throughout Ontario and Canada are in the vanguard in the battle against the major challenge of saving the environment.

Mr. P. D. Lawlor (Lakeshore): Is the hon. member one of those feminists?

Mrs. Pritchard: I remember going down to the Hamilton beach several years ago and nearly becoming ill when I was shown a pile of smelly, slimy algae. Unfortunately, no one knew then what caused messes like this. But today, thanks to university organizations like

CHOP in Hamilton, and Pollution Probe in Toronto, and the Consumers' Association of Canada—four-fifths of whom are women—every housewife is well aware of the danger posed by phosphates.

Last month, for example, the CAC chair of which I had the honour of being the president, held a panel discussion on pollution and presented a brief to the International Joint Commission's hearing on pollution in the Great Lakes. The brief pointed out that the consumer is not willing to sacrifice lakes and rivers for a "whiter than white" wash. Women are doing all this despite being bombarded daily by aggressive advertising and nonsensical press reports about their parent devotion to a "whiter than white" wash, above all else.

I resent women being made the scapegoat for a problem they did not cause, but nevertheless are fighting to eliminate. I am in agreement with a letter written to the *Globe and Mail* last month by a Toronto housewife voicing this very complaint. Here is part of what she wrote:

As a housewife I resent the statement of the Energy, Mines and Resources Minister, Mr. J. G. Green, that housewives are not interested in the percentage of phosphates in detergents, that regardless of the pollution problem they will buy the product with the highest amount of phosphates.

The housewife has been branded by advertisers as a complete moron. I have to hear my friends speak of the whiteness of their laundry, but I do hear them speak of what is happening to Canada's rivers and lakes.

Mr. Speaker, I would urge those people who have been throwing verbal sticks and stones at detergent-using housewives to change their attitude and acknowledge the important role women can play in controlling this aspect of pollution.

First, they can continue to write the letters to companies and their federal and provincial parliamentary members of their support for legislation which would drastically curtail the manufacture of phosphates. Meanwhile, they should demand that stores stock low-phosphate detergents and not buy other brands.

Second, they should realize fully that it is the human hand that creates most of the broken glass, candy bar wrappers and cigar butts littering the streets. And as a result they should make full use of their unique opportunity, which was not possible for their mothers because the problem had not

been exposed, of teaching their children not to be pollution offenders.

While I am speaking about pollution, I would like to congratulate the Treasurer on the incentives offered in his budget to industries to help them intensify their efforts to reduce pollution. This programme will be of great importance and assistance in a highly industrial area like Hamilton.

There is no question that a great deal of the provincial effort towards combating air and water pollution already has been concentrated in the Hamilton area. The citizens of Hamilton greatly appreciate the help given by the Ontario Water Resources Commission in the construction of a badly needed secondary sewage treatment plant. This project was stalled when Ottawa said no more funds were available for its construction. I am very pleased that the Minister of Energy and Resources Management (Mr. Kerr) was able to convince the federal authorities that it deserved top priority in Ontario.

Ontario also agreed to lend Hamilton the extra \$7 million required to complete the plant because of the rising construction costs. I am happy to announce that the sod for it was turned this week.

The province has also been successful in convincing major Hamilton industries that they must budget the funds needed to clean up the environment. Last fall, both Stelco and Dofasco agreed to co-operate wholeheartedly with the OWRC and our air management branch in the war on pollution. Stelco has agreed to spend a minimum of \$40 million to meet our standards in the next five years, while Dofasco will spend another \$28 million on air and water pollution equipment.

By 1975, close to \$100 million will have been spent by government and industry in this one part of the province alone. I am sure that the people of Hamilton will welcome the improvement in the quality of life in our city that this will bring.

In addition, the programmes of the air management branch have already produced tangible results in Hamilton. The total dust-fall recorded in the city limits in January was 21 per cent less than the total recorded in the last five Januarys when figures were kept. Volumes of iron oxide fallout, an indicator of waste material from steel manufacturing, also declined significantly. The 1.8 tons of iron oxide per square mile recorded in January compares with the five-year average for the month of three tons, a decrease of 40 per cent. The amount of sulphur dioxide in

the air over Hamilton also decreased by 10 per cent.

With the planned extension this month of the current programme in Toronto of dust air pollution readings and having instituted cut back operations at a certain danger level of pollution further improvements can be expected.

While it may still be a long time before swimming will be allowed in Hamilton Bay, I feel confident that a noticeable improvement in the quality of water there will be evident by 1975. I will continue to urge both the minister and government to carry on and increase their efforts in this area.

Mr. Speaker, I would now like to focus on a problem that is just as serious in its nature as pollution, and this is the necessity of the economy to provide job opportunities for an increasing number of women seeking jobs. Twenty years ago, only 23 per cent of the working force in Ontario was female; now it is 33 per cent.

On the surface, it would appear that the horizons for women workers are rapidly expanding. Last year, a woman was elected president of the academy of medicine, while another became chairman of the board of directors of the Ontario Medical Association just recently. At least two women are partners in stock brokerage firms, while 10 per cent of the first-year law class at Osgoode Hall are girls. Moreover, the majority of staff members in our hospitals, schools and banks are women.

But while the picture is good in a quantitative sense, qualitatively it is not as rosy. In the professional fields, women are practically wallflowers. Only nine per cent of the executives and managers, seven per cent of the doctors, three per cent of the lawyers, 10 per cent of the dentists and 12 per cent of the pharmacists in Ontario are women. According to an article in Wednesday's Toronto *Telegram*, 62 per cent of jobs open to university graduates are closed to women. Moreover, many women with degrees in languages or economics can find only clerical jobs, because companies simply will not consider them for anything else.

I would like to digress for a moment at this point, Mr. Speaker, to stress that this discrimination is just as bad as that still being demonstrated against diabetics by some business firms. I was most distressed to read in the April issue of the *Globe and Mail* that some employers will not hire diabetics because of insurance firms will not enroll them in existing group sickness and accident plans. Od

enough, however, diabetics can enroll in new group plans and a person who becomes diabetic does not have to drop out of this plan. This is quite a double standard. I should like to point out that diabetes is a disease that is considered to be medically under control and companies who refuse to recognize this are guilty of very serious discrimination.

A prime example of the cavalier attitude toward women holding top positions is the CBC's recent firing of its only English-language woman announcer, Maggie Morris. Apparently, the real cause of her release was dissatisfaction among other network employees. But the CBC, which has numerous gravelly voiced male announcers and hired Miss Morris because of her excellent speaking voice, instead said it was firing her because of her alleged "precious pronunciation." Furthermore, it had the unmitigated gall to explain that she was being let go without any prior warning because a "woman becomes a little bit emotional about a thing like this—more so than a man." How calmly, I would like to ask, would the average male CBC employee take to being fired? I regard Miss Morris' dismissal as an appalling and astounding example of discrimination against a woman employee.

In addition, women workers on the average earn less than half the income of male workers. The most recent statistics show that the average income for full and part-time employed women was \$2,300 compared to \$5,330 for men.

Fortunately, the Ontario government is working hard to improve matters. The women's bureau of The Department of Labour offers a long list of suggestions, ranging from forestry to archaeology, to mathematical analysis, to women seeking unusual careers, who otherwise would not have thought of entering such fields.

The recent transfer of the equal pay for equal work provision to The Employment Standards Act has meant a woman can bring a complaint anonymously, without jeopardizing her job. Last year more than \$90,000 was collected for women workers under this new legislation.

The women's bureau also initiated a splendid special counselling service for mature women returning to the labour force. I am most pleased that Hamilton was one of the first two cities to receive this service and that it is gradually being extended throughout the province via a mobile unit. This is a vital programme in view of the fact that a large percentage of the women seeking employment consists of older women who do so either

out of need, or a desire to supplement their family's income.

But, as the glaring mirror that has focused on poverty in Canada has shifted, much of our attention regarding jobs for women should be given to those who cannot find work in order for them and their families to survive. The number of single-parent families on municipal welfare assistance in Ontario is 50 to 60 per cent of the family cases and, if we were to ignore all the demands on our consciences, these figures alone would clearly spell the need for special assistance for this segment of our population.

One of the best ways we can help women who are on the welfare treadmill and want to get off is through showing them it is possible. This is what the trailer programme—a pilot project in Toronto of our Department of Social and Family Services, the Metro Water department and the George Brown College Applied Arts and Technology—has helped to show a number of welfare mothers this year.

For those mothers who wanted to work provided a neutral atmosphere in a meeting room or classroom in which they could spell out their objectives to other women with similar problems and sympathetic instruction. The psychological benefits of this approach were very important because it accomplished its purpose of giving the participants an opportunity to improve their image of self-worth and to become more aware of the various employment opportunities open to them.

The Department of Social and Family Services also introduced another pilot programme in Toronto last fall that brought work to those mothers who could not go to work, either because they have young children, or could not afford the necessary clothing or car. Under this programme, home employment opportunities were provided by having participants take care of other families' children while the parents were working. The programme achieved the three-fold purpose of giving these women a greater feeling of self-worth, increasing their income, and providing the day care facilities which are necessary today.

Mr. Speaker, now that these programmes have proved themselves in Metro, I would urge they be extended throughout the province. They are practical, imaginative, and, above all, a very human approach to an extremely desperate problem.

But this is not the only tool available to us for improving the employment picture for the disadvantaged in Ontario. We can

tackle it from the angle of the hard-core unemployed.

The Department of Labour already has shown its willingness to take action in this direction. Its industrial training branch is working with the Indian centre in Toronto to aid Indians, as well as participating in the projects directed toward helping youths prepared for employment. These are the young employment services programme of the Rotary Club and an evening instruction course for disadvantaged youths in Hawkesbury, in the riding of my colleague, the hon. member for Prescott and Russell (Mr. Belanger). Under this programme the department has been training the youths in such normal employee skills as reading and mathematics in order that they can continue to handle the jobs open to them by a group of concerned local businessmen last fall.

But isolated programmes like these simply are not enough if we are even to begin helping the dozens of thousands of hardcore unemployed people in the province. We need a province-wide effort and this could be accomplished through the work activity programme of the Canada Assistance Plan. This programme is directed toward preparing needy people who have had an unusual difficulty in obtaining or improving their employment for entry, or re-entry, to the labour force under a cost-sharing agreement between Ottawa, the province, and the municipalities. The Department of Social and Family Services will be signing the agreement for this programme in the near future. I urge it most strongly to work closely under its terms with The Department of Labour, in order to benefit more of the hardcore unemployed.

The problem of the hardcore unemployed is not just one of teaching job skills, but also changing hostile attitudes to work that are perhaps several generations old. The Department of Labour's industrial training branch has shown in the few projects I have mentioned that it is fully capable of handling this dual challenge.

That is why I believe this province can now change its tactics for this area of concern from piecemeal skirmishes to a full scale attack.

Mr. Speaker, a highlight of the budget is the property tax relief of up to \$100 to be provided for pensioners on the federal guaranteed income supplement who maintain an independent household, whether as a tenant or owner.

I was pleased to hear the Prime Minister's (Mr. Robarts) statement with reference to

single-room tenants and their need for assistance, which is probably the most desperate. This is an area of grave importance to everyone involved and concerned with the proper care of the aged.

As the Port Hope *Evening Guide* commented:

This shows that the Ontario government does not share the federal government's ruthlessness in its battle against inflation, a battle being masterminded by a general who is prepared to fight to the last job man that can be mustered.

Two other recent developments also will offer immense help to our senior citizens. First, the wallet-sized consumer guide for senior citizens, a joint effort of The Departments of Social and Family Service and Financial and Commercial Affairs, will be a handy method of protection against frauds and swindles.

Second, the extension of OHSIP to provide extra care, as announced in the budget, will be of great benefit to the elderly, many of whom are really incapacitated because of inadequate foot care.

Sir, The Department of Health is to be congratulated on the many varied ways in which it is meeting the health needs of Canadians. For example, it is paying the total cost of the very essential and well-run visit to homemakers' programme. It is this solicitude and attitude that makes me most hopeful that OHSIP will be extended, in due time, to cover all nursing homes.

Many of our senior citizens are finding it difficult currently that even though they faithfully pay their health insurance bills, they are unable to afford the necessary nursing home care that a prolonged illness dictates. This is a most distressing situation and I am glad that the Minister of Health (Mr. Weir) has already launched a study into it.

Action can also be taken in other directions to help our senior citizens. The *Globe and Mail* in an editorial on Tuesday, March 10, clearly outlined the responsibility of the federal government toward the old-age pensioner. It emphasized that old-age pensions are not charity, but annuities returned on persons past 65 for both direct and indirect investments. Surely a formula can be worked out based on the individual need and payable from one source?

Possibly the most worrying aspect to the elderly is their security.

Mr. M. Shulman (High Park): A point of order, Mr. Speaker.

**Mr. Speaker:** Order, please.

**Mr. Shulman:** The point of order is, sir, we do not have a quorum.

**Mr. Speaker:** Our population has been rather fluid this morning from all parties. I will just check.

We have a quorum, including the Speaker.

**Mrs. Pritchard:** Possibly the most worrying aspect to the elderly is their security. I would suggest that the first steps toward a complete programme would be to take a sample city, and here I humbly suggest the city of Hamilton, to ascertain the exact number of senior citizens living below what is recognized as the poverty level. I feel we have never had a positive figure of the needy elderly, which has been estimated in Toronto at close to 10,000 living in single rooms.

Granted that the aged in Hamilton have been more fortunate than in some other areas of the province regarding the available services. For example, Hamilton has more elderly persons' apartments per population than any other municipality, and subsidized bus fares for its senior citizens. But, on the other hand, its problems make it a most suitable place in which to conduct such a survey.

In its submission last month to the special Senate committee on poverty, the Social Planning and Research Council of Hamilton and District reported that 15,000 to 16,000 families were in poverty in the area last year. The council also noted that the poverty existing in Hamilton is the poverty of a modern industrial city, the kind of poverty that can be expected in other areas that are in the process of beginning to industrialize.

Although the council estimated that close to 20 per cent of the poor families in metropolitan Hamilton area are retired couples, we need a more exact figure of all the elderly poor, which is what the sample I propose would do. As soon as we pinpoint the size of the problem, we can search for appropriate measures to deal with poverty in industrial areas like Hamilton—the type of poverty which, as the council accurately stated, is the poverty of the future.

At the same time, the current piecemeal approach to the care of the aged should be replaced by a blanket programme. Many of our senior citizens, as a result of the present approach, are unaware of some of the many services available to them. They also are confused as to how and where to apply for aid in time of emergency and, in many cases, are adverse to taking the necessary steps to

apply for help. The cities also vary in approach to the problem and the program.

We could overcome these problems through centralizing the operating machinery for the services for the elderly—federal, provincial and municipal—into a senior citizens bureau in each city. Probably the most convenient and accessible place for its location would be the city hall, but if the city's dictated it, suboffices also could be established.

If we are really going to help our most senior citizens, we must get them out of the vicious and tiring circle of knocking on door after another and into a system where the help will come to them more readily and easily.

In this way, we would be gearing all assistance to the needs of each individual and not relying on handouts from various sources, which may not really alleviate the problem.

In short, the government must continue to formulate its policies by looking at the tree as well as the forest. By doing this, we can continue to gear the assistance we offer to the needs of the individual and the realities of the situation. And this is our number one priority.

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

**Mr. D. A. Evans (Simcoe Centre):** Ladies and gentlemen!

**Mrs. M. Renwick (Scarborough Centre):** Just watch your quorum!

**Mr. Speaker,** in entering the budget debate, I would isolate today the new increases effective May 1, from The Department of Social and Family Services. I would like to point out two specific aspects of those increases:

1. That the new welfare rates buy less in 1970 than they did in 1967.

2. That the increases in food and clothing allowances are as minimal as 10 cents a day per person.

This is an announcement which has been proudly hailed by the Minister of Social and Family Services (Mr. Yaremko). I would like to say, Mr. Speaker, that this was a governmental hoax of the crudest kind and that it was perpetrated on the most vulnerable group in society—the group least able to understand “governmental fiscal manoeuvres”—all the unemployed who have run out of benefits, the casualties of our society, the blind, the disabled, the aged, the deserted and widowed mothers, and their thousands of children.

The Ontario government took advantage of these relatively unprotected people by failing to spell out in detail, for all concerned, exactly which items of a family's budget would be increased and by how much in relation to the cost of living increase for each item, since the budgets were originally struck in 1967. This was to be expected, as the Robarts government has guarded secretly for years the method by which the pre-added budgets for food, clothing and personal care are put together for general welfare assistance; and the pre-added budgets for food, clothing, personal care, utilities and household cleaning supplies for those under The Family Benefits Act. In fact, Mr. Speaker, Ontario is the only government in Canada that does not separate its food allowance from the rest of the items of the pre-added budget.

I would say, Mr. Speaker, that before this minister appears before the Senate hearings on poverty on May 25, this government must be prepared to divulge to the public how much is allowed for food for persons in need in the province of Ontario. The secret must become public knowledge because, as it is now in existence, it allows the government to rob the clothing allowance of a pre-added budget to meet the requirements of the nutritionist, without anyone knowing the difference.

The present budgets were struck in April, 1967. The cost of living from then to April, 1970, has risen 12.5 per cent. Questions to the Treasurer (Mr. MacNaughton), April 21, 1970, *Hansard*, revealed that the Treasury Board decided against a 12.5 per cent general increase, thereby preventing the purchasing power of the welfare recipient's money being restored to its April, 1967, level.

Why should we expect these people to continually fall behind in their purchasing power?

This Treasury Board decision left The Department of Social and Family Services in a dilemma. How best to use an increase of less than 12.5 per cent? It appears that the department decided upon using the increase on a selective basis rather than on an across-the-board basis where, in relation to the consumer price index, it would show up readily as being insignificant amounts added to already inadequate budgets.

The Treasury Board allotment was put where it would look best for government, not where the need was greatest, as the minister indicated. Such an assertion is validated by the fact that the minister would not reveal to the legislative assembly the order of priorities in the allocation of increases.

The statement of April 8, 1970, by the Minister of Social and Family Services to the legislative assembly shows clearly the thought. Here is how it goes: the government plumped its money into two areas where the increases would not have to cover all people but where it could make the increase look big—

(a) a \$20 increase to the blind for transportation, a 200 per cent increase; a \$5 increase for the disabled for transportation, 50 per cent increase; if in a wheelchair, they get a \$20 increase. These increases are long overdue, Mr. Speaker, and, of course, do not apply to all people. A \$10 basic shelter allowance of \$85 a month for heated premises—an 11.8 per cent increase, whereas the consumer price index for housing has gone up 18.5 per cent since April, 1967. And the same \$10 increase was applied to unheated premises with the basic allowance of \$75, increasing it to \$85—a 13.3 per cent increase instead of the actual 18.5 per cent increase in shelter costs.

But these increases, even the increases in shelter, are not for all persons. The above increases mean nothing to the families not paying rent equal to or below the present allowance, such as those in rural areas in inferior accommodation, and \$10 a month does not allow significant betterment if that change. For that group of people can be considerable once we get outside the metropolitan area. It is my understanding from checking with the George Street offices of the Metro housing assistance that there is accommodation that is inferior and it is listed at the old rates of allowances, and to the landlords this will simply mean a good opportunity to pick up an additional \$10 a month.

(b) The increases mean nothing to the thousands of families housed by the Ontario Housing Corporation. The Ontario Housing Corporation has at least 20 to 25 per cent of its tenants as persons in need, and if that benefit were passed on to the Ontario Housing Corporation, it would be a benefit of at least \$10 per month for 5,000 units.

Now the minister has said as recently in the assembly this morning that the Ontario Housing Corporation is not going to take that benefit. Well, Mr. Speaker, I would say very clearly to the cabinet that it is time the government reckoned with the problem that they are in fact paying more than rent gear to income for tenants in the Ontario Housing Corporation who are persons in need under The Family Benefits Act and The General Welfare Assistance Act, while at the same

time The Department of Social and Family Services is watching hundreds if not thousands of families struggle along paying higher rents than the allowance gives them and robbing their food budgets to do this.

This programme, the Canada Assistance Plan, was a programme for persons in need, and I do not list the Ontario Housing Corporation as one of those persons in need. We have to remember that every dollar that the Ontario Housing Corporation gets from The Department of Social and Family Services is matched by an even dollar from the federal government and, therefore, this is a way of taking advantage of a loophole possible under the Canada Assistance Plan while at the same time receiving \$111,272,059 in 1968-1969 from the same hand that they are now wrongfully undercutting.

There is another group of people, Mr. Speaker, that it means little to and they are the families that need assistance most from this government. They are caught in excessive rates, sometimes as much as \$25, \$35 a month, and more, above that which is allowed by The Department of Social and Family Services. For these persons, it simply means that they do have \$10 toward that excessive rent that they are paying. It does not mean that their shelter is being paid for as the Act requires. The Act, Mr. Speaker, you may be personally interested to know—we had a discussion this morning on the subject—calls for shelter being the cost of shelter. The government aborts that by making a basic exemption.

The government in Ontario is remiss and bears a shame, because it has put a ceiling on rent for persons in need by virtue of its unnaturally low basic rent allowance. This shame is compounded by the fact that they define shelter as being the cost of shelter for purposes of determining a person's budgetary requirements, then nullify the interpretation by their basic amount as ceiling. This demonstrates how much effort is being put into aborting the federal government's scheme, the Canada Assistance Plan, while at the same time accepting its money.

To turn now, Mr. Speaker, to how much more was given for food, clothing and personal care. The minister was careful not to spell this out in his statement, or to reveal it for the three cases he gave as examples. This is the secret the Ontario government likes to keep, so that no one can see how little it is adding to these basic essentials.

The pre-added budget for family benefits recipients covers food, clothing, personal care

needs, utilities and household clean supplies. The pre-added budget for general welfare recipients covers only the first three items, though they are given additional allowance on their actual costs in the last two items up to a specific ceiling, provided they pay the actual cost. If we assume that the difference between the two pre-added budgets is the maximum allowed for utilities and household supplies, then we can deduce that the government allows for food, clothing and personal needs for those categories of recipients.

We would like to say, Mr. Speaker, that it is a travesty of justice that the budget on which people are expected to live—people in need—could possibly be secret budgets under the secret purvey of a government that is using public funds to pay the budgets. There is bound to come a time in this next few days or next few weeks, when the Minister of Social and Family Services divulges how he made up the preadded budgets. He must certainly reckon with the fact that the people know how much money they have for their budgets and also exactly how they can live within that amount. To have to go into all sorts of guessing games to figure out a budget, and then come to where it is broken down, and where we have one secret left, to make it quite a problem.

The following table shows the shocking results. The government is allowing a 10 cents per day per person for these essential needs. The percentage increase is from six per cent to 10 per cent, despite an increase in food costs of over 12 per cent since the rates were last changed. Cases 2 and 3 are the very cases that the minister recorded in the record in his announcement on April 8. The others are fairly typical cases. The figures apply equally to family benefits and to general welfare recipients.

Now, Mr. Speaker, the minister recorded these cases, and I think it is very important that *Hansard* also records the way they were seen by members from the opposition who were trying to cope every day with problems of people trying to live within the budget under the Department of Social and Family Services.

First, the widow with three children take the minister's case. His figures, although he did not say so, match out to being a widow with three children, 0 to 9 years, and one child, 10 to 15 years. Under the old rate for food, clothing and personal care, the widow received \$125 a month for herself and three children of those ages. Under the new rate she



receive \$136 a month, an \$11-a-month increase, an 8.8 per cent increase, an increase per day of 36 cents, an average increase per person of nine cents.

Case two is a blind single person, or any single person. The old rate for food, clothing and personal care needs is \$47, the new rate \$50. The monthly increase, the magnanimous increase for a single person in need in the province of Ontario, is \$3 a month, a 6.4 per cent increase, because the original rate was so low, but an increase of only 10 cents per day for the person in need for food, clothing and personal care.

In the case of the unemployed father with a wife and two children, the minister's case matches up with a family who would have two children 10 to 15 years of age, and that is because the budget looks so much larger, if you choose a family with teenaged children, because this government has worked out minutely the difference that should be allowed according to ages of children. The unemployed father, wife and two children under the old rate received \$140 per month for food, clothing and personal care needs. Under the new rates, he receives \$153, a \$13-per-month increase, a 9.3 per cent increase, an increase per day of 33 cents, less than 11 cents per day per person.

Here are some examples that will be random samples. Case four is one adult, two children, one 0 to 9 years of age, one 10 to 15 years of age. Old rate per month, \$100 for food, clothing and personal care needs; new rate, \$110; increase per month, \$10; percentage of increase 10 per cent; increase per day, 33 cents plus one cent; average increase per person, 11 cents per day.

Case five is one adult with four children, one 0 to 9 years, three 10 to 15 years. Old rate, \$165 per month for food, clothing and personal care needs; \$178 under the new rate; a monthly increase of \$13; a percentage increase of 7.9 per cent; a daily increase of 43 cents; less than 9 cents per person.

Case six—and the last one, Mr. Speaker. We chose three of the minister's cases and three random samples. One adult, four children, all 0 to 9 years. This, of course, Mr. Speaker, is so often the mothers' allowance case, the deserted wife. Under the old budget for food, clothing and personal care, she was allowed \$141; under the new budget, the magnanimous increase is \$154, or \$13-a-month increase, or 9.2 per cent, or 43 cents per day—less than nine cents for each person in the family. I challenge the minister to explain why a family with three teenage

children, with teenage appetites, gets the same increase as the one with the same number of children where all but one are under 10. Franklin Roosevelt once said:

The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.

What does the Treasurer for the province of Ontario say? He has said in the legislative assembly, "The door is open for additional increases."

When? The time is now. An escalation clause tied to the consumer price index is the only fair and just thing to introduce. Is the Conservative Party so base as to hold back the money to those in need now to use later as election bait? Are they going to wait until the unrest and frustration bring them in need to march on Queen's Park, to confront the men who decide their fate?

These people are being asked to feed and clothe a family of five on \$5 and \$6 a day—an amount the same government member spends for lunch or dinner for only himself. Still, this government sits fossilized and insensitive. What will they do with this challenge? Will they open their secret budget? I will wager they are afraid to do it. We have a government afraid to make known the details of its own policies.

So, Mr. Speaker, I would like to read in the record consumer price indexes of selected components, based on 1961's equalling 100. This is April, 1967, in comparison with January, 1970, and the percentage of increase:

	April 1967	January 1970	Increase
Food .....	116.1	130.1	12.1
Clothing .....	117.2	125.5	7.1
Personal Care .....	123.7	137.6	11.2
Shelter .....	116.5	138.1	18.5
Electricity .....	106.9	113.0	5.7
Telephone rates .....	105.0	105.7	0.6
Household supplies .....	112.3	119.2	6.1

Source: DBS, Prices and Price Indexes, 62-0

Now, when the government makes a major change, as it certainly spoke as if it was making before May 1, the minister said publicly that it would keep cost of living indexes primarily in mind. They said in that statement they were concerned with the cost of living index increase, but the people working with the people in need, and the people

in need themselves, and the legislative representatives, are no longer going to listen to smooth statements such as, "We have taken into consideration . . ."

The fact of the matter is that the budgets do not purchase now what they purchased in 1967. It is a very simple issue, and all the smooth statements do not cover up the fact that they simply cannot purchase now what they could purchase then. To have Treasury Board set a limit on The Department of Social and Family Services and have them then try to make it look as though they had made significant changes, and they were for fewer people than the total number of recipients, brings me to point out the case loads of family benefit recipients as of March, 1969, which are, of course, our latest figures.

Single: elderly—10,161—17.2 per cent of the total; blind and disabled—19,313—32.7 per cent of the total. Total—29,474 cases—49.9 per cent of the total.

Families: one parent—20,428 or 34.6 per cent of the recipients.

That, Mr. Speaker, is one of the areas hardest hit to try to live under these budgets.

Two parents—4,918 or 8.3 per cent; foster parents—1,401 or 2.4 per cent; others not specified—2,811 or 4.8 per cent. Total cases—29,558, 50.1 per cent; 59,032 cases or 100 per cent.

To make up the total number of 59,032 single persons or families receiving family benefits allowance. This is from the 38th annual report, 1968-69, of The Department of Social and Family Services.

Mr. Speaker, the government, in entering the Canada Assistance Plan, was given a certain amount of leeway in its forming of a board of review. They were given a certain amount of freedom in how they would set up the board even though it was a requirement by the federal government. I have been told personally by The Department of National Health and Welfare more than once that this was done at that time in the interests of federal-provincial relationship, which were pretty strained in 1967. I would say to the Minister of Social and Family Services, or perhaps it would be in better hands to say to the Prime Minister (Mr. Robarts), that in the interests of federal-provincial relationship, the Ontario government should now reciprocate by taking from its Act those devious clauses, and from its regulations the devious clauses which truly abort the war on poverty that is being tackled rather seriously at the federal level.

I can appreciate that the federal government should not go completely without budget for handing over a sum larger than \$100 million a year and not setting out some requirements that we establish a national scale of assistance. But we, surely, in the province of Ontario, should feel completely ashamed, I hope some of these changes, more changes than have taken place, will have taken place by May 25 when the minister appears before the Senate hearing on poverty.

Mr. Speaker, someone should take seriously the question of putting legal staff to work making The Family Benefits Act and the General Welfare Assistance Act work as they can to try to fight the war on poverty in Ontario on a serious basis, instead of carrying on the same legal minds, as they do.

And these people have to make the Acts the way they are! They take the same minds they say to them: "Make this so that we do not have to meet this requirement." They do exactly what they did with the terminology of shelter; and they do the same thing in other areas.

Today I want to confine my remarks to these new budgets. This government in Ontario shed the responsibility for the quality of administration and the appendages that are allowed to creep in at the Metro level or at the municipal level. As the municipalities go further and further out, the Act gets more and more aborted. Unless it is caught up by the board of review, I am told now that there are no Form 6s at all in any welfare office in the province of Ontario—if there are, I would like the minister to list the offices that have them. A person now wishing to appeal to the board of review that this government has required to install has to write to The Department of Social and Family Services. As the House leader is showing an interest, I would like to look into a specific instance of what is happening in the city of London.

After the fight that was put on here to make a board of review be fair, it is appalling to think that now we are working on something else, this type of deviation that takes place. It is bad enough that they actually aborted the board of review by changing Form 6 not to cover special services. That means all the special services can never be reviewed. Yet the Canada Assistance Plan money is providing 50 per cent of the special services along with the 50 per cent from the municipal level. The intention of that plan, as I have been told from Ottawa, was that there would be a tribunal review basis and that their moneys would be under review. The

moneys are not being brought under review at this moment in time.

We then get things happening at the municipal level, such as happened yesterday in the housing and welfare meeting at city hall. The Metro committee on welfare and housing passed a recommendation made to it—which will now go before council—as to how it will administer the minister's new regulations, effective May 1, as far as monthly exemptions on wages or salaries and casual earnings are concerned. The department probably was under fire for having two classes of welfare recipients; from the federal government perhaps? The concentration that has gone into the changes has been to make The General Welfare Assistance Act, more similar than it ever was before, to The Family Benefits Act. So they adopted a table which allowed one adult or two adults a certain amount of money that they could earn each month and keep exempt insofar as consideration for municipal welfare allowances is concerned; and they are allowed a certain amount per child. Allowing such earnings to be exempt, of course, is all at the discretion of the welfare officer in each municipality.

Now the municipal level is proposing, and it has been accepted by the committee, that a \$10 amount for a family of four and a \$10 amount for any additional dependent is what it will, in fact, again exempt from special service eligibility. Now there is nothing in the Act, Mr. Speaker, that intimates that the money spelled out in the Act can then be interpreted in a different way at a different level. Yet they are being differently interpreted in the case of special assistance, on which the municipality is financially strapped, because the Ontario government takes no part in the financing. The municipality is now going to cut back special assistance in the form of setting a ceiling on the exception of earnings for families.

When families get into that position, it means then they are put in a position where they can buy from the department of public welfare, and thank God they can at least buy them there, if they are going to have to buy them anywhere. But they are now put in a position where they have to buy eyeglasses at \$9 per pair, or buy a crib, provided they go over this small amount of money per month.

Everyone looking at those budgets, knows they are inadequate, Mr. Speaker. If the nutritionist and the minister would see fit to publish their food allowances, perhaps we could see whether they are correctly figured.

The nutritionist tells me she lives on herself, but for the local municipalities to be able to take and now abort even the creases as made by the Minister of Social Family Services is unbelievable.

I am told at the municipal level that some time they have been subsidizing a number of people, particularly private family providers who have children and are working fulltime but not earning the amount that they might benefit by under general welfare assistance. They have been assisting those families, bringing them up to the level of general welfare assistance. If they get \$100 per month that way, they also get a drug dental card. The provincial government under its new legislation has now extended coverage to persons who are aged and persons who are disabled and have families to support, who are earning less than they would receive under the general welfare assistance. It has not seen fit to offer that type of assistance to the employed man, who is simply unable to better himself in the type of employment that he has. They are allowing mental or physical disability in the case of employment. Perhaps an assessment of the man's capabilities to earn more should be considered because this family is left completely out of any sort of protection under what has become, Mr. Speaker, a guaranteed annual income in the municipality of Metropolitan Toronto.

**Mr. Speaker:** I wonder if the hon. member could find a convenient place shortly which to adjourn the debate?

**Mrs. M. Renwick:** I was drawing very close to the close, Mr. Speaker, and I assumed when you arose that you wanted to close the debate. I have not closed it yet, Mr. Speaker.

**Mr. Speaker:** The hon. member does close the debate, she adjourns it. Then she has the opportunity of proceeding at the next sitting.

**Mrs. M. Renwick:** I would like to go back, Mr. Speaker, to the point of the families that are now able to obtain a guaranteed income in the field of general welfare assistance, provided that they are earning less than the amounts that are allowed them under The General Welfare Assistance Act. The pitiful group that has to come into the category, Mr. Speaker, must not be forgotten.

If the House leader was interested in other points, he may well be interested in this one—that we have in Toronto all of

unemployed who are on unemployment insurance benefits and who do not rate welfare benefits. Those men, after working, as one of the directors of welfare in Toronto pointed out to me—such as the men that have been working at Dunlop Tire for 20 or 25 years—are now having to come to the department of welfare for a supplement.

There just simply has to be a way that the government of Ontario does not leave those people, even though it is a product of the federal government's assistance, so they have to go to welfare for a small supplement to make up their income to the guaranteed annual income in the municipality of Toronto.

May I adjourn the debate, Mr. Speaker?

**Mr. Speaker:** That is the request that I made a short time ago.

Mrs. M. Renwick moves the adjournment of the debate.

Motion agreed to.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, before moving the adjournment of the House, may I indicate that the programme on Monday will include returning to the consideration of the estimates of the Department of Highways? We of course have the private members' hour between 5 and 6 o'clock, and there will be an evening session.

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

Motion agreed to.

The House adjourned at 1 o'clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Monday, May 11, 1970

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 11, 1970

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon in the east gallery we have students from Winston Churchill Collegiate Institute, Scarborough; and in the west gallery from Mattawa High School in Mattawa and Dalewood Senior Public School in St. Catharines.

Later today, in the east gallery, we will be having students from Ridge Public School in Leamington.

Statements by the ministry.

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, despite a touch of laryngitis, I would like to make this statement today because I think it is of interest to the House.

On Friday, May 1, the hon. Minister of Lands and Forests (Mr. Brunelle) informed the House of action he was taking to close certain fisheries to commercial fishing because of high mercury residues in the fish. At the same time, he indicated that insofar as sports fishing was concerned action was being deferred pending further guidance from The Department of Health.

I can now announce that representatives from the health departments of the following provinces and states have been invited to meet with us in Toronto on Wednesday, May 13: British Columbia, Saskatchewan, Manitoba, Quebec, Minnesota, Wisconsin, Michigan, Ohio, Pennsylvania and New York. In addition, representatives have been invited from the Canadian Food and Drug Directorate and from the United States Food and Drug Administration.

The purpose of the meeting is to exchange information respecting the mercury levels found in fish analysed to date, to provide an opportunity for the presentation of recent scientific information and to assess the potential hazards to human health associated with the eating of contaminated fish.

It is our hope, Mr. Speaker, that from this meeting specific recommendations will be developed for the guidance of the various provincial and state agencies concerned with the regulation of sports fishing.

**Hon. J. Yaremko (Minister of Social and Family Services):** I am pleased to report that

an increase from \$8 to \$9 per day in maximum subsidy paid on behalf of assisted residents in homes which come under The Charitable Institutions Act. A large number of our institutional homes are operating under the \$8 per-person-per-day ceiling, but there are 30 homes whose operating costs are over the maximum ceiling, and they have had to bear this additional financial load alone.

The \$1 per-person-per-day increase in ceiling will immediately ease the financial burden, as each home should realize up to a 12.5 per cent increase in provincial assistance. The institutions which are eligible to benefit by this increase to the maximum subsidy are under schedules 2, 3 and 4 of The Charitable Institutions Act. These are homes for the aged, youth institutions and homes for unmarried mothers.

The estimated cost of this increase will be \$577,000, which is included in the 1970-1971 estimates.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I have a question of order. I would like to ask the Attorney General during the absence of the Prime Minister during the absence of the Attorney General (Mr. Wishart).

Is he aware that two members of the Toronto Police Commission have asked for reports on the crowd-handling techniques used by the Metropolitan Toronto Police on Saturday; and is he going to instruct similar reports to be made available for the advice of the government?

Second, is he undertaking, through the Attorney General's office, any co-ordination of plans to handle crowds in other centres across the province in the event that circumstances similar to those that occurred in Toronto on Saturday occur?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, this is a question that will have to await the presence of the Attorney General in the House.

**Mr. Nixon:** Mr. Speaker, I have another question of the Premier.

In view of the statement made by the Attorney General that there are certain areas

The Canada Water Act that he, in his position as chief law officer of the Crown, considers unconstitutional, does the Premier intend to make some representation to the government of Canada before the bill receives royal assent so that it might be brought into line, or at least some attempt be made to bring it into line, with Ontario's view of the constitutionality of this co-operative approach to control pollution?

**Hon. Mr. Robarts:** There are certain parts of the bill, Mr. Speaker, that do cause us some concern from the point of view of the constitution. This is under examination, as the Attorney General said, and we will decide what an appropriate course of action will be. I think some of these matters have already been drawn to the attention of the federal government.

**Mr. Nixon:** A supplementary question: would the Premier be prepared to table the objections that Ontario has to the constitutionality of the bill, so we could examine them in the House?

**Hon. Mr. Robarts:** I do not know whether it is something that lends itself, to tabling. I suppose one could say that there are legal opinions as to what the interpretation of the various sections of the Act might be. I do not know what there is to table. Probably rather than tabling I think if the member were to place a question on the order paper asking the Attorney General, he probably could answer it in that fashion.

**Mr. Nixon:** Mr. Speaker, I have a question of the Attorney General.

Has he undertaken any investigation into the crowd-handling procedures used by the police in Metropolitan Toronto on Saturday? Is he undertaking any effort to co-ordinate plans for crowd handling in other centres across Ontario in the event that circumstances such as this occur?

**Hon. A. A. Wishart (Minister of Justice):** Mr. Speaker, we get reports on these matters, but I have not taken any special steps to investigate them. They have just come to my attention, of course, over the weekend, regarding this particularly large and late occasion; so the answer is no.

**Mr. Nixon:** A supplementary question: has the Attorney General undertaken any plans through the Ontario Police Commission or through the commissioners of the Ontario Provincial Police to co-ordinate the training and the approach of the provincial police

in the event that they are called upon to give assistance on occasions such as the other centres?

**Hon. Mr. Wishart:** Yes Mr. Speaker, there is a very great deal of co-ordination in the training and in the approach through the police college and through our other discussions and meetings of the police here. The methods of crowd control and the co-ordination of the forces are very thoroughly discussed and pretty well understood; and I think, very effective.

**Mr. D. C. MacDonald (York South):** By way of a supplementary question, Mr. Speaker: is the Attorney General aware of the allegations made by lawyer Clayton Ruby with regard to police action; and if so could he comment on their validity?

**Hon. Mr. Wishart:** The only awareness I have, Mr. Speaker, is of what I read in the newspaper. Actually, I saw it only this morning, on my return to Toronto. I must confess about all I had time to read generally was the headline and to scan the article in the paper.

I am looking into the matter; at least I want to make myself informed. I do not know what that answer to be interpreted that the Attorney General is investigating, but I certainly want to make myself informed.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, by way of supplementary question, could the Attorney General outline to us how he proposes to inform himself? He said earlier he gets reports. Is he specifically asking for reports or does every police force report to him automatically?

**Hon. Mr. Wishart:** Mr. Speaker, as I said it necessary I have certain means of getting information from all the police forces, either through the police commission or through the heads of the forces or through investigations which I may decide to carry on if they seem necessary. But I do not think it is necessary for me to outline to the hon. member the details of how I shall proceed in this instance.

**Mr. Speaker:** The member for Riverdale has a supplementary?

**Mr. J. Renwick (Riverdale):** Mr. Speaker, by way of a supplementary question, is there any regulation of the police that requires police officers on duty to wear their numbered badges at all times?

And is there any regulation of the police commission with respect to the taking of photographs of persons who are engaged in demonstrations?

**Hon. Mr. Wishart:** I am not aware of anything in the regulations covering these two points, Mr. Speaker. I could check and find out.

**Mr. Speaker:** Has the member for Peterborough a supplementary?

**Mr. W. G. Pitman (Peterborough):** A further supplementary, Mr. Speaker: I wonder if the Attorney General has received any suggestions that local militia units should be used for crowd control; and whether that has been brought to his attention and what his reaction would be?

**Hon. Mr. Wishart:** Was the question, has the Attorney General received the suggestion? Well if I had, I would think it would be the last resort.

**Mr. Pitman:** I am pleased to hear that.

**Mr. Singer:** Mr. Speaker, by way of supplementary, will the Attorney General undertake to advise the House at the earliest opportunity as to the result of his investigations into these series of incidents?

**Mr. MacDonald:** By informing himself, not investigating!

**Hon. Mr. Wishart:** I shall advise the House, Mr. Speaker, as I do in all criminal matters or matters of police concern, to the extent that I feel this is proper in accordance with the administration of justice and the enforcement of law.

**Mr. Nixon:** Mr. Speaker, I have another question of the Attorney General, which really is subsequent to his last statement. Is he now prepared to report on two matters on which he undertook to advise the House—that is, his constitutional objections to The Canada Water Act, which have now been reported back to the Parliament of Canada from committee; and secondly, he undertook to inform the House as to the legality or the possibility of the OWRC charging the OWRC with pollution in the cases where the water resources commission has the control, ownership and management of water purification plants such as at Richmond Hill?

**Hon. Mr. Wishart:** On the first part of that question, Mr. Speaker, I made inquiries today. Our opinion was completed a few days ago.

I have a summary prepared which I will be prepared to give to the House, I expect tomorrow.

The other question I have not reached a conclusion on as yet, but I shall very shortly.

**Mr. Nixon:** Right. Mr. Speaker, a supplementary question. While the Attorney General is catching up on this backlog of work, I believe there is another matter having to do with the legality of offtrack betting on the Kentucky Derby that he was going to report to the House on, so if he would be good enough—

**Hon. Mr. Wishart:** That matter, Mr. Speaker, is really under investigation—

**Mr. Singer:** Really? The others were not?

**Hon. Mr. Wishart:** I think I would say this, that one of the features we are particularly trying to discover is whether payment is made in these situations through an agency which calls itself an information messenger service; but our investigation is not quite complete as yet.

**Mr. Singer:** By way of supplementary that, Mr. Speaker, insofar as betting on the Kentucky Derby is concerned, should not the Attorney General be investigating the ability to get from Cookeville to wherever the Kentucky Derby is run on the same day by a messenger carrying that bet?

**Hon. Mr. Wishart:** It is all part of the investigation.

**Mr. Nixon:** They could not be taking the bets themselves.

**Mr. Speaker:** I have a question of the Minister of Health, if his laryngitis will permit him to respond. I wonder if he could report to the House on the discontinuance of the analysis of street drugs which has been reported in the newspapers today?

**Hon. Mr. Wells:** Mr. Speaker, I have read the papers today. Does the hon. member mean the discontinuance of analysis of drugs by the—

**Mr. Nixon:** ARF.

**Hon. Mr. Wells:** —ARF laboratory?

We are looking into that. I cannot tell him yet, Mr. Speaker, what the answer is.

**Mr. Nixon:** Mr. Speaker, if you will permit, a supplementary question that might assist the investigation.

Is the minister aware that the discontinuance apparently was because of the legal position of the analysis carried on by the ARF, the indication being that perhaps in a court or in any area of inquiry it would not be acceptable as the sort of analysis that would be necessary?

**Hon. Mr. Wells:** Mr. Speaker, there have been several different reasons why this has come about and so forth. I will get a complete statement for the hon. member as soon as possible.

**Mr. Nixon:** Mr. Speaker, I have a question of the hon. Minister of Trade and Development pertaining to his responsibility in Ontario housing.

Has he received complaints from the Lakehead that lands owned by Ontario housing were sold to public developers, rather than being turned over for recreational use, in those areas of the community which are presently built up and used by Ontario housing?

**Hon. S. J. Randall (Minister of Trade and Development):** I have never received any information on that. I will be glad to check into that and take the question as notice.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** Mr. Speaker, I have a question of the Attorney General.

In his recent reply to James Karswick, the lawyer for Bird and Stevens who were victims of the assault by Mr. Claude Comeau of Hearst, why did the Attorney General not deal specifically with Mr. Karswick's complaint that the report of the police investigation was not made available to him as the prosecuting lawyer?

**Hon. Mr. Wishart:** Mr. Speaker, the police were at the hearing and gave evidence, as Mr. Karswick asserts in his letter.

The police report to me they brought witnesses forward and I thought, from the report I have, that Mr. Karswick was fairly well satisfied that the police gave good service to him—gave evidence, summoned witnesses. I cannot accept that the police were not active and did not make available to him information they had.

**Mr. MacDonald:** Mr. Speaker, is the Attorney General aware that all Mr. Karswick was able to get from the police was a most inadequate dope sheet, typed out the morning of the trial, instead of the extensive report which the Attorney General himself put on

the record in his statement of May 19 in House?

**Hon. Mr. Wishart:** What is known as dope sheet, Mr. Speaker, is generally police notes of their investigation. That what they would ordinarily give to a crown attorney, unless the crown attorney took step which I would think the prosecuting attorney would—and this was a private prosecution—of having the police, as well as witnesses, come in before him before trial, question them, make his own notes and cross examine them a bit before he goes to trial.

Now in Mr. Karswick's case, I do not know whether he attempted, in the time he had available, to have that done before the trial or not. But I do say that the police report, though, were helpful, and were a witness for the prosecution. Mr. Karswick, in a letter to me, admitted that the police, provincial judge and all those concerned and I quoted his paragraph saying that he felt that although the crown attorney did not prosecute, that justice was well served.

I was at pains to point out that the reason the crown attorney did not prosecute was that there seemed to be a studied avoidance of any request to the crown attorney from the very beginning.

**Mr. MacDonald:** That is not true.

**Hon. Mr. Wishart:** It is true. The crown attorney was not asked to take any part in this case.

**Mr. MacDonald:** That is not true.

**Hon. Mr. Wishart:** Mr. McCullough's letter clearly established that to be the fact. That I did not see, approach, write, telephone or have contact in any way, the crown attorney.

**Mr. MacDonald:** Mr. Speaker, by way of a final supplementary question: is the Attorney General aware that Mr. Karswick approached the police upon his arrival at Hearst in advance of the trial, asked for a report and got only a hastily typed out dope sheet prepared for him in the morning, a few hours before the trial? Why was the extensive report that the Attorney General gave to the House on May 19 not made available to him?

**Hon. Mr. Wishart:** Mr. Speaker, again say that is the usual thing. The police do a dope sheet, as we call it, is the notes which the police make on an investigation. This was

**Mr. MacDonald:** Most inadequate in comparison with the report the Attorney General gave on May 19.

**Hon. Mr. Wishart:** I will deal with that. The dope sheet is the notes the policeman makes on his investigation. This was a charge of common assault—not regarded as the most serious charge.

The report I got later was as a result of the hon. member's question. I asked the police officer then to give me the fullest, detailed report of all the steps that he took, where he went, when he went, who he saw, what he did, who was involved, where it took place, the time, the hour, the day—all the conditions which surrounded the whole thing.

That type of report, ordinarily, would never be available for any prosecution, but when I got a question in this House I felt it was my duty to ask the police in detail for everything that was done and every step that was taken. But the report I gave here, I will admit immediately, was much more detailed and much more extensive than anything that would be presented to the crown attorney or to a prosecutor.

**Mr. MacDonald:** I have a further question of the Attorney General.

In view of the complaints of doctors at last week's meeting of the Ontario Medical Association that police can still have drugs analysed for the purpose of laying charges but a doctor cannot legally obtain an analysis to help him treat a patient, can instructions not be given so that any analysis available to the police would be available to the doctor to assist him in the treatment of the patient?

**Hon. Mr. Wishart:** I would think so, Mr. Speaker, although I have no knowledge of this matter, and so far as I am aware no doctor ever requested such an analysis.

**Mr. MacDonald:** Why did they all complain?

**Hon. Mr. Wishart:** I do not know. This is puzzling. I have no knowledge of any doctor ever asking for this and being refused.

**Mr. MacDonald:** Perhaps if the public were so informed, a request may be made.

A question of the Minister of Health. Would the minister indicate who made the decision, and why, to have the obstetrics division of the North Bay Civic Hospital transferred to St. Joseph's Hospital?

**Hon. Mr. Wells:** Mr. Speaker, the decision in this case was made by the community North Bay in the persons of the medical society and the regional hospital planning council and in accordance with all the due processes that are set up to bring about regional hospital facilities for communities with resultant savings in hospital costs.

**Mr. MacDonald:** Has the minister been in receipt of representations from citizens' groups indicating that there is not a saving and that there are many other consequences that flow from this in terms of operations that are not available at St. Joseph's?

**Hon. Mr. Wells:** Mr. Speaker, the minister is very well aware of all the ramifications of the situation in North Bay.

I have been in contact with a small citizens' group. I have studied their request very thoroughly. I am convinced that there is not too much validity to them and that there is a lot of merit in the programme, which was instituted by the people of North Bay under the regional hospital planning council to bring about this regionalization. Indeed, Mr. Speaker, I am convinced that if my friend will read the task force reports that have come out from Ottawa and so forth, he will realize that this is one of the major areas that must be approached if we are to keep hospital costs down.

**Mr. MacDonald:** I have a question of the Minister of Trade and Development. Is the minister aware of the fact that the EIO loan of \$453,544 to Olympia and York Developments Limited for the establishment of a plant in Prescott, is going to be a loan to interests which control a company in Verdun, St. Laurent in Montreal which is going to be closed down because of a strike situation and an unresolved labour-management dispute—short, that they are throwing workers out of Quebec in order to use public moneys to establish their plant in Ontario?

**Hon. Mr. Randall:** Mr. Speaker, I am aware of the loan but I am not aware of the Quebec situation. I will be glad to look into it and I can assure members that this is not the intention of EIO loans. I will look into the matter and find out if they are going to close that plant.

I did not know that they had a plant in strike there. I knew they were going to open up a plant here, but it was in addition to what they had in Quebec. I will be glad to look into it.

**Mr. MacDonald:** If the minister's investigations confirm the fact that it is really a strike-breaking effort, would he review the EIO loan so it will not be part of such activity?

**Hon. Mr. Randall:** We always review those matters.

**Mr. Nixon:** Everything is always under review.

**Mr. MacDonald:** I have a final question, for the umpteenth time in the last two months. When will the minister be able to indicate when he is going to reconstitute the Porter Avenue housing committee which blew up about mid-March?

**Hon. Mr. Randall:** I recognize why it blew up, Mr. Speaker, and I had the answer most of last week. When I was here the hon. member was not here. I think both of us were absent from the House last week for a considerable amount of time. I would like to meet with the hon. member when the question period is over, and perhaps we can resolve that situation up there. If the member is satisfied with the solution we have, we can present it to those who are interested.

**Mr. MacDonald:** I will be glad to listen.

**Mr. Speaker:** Has the hon. member a supplementary? The hon. minister has the answer to a question from the member for Scarborough West (Mr. Lewis), I believe.

**Hon. Mr. Randall:** Mr. Speaker, last week I believe it was, the hon. member for Scarborough West made the allegation that the General Electric Company was crushing up 30,000 or 40,000 brand new tubes a day in order to dispose of its work force. I think those were the words he used. My staff members have looked into this matter and we have found no verification of this allegation.

Although small receiver tubes are destroyed, they are the only ones that do not meet specification requirements. Under normal production, rejected tubes represent 15 to 20 per cent of the total number produced. On an average approximately 2,000 tubes per day, five days a week, are crushed. Occasionally this total is boosted when additional tubes from special production runs are destroyed. These tubes must meet rigid military and industrial specifications.

**Mr. Speaker:** The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a question for the Minister of Health.

I would like to ask the minister whether is aware of the attitude of certain doctors, certain hospital administrators in relation to terminal cancer patients in areas where there is a lack of general hospital or chronic convalescent hospital space. Certain terminal cancer patients are sent home against their wishes, where they have got to be provided for in the home rather than in the hospital. In other words, they are sent home to die. What effect?

Does the minister support this attitude? The reason given apparently being the lack of hospital beds?

**Hon. Mr. Wells:** Mr. Speaker, I think it is a very difficult line of questioning to answer in generalities. I think each individual case has to be looked at, and if the hon. member has any specific cases he would like me to look at, I would be happy to do this. I would not want to give out a general statement, one way or the other, on that.

**Mr. Knight:** A supplementary, Mr. Speaker.

**Mr. Speaker:** It is a supplementary?

**Mr. Knight:** Yes, it is a supplementary. Is the minister aware of any new attitude with the health body of the province that terminal cancer patients, in areas where there is a shortage of hospital space, should be sent home?

In other words, should their last days be sacrificed because of a shortage of beds? Is there sort of a new attitude with the health people about this?

**Hon. Mr. Wells:** Mr. Speaker, I do not think you can generalize in this. I do not think there is any general attitude about this at all, but I would be happy to look at specific cases the hon. member might want to refer to me. I would doubt that there is any general attitude such as he has outlined.

**Mr. Speaker:** A supplementary?

The member for Essex South.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker, a question of the Minister of Mines in the regulations governing the drilling of gas and oil north of the 51st parallel, is it the intent of the department to allow this drilling to take place in the waters of lakes or rivers? If not, would the minister put in a new regulation to that effect?

**Hon. A. F. Lawrence (Minister of Mines):** May I take that as notice, Mr. Speaker?

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

**Mr. J. E. Stokes:** Thank you, Mr. Speaker, I have a question of the Minister of Health.

Could the minister advise the House if Indians in the Dryden area are being tested for mercury pollution as a result of eating fish from the Clay Lake and Wabigoon River; and what sort of tests are being taken?

**Hon. Mr. Wells:** Mr. Speaker, as we indicated before, various residents of the province are being tested in the areas where the ban was implemented. They are being tested in that area, so I would assume the Indians in that area would be tested. Also, as I understand it, they are taking urine tests, blood tests and hair samples and that all these will be analysed.

**Mr. T. P. Reid (Rainy River):** As a supplementary, Mr. Speaker, does the minister agree with the Minister of Lands and Forests that the people in this area should refrain—or is his department ready to give an order that these fish should not be eaten by the residents or non-residents in the area? In other words, is the content of mercury too high for human consumption?

**Hon. Mr. Wells:** Mr. Speaker, our health advice on this matter is that if there is more than 0.5 parts per million in the fish, it should not be eaten. If the fish tests show more than this, we would suggest people should not eat them.

**Mr. T. P. Reid:** By way of a further supplementary, is the minister aware that, in his statement, the Minister of Lands and Forests suggested that these fish should not be eaten, and that the level is above 0.5? Is the minister prepared to state categorically that these fish should not be eaten because of the health hazard?

**Hon. Mr. Wells:** Mr. Speaker, it is hard to state categorically.

We have said that it is not recommended. What other action we should take at this time I do not know. It depends on how much you are going to eat, whether you eat it three times a day, and so forth.

But this is some of the information that we hope will come out of this meeting of the minds from all the various jurisdictions on Wednesday, when we get all the health people together and try to take a look at this point five parts per million and see if it is realistic and what should come out, particularly in regard to sport fishing and casual fishing and consumption of catches.

**Mr. Speaker:** The member for Rainy has a further question? He was on his a moment ago.

**Mr. T. P. Reid:** Mr. Speaker, I have a question of the Minister of Lands and Forests.

Is the minister reviewing his policies with regard to providing compensation to tourist camps which are affected by mercury pollution, in that their business is being adversely affected by this ban in the Kenora area?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, I have referred to this matter in the House on previous occasions. In the compensation, I think if the member reads *Hansard* he will see which areas are eligible for loans.

**Mr. T. P. Reid:** By way of a further supplementary: Does the minister consider that it is fair and just to close these areas to commercial fishing and yet allow sports fishing, taking into account the damage the advertisement publicity has caused and the fact that a large number of these tourist camps are receiving cancellations because of this?

And further, if I may, Mr. Speaker: Does the minister think it fair that in one area the government has cut off all legal action of these tourist operators by allowing sports fishing to continue, even under these adverse conditions?

**Hon. Mr. Brunelle:** Mr. Speaker, I have mentioned this in the House on previous occasions where we are fortunate in this province to have about 250,000 lakes. We have banned sports fishing on only two lakes.

The Minister of Health made a statement at the beginning of the Legislature to the effect whereby a meeting of health authorities was being held in Toronto on Wednesday with representatives from various provinces and states. As a result of this meeting of health authorities we hope to come to some decision with reference to the regulation of sports fishing.

**Mr. T. P. Reid:** One final supplementary question, Mr. Speaker: Can the minister indicate to me what action his department and Tourism and Recreation are taking to counteract the advertisement publicity, because all of northwestern Ontario is being affected? What is the government doing to say that it is only one small section within this large area?

**Hon. Mr. Brunelle:** Mr. Speaker, I can assure the hon. member that the various departments of the government concern themselves especially The Department of Tourism

Information, will certainly take the appropriate steps to make available whatever information there is to be made available as a result of this decision made on Wednesday.

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

**Mr. Pitman:** Mr. Speaker, I wonder if I could direct a question to the Minister of Energy and Resources Management?

Has the minister received a letter from Pollution Probe requesting information as to why litigation samples taken at the Cobourg sewage plant have not been processed by OWRC and the information has not been returned to them?

**Hon. G. R. Kerr** (Minister of Energy and Resources Management): No, not to my knowledge, Mr. Speaker.

**Mr. Pitman:** If I might ask a supplementary question.

Is it the policy of the OWRC to process litigation samples which would be used against the OWRC? For example, Richmond Hill?

**Hon. Mr. Kerr:** That is a loaded question, to say the least, Mr. Speaker.

I do not think that situation has arisen as yet as far as I am concerned. The only one incident where this possibly could be considered is, as the hon. member mentioned, the Richmond Hill plant.

Whether or not some private citizens have sent us samples of effluent from that plant, I do not know, I am not aware of that to this date; but this is something that would have to be considered.

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

I wonder if the minister would regard it as appropriate that such a policy should be established before litigation samples are sent to the OWRC, rather than afterwards, in view of the fact that it might be assumed that because litigation samples were against the OWRC they were not being processed?

**Hon. Mr. Kerr:** I would suggest, Mr. Speaker, that anybody who has samples which they intend to use to sue the OWRC, that they find other laboratory facilities.

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

**Mr. T. Reid** (Scarborough East): I have a question of the Prime Minister.

When would the education and university affairs committee be meeting to elect a chairman so we can discuss some educational problems in the province?

**Hon. Mr. Robarts:** I have no idea, Speaker.

**Mr. T. P. Reid:** That is the most honest answer we have heard.

**Hon. Mr. Robarts:** I think the committee is able to handle its own affairs. I will be the chairman. Has the committee met?

**Mr. T. Reid:** No, it has not met at all.

**Hon. Mr. Robarts:** We will see. I think there are quite a few committees meeting at the present time and I will see what is to come before this committee.

**Mr. T. Reid:** I thank the Premier very much.

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

**Mr. I. Deans** (Wentworth): Mr. Speaker, a question of the Minister of Energy and Resources Management: could the minister indicate whether charges are likely to be laid as a result of the dumping or spillage of phosphates into Hamilton harbour during the loading operation of one of the large tankers?

**Hon. Mr. Kerr:** Mr. Speaker, I will have to have more information on that. I have not heard of any loss or spillage from the tankers in Hamilton harbour.

**Mr. Deans:** There was a report in Saturday's *Hamilton Spectator* regarding the spillage of phosphate due to spillage into Hamilton harbour by a tanker that was located here for three days and that two other tankers were coming into the harbour.

It appears there are not adequate facilities for the removal of the phosphate from the ships. Will the minister investigate it and take whatever actions are appropriate?

**Hon. Mr. Kerr:** Yes, Mr. Speaker.

**Mr. Speaker:** The member for Essex-Kent.

**Mr. R. Gisborn** (Hamilton East): A supplementary question, Mr. Speaker!

**Mr. Speaker:** A supplementary?

**Mr. Gisborn:** A supplementary: why does the minister know nothing about the commission? It has been going on all week and the report states that inspection officers from



OWRC have inspected the operation and made some recommendations.

**Mr. MacDonald:** It is only a small affair, they do not inform the minister about it.

**Hon. Mr. Kerr:** Mr. Speaker, as a previous hon. member mentioned, this was reported only in Saturday's *Hamilton Spectator*.

The hon. member's question is correct, when a carload of this type goes into a harbour such as Hamilton harbour, there is always a routine inspection. As far as OWRC is concerned, there was no indication of loss until the end of the week and steps, I would assume, are being taken to eliminate that loss.

If there are substantial reasons for laying charges or prosecuting that will be done. But I would assume in this instance, as in many instances when there is this type of cargo, OWRC is usually on the scene before the unloading has commenced.

**Mr. Speaker:** The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Is the minister considering legislation setting the limit of temperature of effluents going into the Great Lakes system?

**Hon. Mr. Kerr:** There is no plan, at this point Mr. Speaker, to set a particular limit. I assume the hon. member is referring to what is commonly known as thermal pollution.

A lot will depend on the lake, the body of water, and the location of the possible source of this pollution. So each particular plant will be considered on that basis depending where it is, type of plant, and we will satisfy ourselves that for these areas there is not in fact any pollution from the dumping of warmer water.

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

**Mr. F. Young (Yorkview):** Mr. Speaker, I would like to ask a question of the hon. Attorney General.

Could the Attorney General inform the House when he plans to introduce legislation to reduce the age of legal majority to 18?

**Hon. Mr. Wishart:** That Mr. Speaker, is a matter of government policy, for which I cannot speak, as one member. I am not aware that it has been yet considered or determined by the government.

**Mr. Young:** Mr. Speaker, a supplementary is the minister aware that this has a vital bearing on the report, and action following it, of the select committee on election laws?

**Hon. Mr. Wishart:** I would think, Mr. Speaker, it would have a great bearing on a great many things.

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

**Mr. Paterson:** Yes, a question of the Minister of Health: is the minister aware of a number of cases of salmonella bacteria being present in imported foodstuffs, such as packaged soups? If so, have they been removed from Ontario grocery shelves, such as in the case that was reported in U.S.A.?

**Hon. Mr. Wells:** Mr. Speaker, I am not aware of the incident that the hon. member is talking about, but if he has any details, I will get him the answer.

**Mr. Speaker:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** A question of the Minister of Energy and Resources Management: how does the minister justify the reason given by the air management branch in Waterloo that the cost is prohibitive in establishing monitoring devices for carbon monoxide monitoring, when Pollution Probe of the University of Waterloo has purchased a device which will monitor carbon monoxide for the sum of \$50?

**Hon. Mr. Kerr:** Mr. Speaker, at the present time the air management branch does not monitor carbon monoxide fallout—in Toronto, for example. The system is not set up as was the air pollution index.

I am not aware of the remarks, or the speech, to which the hon. member referred. However, there is some difficulty in establishing the type of index system that we have at the present time in Toronto to include carbon monoxide. As far as the air management branch is concerned, they do have a monitoring system for their own use which they use in carrying out their programme of eliminating air pollution.

**Mr. Good:** A supplementary: is the minister aware that there is one particular monitoring device in our whole area which encompasses four counties? We have been told that a sulphur dioxide monitoring device would be established within the first year and carbon monoxide monitoring devices will not be

our area for some time to come because of the cost, and I am saying that there is some—

**Mr. Speaker:** This is a repetition of the original question.

**Mr. Good:** Is the minister aware of this?

**Mr. Speaker:** The member for High Park.

**Mr. M. Shulman (High Park):** Yes, I have a question of the Attorney General, Mr. Speaker.

Has the Attorney General yet been able to replace the pathologist at the crime lab who resigned a year ago?

**Hon. Mr. Wishart:** I would ask the hon. member to direct that question to the order paper. I will check and get him an answer.

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

**Mr. G. Ben (Humber):** A question of the Minister of Energy and Resources Management.

Mr. Minister, can you pass—

**Mr. Speaker:** The hon. member will direct his question through the Speaker.

**Mr. Ben:** Can the hon. minister pass legislation which would ban jet aircraft using American engines and JP-1 fuel, a less highly refined fuel, from using Malton International Airport or any other international airport in Ontario?

**Hon. Mr. Kerr:** Mr. Speaker, it is highly doubtful that we could pass legislation to ban such aircraft.

This is something that the hon. member, I think, has asked before, at least along the same lines. Certainly these questions have been asked in the Legislature. It is a matter of working with The Department of Transport regarding their installations and facilities at Malton, for example.

I am told by my legal experts that we do not have the power to do what the hon. member suggests.

**Mr. Ben:** A supplementary question: Has the minister under the present legislation—or could he pass legislation—which would impose heavy fines on jet aircraft which use American engines and a cheap fuel?

I think the minister understands why. These are the aircraft that throw big billows of smoke.

**Mr. Speaker:** The hon. member has asked his question.

**Mr. Ben:** Yes, but it is always nice to enlighten the minister.

**Mr. Speaker:** Order!

**Hon. Mr. Kerr:** It is the same answer to the same question.

**Mr. Ben:** The minister does not answer any of them.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Energy and Resources Management, regarding nitrogen pollution: Has the minister determined first, what role if any, nitrogen plays in the polluting of Lake Erie? Second, whether Ontario drinking water has more than the recognized danger limit of 10 parts per million of nitrogen concentration? And third, whether Ontario foods, especially baby foods, are being monitored for excessive amounts of nitrate?

**Hon. Mr. Kerr:** Mr. Speaker, I will give the hon. member answers for those questions. There are a couple of municipalities I am not sure about.

**Mr. Speaker:** The member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I have a question of the Attorney General.

Why does the Ontario Provincial Police use the enforcement index, the accident charge index and the charge index to evaluate the work of the OPP officers?

**Hon. Mr. Wishart:** Mr. Speaker, as far as I am aware that is only one factor, which is a matter of information. It shows what charges are laid in the area and the state of law enforcement. It is not the major factor in evaluating an officer's capability or performance.

**Mr. Gaunt:** A supplementary: Is this system applicable across the province?

**Hon. Mr. Wishart:** No; there is no system, Mr. Speaker.

As I say, I think it is a matter of information, in looking at the situation with respect to law, the breach of traffic laws particularly and the enforcement thereof, to know, of course, how many charges are being laid. In the course of taking that information, the officer who has laid the charge is part of the information. But it is not a system in evaluating the performance of a police officer.

**Mr. Gaunt:** A supplementary—

**Mr. P. D. Lawlor (Lakeshore):** The minister is too easy on this! it is so.

**Mr. Gaunt:** A supplementary, Mr. Speaker: Would the Attorney General agree with me that as part of a design to evaluate an officer, it is in effect a quota; and as such is it not in the best interest of the public?

**Hon. Mr. Wishart:** I would agree it is not a quota, and not a good way to evaluate an officer's qualifications or capability or performance.

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

A further supplementary?

**Mr. Gaunt:** Yes.

**Mr. Speaker:** I think we might allow one more supplementary.

**Mr. Gaunt:** A final supplementary, Mr. Speaker: Could the Attorney General tell me what indices are used to evaluate an OPP officer other than the ones I have mentioned?

**Hon. Mr. Wishart:** Mr. Speaker, I think this question now is reaching into detail—I should not be expected to answer except in a very general way.

In evaluating any employee—any person on the staff of a business or an office—one would take into account, I would think, his promptness, his perceptive qualities, the extent to which he carries out his duties, the way he makes his reports, the time he spends on the job and various other things.

For me to tell the hon. member all the detail which would be taken in assessing, I think is asking for an extent of detail which is not of urgent public importance.

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

**Mrs. M. Renwick (Scarborough Centre):** A question of the Minister of Trade and Development: What does the minister have on his agenda for Ontario housing units to be completed by the end of 1970 in the Metropolitan Toronto area?

**Mr. Singer:** Good question!

**Hon. Mr. Randall:** Mr. Speaker, I do not have the figures with me. I will be glad to get them. We will be going into our estimates this week and I am sure we can provide that figure, plus many others.

We have been, as you recognize, asked Metropolitan Toronto to supply 3,500 units a year. We have supplied those 3,500 a year plus in some instances. So I think that will be not too far off that figure, maybe a little of it, this year.

**Mr. Singer:** Well there is Harbour City, those—

**Mr. Speaker:** A supplementary?

**Mr. T. P. Reid:** Could the minister also—

**Mrs. M. Renwick:** Would it be accurate, Mr. Speaker, then—the information being given out at University Avenue—that there have only one development on their agenda for rental at this time? I presume their agenda goes some time into the future. Are there any others that they may not know about?

**Hon. Mr. Randall:** There could be; I will have to check the facts. I am not too sure what they have on at the present time. But I will be glad to look into it and get the information for the hon. member.

**Mrs. M. Renwick:** A further supplementary, Mr. Speaker: Would the minister then know if there are any numbers of units available in Metropolitan Toronto now?

**Hon. Mr. Randall:** No, I am not aware of what is available as of this morning. Again, I will have to get the final figures from the staff and I will be glad to present them to the member.

**Mr. Speaker:** The oral question period is now expired.

Petitions.

Presenting reports.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker—

**Mr. Speaker:** Is this a report?

**Mr. Pilkey:** Orders of the day.

**Mr. Speaker:** No, we are on presentment of reports now.

Motions.

Introduction of bills.

**Mr. Pilkey:** Mr. Speaker, the untimely and tragic death of Walter P. Reuther, president of the United Automobile Workers, and his wife May, is a shock to the labour movement in Canada and the United States. Walter Reuther was a dynamic leader whose ideas

and dreams were translated into tangible realities.

He was really more than a labour leader because of his leadership qualities and a deep compassion to further the economic and social goals of the people he represented. Oshawa, Windsor and Oakville, just to name a few municipalities in Ontario, have directly benefited from the great leader's contribution to the economic wellbeing of their citizens.

In the early days of industrial union organization, Walter Reuther was playing his role. He was fired for union activities. He was actually physically beaten on the picket lines and attempts were made to end his very life, but he continued his union role in spite of those who tried to reduce his activities of union leadership.

He was an innovator when it came to collective bargaining objectives. Trade unionists around the world are enjoying the gains made through his skills and determination at the bargaining table.

Walter Reuther was in the vanguard of the fight for social changes, and he marched and fought with the poor and the disadvantaged in their fight for a better life. Whether it was at the Berlin wall, marching with the garbage workers in Memphis or fighting for the aged and the disinherited at the congressional and senate levels, Walter Reuther was there fighting for the oppressed. His pioneering spirit provided economic and social and political change in our time and we can be confident that his spirit will live on for many years as workers the world over continue the struggle for economic and social justice.

I know this House will join with me in expressing our deep sorrow in the passing of a giant among men and express to his family, fellow officers and the membership of the United Automobile Workers our sincere sympathy and condolence.

**Mr. D. M. De Monte (Dovercourt):** Mr. Speaker, this party would like to join with the member for Oshawa and his party and the members of this House in paying tribute to a man who not only brought the labour movement to its great place in the United States, but had within his heart the true role of the labour leader in that he felt for the working man.

There was no doubt that Mr. Reuther fought many of the greatest industrial battles and union battles in the United States, that his life was threatened, that he was beaten up on the picket line; we all know about this.

At a time like this, when we lose such a man you often wonder who he will be replaced by and know that there are other men like Walter Reuther and trust that we will have others like him. But today we can share and give our sympathy to his family and to the union he represents. He, in my opinion, was one of the finest labour leaders in the western world and in Walter Reuther's passing, labour has lost something.

**Hon. Mr. Robarts:** We would like to join with all members of this House in expressing our sympathy to Mr. Reuther's children. They have had the opportunity to meet him personally, and his wife, and certainly it is a great shock when a great man is taken from the scene in what appears to be such a needless and useless way, through an accident of this type. Certainly his contribution to the entire life of North America, in both his country and this country, was great, and I think as an entire Legislature we extend our sympathy to his children, who suffered a double loss, both himself and his wife; of course to his colleagues who will miss a very strong hand he had in guiding our destiny and the destiny of all those in our organization.

It was a sad occasion indeed, and we extend our sympathy to the remainder of his family.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** House in committee of supply, Mr. A. E. Reuter in the chair.

## ESTIMATES, THE DEPARTMENT OF HIGHWAYS (continued)

On vote 801:

**Mr. Chairman:** Estimates of The Department of Highways; page 72, vote 801.

We were dealing with this vote by grammes of activity, and we were discussing the main office programme when we were previously. Is there anything further up the main office? The hon. member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Well, Chairman, I feel that I should get up and say a word or two with regard to this vote. I think that I would be in order at this time since it has something to do with the minister's office and some of the operations of the department in areas that I represent.

I am speaking now with regard to the irresponsibility of this department in notifying Essex county in 1969 of the notice of returning a number of roads to county administration and the failure of the minister to answer letters written by the county council and the engineer of the county. They did withdraw their notification of turning the roads over, and earlier this year they sent another letter down saying that the proposed changeover or transfer to the county jurisdiction would be 63 miles of roads in the county of Essex.

I met with the county road committee and the minister after they had received this communication, and again the county had already set their road budget for the year. They had set their total county budget and notified the municipalities of the county rates, and then they got a letter from the department saying that there were more roads that they were supposed to handle.

I think this is utter irresponsibility and someone in this department, or the minister I assume, must take the blame for this attitude that they have displayed.

When you go over the southwestern Ontario highway planning study of 1967, which was presented to the municipalities in Chatham, these roads, I believe, should not all be classed as local roads or county roads. The report actually goes to 1985, and these are the roads that are recommended to be returned to county jurisdiction or local municipalities by 1985. Well this is 1970 now. Of course we know last year was 1969, and there was notice then of them even turning them over. So it behoves me to figure out just who is running the show over there; but I have come to the conclusion that nobody is running it very responsibly.

There are 220 miles of provincial highways in the county of Essex; there are 209 miles in the county of Kent; and there are 183 miles in the county of Lambton—those are the figures for 1964. Under the new proposal, there would be 20 miles added in the county of Essex for the next 20 years, 19 miles added in Kent county and 60 miles added in Lambton county. Now, the turnback of roads recommended in the report is that Essex receive 95 miles total, Kent receive 57 and Lambton 50.

There was an arrangement worked out with the county of Kent over the assumption of some roads that the province agreed to take over, and the county took over a portion of Highway 98 going through Kent. This was agreed upon and, as we say, it was a

kind of sawoff and it was not too bad a way, although I think that the county of Kent did come out a little on the short end; however, we cannot win them all.

What bothers me considerably is that, in 1985, the proposed highway system would be 145 miles in Essex county, in Kent county it would be 183, and in Lambton county it would be 193. In other words, Kent county now has 220, yet they recommend it would go down to 145 in 1985. So we are cutting it down 75 miles; and in Kent county they are cutting it down 22 miles and in Lambton county they are raising it 10 miles.

So it just does not add up to me, especially when you see the traffic coming over the border at Windsor through the tunnel over the bridge. The last count that we had for the month of March, indicates 30,000 more American cars came in this year in March than there was last year; there were I think, about 6,000 less Canadian cars. We still have an increase of 24,000 vehicles coming in at that border point. So the need for provincial highways and provincial responsibility is still great.

I can only say what some of the people do in the area; and I get letters from different municipalities. I understand now that the department has notified the townships, they, and not the county, will have to assume the highways, because I think there is a point of view coming in that the county is not a municipality under The Highway Act and because one of the roads we are speaking of, Highway 2, was never a municipal road. It was bought and constructed by the Department of Highways as an alternate route to the old base line road, as they like to call it in that area. It is a couple of miles north of where I live.

Where you look over the traffic count on these roads in this area, some of the potential is terrific coming out of Windsor. If you look over some—I think, on page 54 of the report of the traffic flow—Highways 401 and 3 get so wide they almost join together, they do join past 98. So the potential is fantastic.

As a comparison for mileage purposes, Essex county, the population of Essex county with the city of Windsor, is 275,000, and the adjoining counties have a population of about 90,000 or 100,000. So it just does not seem too logical to have this responsibility turned back to local municipalities which already now have been further burdened with taxation through the costs of education.

and sewage works that have to be put in in almost every municipality. When the Parliament of Ontario collects the gas tax and the tax licence fees for all automobiles, it just does not seem fair that they should turn it back onto the property tax in the county.

I also see that there are 50 miles to be returned to the county of Lambton, and I have not yet seen anything in the report where this has been turned back. I am wondering why it was all turned back in Essex county, and part of it in Kent. It makes you wonder whether, because you are a member of the Liberal Party and in the opposition, the government perhaps figures it is not going to give you anything and it is going to make it rough. I can tell the minister that he can make it as rough as he wants, but I am sure that I will be back here after the next election.

I do not want to take too long with this, Mr. Chairman, but there are things that I think have to be brought out, about the intention, so that the people of Ontario may see how The Department of Highways is being run. I just want to place my objection very strongly to this way of handling the road turnover in Essex and Kent counties and how it has been operated by this department.

**Hon. G. E. Gomme** (Minister of Highways): Mr. Chairman, I do not have the exact figures here for what the hon. member is talking about, but the county of Essex was notified over a year ago of our intention to turn back certain roads. My recollection is that we are turning back about 15 miles this year. Out of the total of those budgets that that county has, I think I am correct, it is something over \$2 million, of which the province pays 50 per cent. I do not want the inference being left that we are not contributing toward these roads, because we are.

Then there is to be a portion turned back next year with certain facilities that we are going to give them. The third part is not to be turned back until we have it rebuilt, and the member knows that we are going to enter into discussion with the county people and our own people as to the type of reconstruction that has to take place.

He raised a good many things. I do not think that I can cover them all, but I will avail myself of his remarks and see that he gets proper answers to everything. I believe at one place he said we were going to turn them over to the townships instead of the

counties, and my recollection of that is that this refers to only two very minor parts. I think both parts are less than a mile, which will only serve as a township facility.

**Mr. Ruston:** Did your department not send a letter out to the townships of Rochesford, Maidstone and Sandwich South that they would be assuming Highway 2?

**Hon. Mr. Gomme:** To my knowledge,

**Mr. Ruston:** Well, I must get a copy of that letter. I understand that there is a letter out to that effect.

On Highway 80, and I do not know if you have this type of material available as far as traffic counts, but I see from 800 to 1,000 per day are using Highway 80. I would like to know the traffic count on Highway 98, which, according to the book here, is from 2,000 to 5,000 a day. Yet Highway 80 is staying as a provincial highway. I would like to know if you have the count on Highway 98 in different areas, offhand. Do you have that available?

**Hon. Mr. Gomme:** I do not believe that we have those figures here, but I think what you are referring to on Highway 2 is a large proportion of local traffic, not through traffic. That makes a difference.

**Mr. Ruston:** Of course, that is right. In the report here says that people have a tendency to want to drive on Highway 401 and it states this right in the report. I think it says on page 40 of travel patterns, that some people seem to want to use Highway 401 in preference to 401. It could be for a number of reasons. Some people do not like the speed—it is a little fast—or the heavy traffic on Highway 401; and also, I think, though 401 in some places has been resurfaced, it always was a little rough. But Highway 2, as they say right in here, tends to be used rather than 401, and yet we know 401 is only two or three miles from it. In the traffic pattern there shows a large number of people use it, and not necessarily local people.

**Hon. Mr. Gomme:** The traffic survey takes into account the origin and destination of the vehicles and that is the way we show it.

Mr. Chairman, might I correct that figure that I mentioned—of course, it was from memory—about \$2 million expenditure on their roads. The latest figures I have show the expenditure is \$1,420,697, of which \$79,596 is subsidy from the government.

**Mr. Ruston:** Mr. Chairman, I would not want to mislead anybody. I have been connected with local municipal politics for years and that was one thing that I always stressed, that when we were doing any road work The Department of Highways always paid 50 per cent of the cost of our approved works and 80 per cent of the cost of a bridge; and I certainly would not mislead anybody as to cost. Anybody I ever talked to was always aware that The Department of Highways paid this and I was always one to make sure that they knew this—where their gas tax money was going.

**Mr. Chairman:** The hon. member for Kent.

**Mr. J. P. Spence (Kent):** Could the minister confirm any agreements that he has entered into with the county of Kent to take back that portion of Highway 98, that is for the department to take over the communication road from Highways 3 to 401 and also for Highway 3 at Etonville into Rondo Park? I understand that you have made this agreement, is that correct?

**Hon. Mr. Gomme:** Yes, that is so.

**Mr. Spence:** Will there be any work done on these two projects this year, Mr. Minister?

**Hon. Mr. Gomme:** Yes.

**Mr. Chairman:** Main office. The hon. member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, I want to go back to the other night for a few moments. I asked the minister the other night if he would—

**Hon. Mr. Gomme:** Mr. Chairman, if I might interrupt a moment:

If we are returning to what we were on the other night, we got off on another part here before I was able to do it, but I would like to make a statement to the House on what has happened since that time.

In the first place, we called a meeting this morning with the contractors and we laid out the plan which we are going to follow.

Mr. Chairman, as a result of the report of the Restrictive Trade Practices Commission on road paving in Ontario, which was released last Thursday, May 7, considerable interest was expressed by various members over the action that was to be taken by the department in respect to the 31 companies named in the report. We on this side were also very concerned about the implications of the report insofar as it affected our current construction and maintenance programming.

On Friday we contacted representative each of the 31 companies referred to in the report as being involved in collusive or defunct tendering practices and asked them to attend a meeting at the Downsview office of the department at 10 o'clock this morning.

Mr. Chairman, I am pleased to be able to tell the committee that representatives from 23 of the 31 companies appeared at the meeting. Of the remaining eight companies we are advised that six had been, or are in the process of being wound up and are therefore, no longer bid on department work. One company has recently been taken over by a new owner, who is not involved in the matters set out in the report. The following statement was read out at the meeting:

You have been asked to attend this meeting because of allegations contained in report No. 49 of the Restrictive Trade Practices Commission entitled, "Road Paving in Ontario". Representatives from 31 of the 31 companies named in the report, being associated with collusive or defunct tendering procedures were asked to attend today. As you may have read in the newspaper accounts of the debate in the Legislature, the Attorney General for Ontario is reviewing the report to determine the Minister's position in respect to the points raised in the report.

Today's meeting has nothing to do with that review and what happens here today without prejudice to further action, if directed by the Attorney General. Rather, it is designed to provide confidence in the present and future bidding practices and will be, above reproach.

We have prepared a very simple document for signature by a knowledgeable signing officer of each company. The document refers briefly to the allegation, identifies the person signing the document and states that the company, in submitting tenders to the department or to the authorities subsidized by the department, is not practising any of the collusive or defunct tendering practices referred to in the report. You are free to sign, or not to sign the document, as you wish. However, so long as any company cannot, or will not, sign the document, it will be affected by the following:

1. The company will not be awarded contracts on which it may now have submitted to the department.

2. The company will not be permitted to bid on any department work.

3. The company will not be accepted as a subcontractor on any department work.

It is my opinion that the approach we are taking in respect of this situation provides you with an excellent opportunity to remove any suspicion that might have been raised in people's minds by the report, as it applies to the future.

Mr. Chairman, I would point out that since the release of the report last Thursday, no construction or maintenance tenders have been opened. The next tender opening for this type of work will be on Wednesday, May 13. Having this tender opening in mind, the companies were advised that if they wish to have any bids considered by the department at that tender opening, the signed assurances and undertaking concerning bidding practices must be in our possession no later than 10 a.m. tomorrow morning. That is May 12.

I am able, therefore, Mr. Chairman, to assure the members that no contract will be entered into with any of the 31 companies, and that no bids will be accepted from any of the 31 companies, unless they give us the assurance and undertaking which we have asked for.

In this regard, I can say that we have already received the signed assurance and undertaking from a large majority of the companies still in business. As a further precaution on the part of the department, and to further emphasize our concern over collusive or deceitful bidding practices, we are instituting immediately the requirement that all bidders on construction and maintenance contracts submit their bids with a signed statement to the effect that the bid has been prepared and is submitted without collusion or deceit.

For the benefit of the House, I would like to read the document which they have been asked to sign:

Whereas the director of investigation and research, under The Combines Investigation Act, has alleged that certain road contractors were, in the years 1959 to 1965 inclusive, parties to the arrangements contrary to section 32 of The Combines Investigation Act, to prevent or lessen unduly competition in the supply, transportation and application of asphalt paving materials to, and within the jurisdictions of, the municipalities of Metropolitan Toronto, the Toronto and York road commissions and The Department of Highways of Ontario; now, therefore, the undersigned hereby certifies and undertakes as follows:

And in there they put the name of the company.

And as such have knowledge of the procedures followed by the company in preparing and submitting tenders to the authorities.

2. That in submitting tenders to the Department of Highways, the company is not practising any of the collusive or deceptive practices referred to in report 149 of the Restrictive Trade Practices Commission and that no such practices will be employed by the company in the future.

The date and the signing officer's name.

Mr. Chairman: Before we proceed with any further comments on this, I am certain the statement, of course, is relevant to the estimates. But it has to do with road contracts and I am wondering just why and how this matter should be introduced under the main office vote rather than under votes 802 and 803. Have there been previous discussions in this connection?

Some hon. members: Yes!

Hon. Mr. Gomme: Mr. Chairman, as it was felt, is under "administration", it could come either at one place or the other and there was discussion the other night.

Mr. Chairman: There was discussion under vote 801. The hon. member for Sudbury East.

Mr. Martel: I would like to ask the minister a question that it seems might resolve some of the difficulty we have been confronted with. The other night, I raised another issue with respect to the public accounts. I showed a map wherein we had pinpointed where two companies had received most of the contracts. I requested either one of two things: either the department produce a map for us with the contracts of the various 31 companies involved for last year or to map and pinpoint the specific locations of these contracts, as I did with Beamish and MacFarland, and found them in two very restricted areas; or the department provide us with the material that I know is available in a book at Downsview, providing with the data that public accounts documents contain—such things as the project and location. I think we are entitled to one of two things: either that the map be done for us, pinpointing these companies for 1966-1969 and their operations, or we be provided



at least, with the date wherein we could plot their job localities for last year.

Now, is it the minister's intention to do either one of the two?

**Hon. Mr. Gomme:** Mr. Chairman, of course it is our intention to supply any information that is available. We are going to have a map prepared and hope to have it ready for the hon. member tonight. He must further realize that we have spent a great deal of time over the weekend on the problem, which I have outlined in my statement, but we hope we have that map tonight. If not, he will have it by tomorrow.

**Mr. Martel:** Fine, I appreciate that.

**Mr. Chairman:** The hon. member for Huron-Bruce.

**Mr. Martel:** Just a moment, Mr. Chairman, I—

**Mr. Chairman:** Was the hon. member for Sudbury East going to pursue this same topic?

**Mr. Martel:** I want to know which one of the companies was absent. Apparently there was one which did not show up.

**Mr. M. Gaunt (Huron-Bruce):** No, there were eight.

**Mr. Martel:** Well apparently there were six that were going out of business, as I understand it. One has changed hands—there is a new owner—which still leaves one company unaccounted for, if my mathematics is correct. Could you tell us which company it was that did not make its presence felt this morning?

**Hon. Mr. Gomme:** I understand what you are asking for. Really, there were eight companies that did not show.

**Mr. Martel:** Right.

**Hon. Mr. Gomme:** And I told you that six of them were going out of business.

**Mr. Martel:** One changed hands!

**Hon. Mr. Gomme:** Yes. And the other one does not, to my information, bid on any of our work. But the point about it is that he cannot bid and he will not be able to pick up tender documents until he does sign, if he should want to.

**Mr. Martel:** Could I ask the minister one final question, then? It deals with this, although not this specific document. Is it

the minister's intention to improve the reporting of the expenditure for The Department of Highways in the public accounts next year?

**Hon. Mr. Gomme:** I think, as I have on other occasions, we just report them as public accounts requests them and this is the basis on which it has been done.

**Mr. Martel:** Right, but when it comes expropriation or when it comes to contracting, what we get is a lot of information—you might as well save the public account from reporting, because it means absolutely nothing to the members. There is nothing significant. You get a contract number, you get a company name and you get the amount expended, but beyond that, it does not tell us where, it does not tell us the size of operation undertaken—whether it be a bridge or construction—it does not tell us the location in the province. We might as well save the trouble and the expense of issuing the public accounts, if they are going to be issued that manner. They mean nothing to anyone and I think they have to be improved.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, on this very point, if I may. I remember this came up in the estimates last year, three or some years ago you did report, with two or three words or a phrase here and there, to give an indication. I remember objecting to it and making severe objection, that this had been dropped out of the public accounts. Would not that dropping out be caused through your own instrumentality—your department has done that? It has nothing to do with the auditor general of this province; it is just the way in which you report. Could you not reintroduce what you did three or four years ago?

**Hon. Mr. Gomme:** It is my understanding, Mr. Chairman, that we have never done that particular thing that the member for Sudbury East has asked for.

**Mr. Lawlor:** Well I could show you.

**Mr. Martel:** Would the minister then consider it for the up and coming year so that we are enlightened a little as to what is going on, so that we can make comparative checks? In the final analysis, this is what the responsibility is, largely—to check the expenditure of the funds—and if we have no information that is available to us, it is a waste of time even printing the public accounts.

**Hon. Mr. Gomme:** There is no intention, Mr. Chairman, to hold any information back

but each contract is advertised and the number allotted to it in the papers beforehand. But if the hon. member has some specific areas that he wants this information for, I am sure we can get it.

**Mr. Martel:** No, I do not want specific areas; what I want to be able to do if I should so desire, is what I did last Thursday, and I had to put people to work in order to accomplish it. We had to phone your department on 10 contracts by MacFarland and 14 contracts by Beamish, to find out whether they were on Highway 7 or Highway 144. Without this type of knowledge as to where contract 6707 is, we have no knowledge of where, or whether or not in fact, a company has a restricted area of the province that is its own bailiwick. And I suspect, after charting Beamish and MacFarland, that in fact some companies do have their own little bailiwick.

I could be entirely wrong, but I would not have to stand up here in the House and make such a statement if I could take various companies and do this on my own. I would be able to satisfy myself that, no, this is not happening. At the present time I am not able to do this, and so I have to stand in my place and make the suggestion that possibly this could be happening. It is to no one's real gain to make such a statement, outside of the fact that it is the only way that we can run it down to assure the people of Ontario that this is not occurring.

**Hon. Mr. Gomme:** First of all, I can accept the member's statement that he could be entirely wrong in the assumption that he has used; but this would be a tremendous volume to get out on all of these things. As I have said before, we are only producing this the way we are asked to by public accounts and I do not know what else we can do.

**Mr. Martel:** Very simply, you could take the public accounts and you could put across the top of the page the name of the companies—just names—and list the companies down the page, and the contract number, the quantity of money, the type of work and the location; very simply, you know. You would not get this great hodge-podge.

Have you ever tried to work with this? After five minutes of looking at this, everything becomes a grey blur even for those of us who do not wear glasses, and it is virtually impossible to work with this type of reporting; just impossible.

If you just listed the company, we would know how many contracts it got, we would know the location, we would know the expenditure, and the type of work undertaken and it would certainly make the report more valuable. The same, by the way, could be applied to expropriation. We would know how much land was purchased, and we would know where; there would be some meaning. This is a waste of time, and it is a waste of money to have them present it to the members like this because they mean absolutely nothing. We are not going to take a computer or an adding machine and add up the quantities there, either. So you might as well just give X number of dollars spent on this way and leave us as much in the dark as we are at the present time.

**Mr. Gaunt:** Mr. Chairman, I want to compliment the minister on his move, in an attempt to protect the public interest, in regard to the 31 contractors which we have been talking about and to which reference has been made by the Restrictive Trade Practices Commission in its recent report to the Department of Consumer and Corporate Affairs. I just want to pursue this with the minister for a moment, if I may.

The minister indicated that there were 31 companies represented this morning. He indicated at another point in his statement that many of those companies actually signed a document to which he made reference which has been prepared by the department. I am wondering how many companies actually signed that report this morning. I understand that they have until tomorrow in order to sign that report. I am wondering how many of the 23 signed immediately.

**Hon. Mr. Gomme:** Mr. Chairman, I am not advised of the number; at the moment I am not advised. The ones that did not sign had no objection to it, but they were representing directors, so they wanted to take it back to show it to them. The point is, they all have to sign it by 10 o'clock tomorrow morning or they cannot be considered on any of these bids that they have in. This is the point that we made. We put this deadline on, in case any of them would be bidding on work on Wednesday.

**Mr. Gaunt:** Do you anticipate that all of them will be signing by tomorrow?

**Hon. Mr. Gomme:** I cannot answer that, Mr. Chairman, but I can tell you this, they will either sign it or they cannot bid on our work. This is how it is.

**Mr. Gaunt:** Yes, all right. I want—

**Hon. Mr. Gomme:** I believe they will.

**Mr. Gaunt:** But you believe they will?

**Hon. Mr. Gomme:** Yes.

**Mr. Gaunt:** Well, I want to move on, then, to the matter of studded snow tires, Mr. Minister. I made some reference to it in my opening remarks. I notice that the pressure is starting to build with respect to this matter. The department produced a report last fall, I believe.

**Mr. Chairman:** The hon. member should bring this up, really, under vote 801, research, which is the last programme. We are attempting to deal with—

**Mr. Gaunt:** You called the head office vote and I had understood on Thursday that we were taking them item by item and then by the—

**Mr. Chairman:** At the suggestion of the hon. member for Windsor-Walkerville (Mr. B. Newman), and with the concurrence of the committee, we agreed to take vote 801 by programmes of activity as outlined in the estimates book. So far we are still dealing with the main office.

**Mr. Gaunt:** I will bide my time, Mr. Chairman.

**Mr. Chairman:** All right. Now the hon. member for York South (Mr. MacDonald) was attempting to get the floor previously.

**Mr. Lawlor:** My leader defers!

A few moments ago, the hon. minister said that to his knowledge the reports of his department in the public accounts never contained the kind of information that I asked touching the question. I would refer him to 1968-1969, the last Public Accounts of the province, where it certainly is not set out and which my colleague from Sudbury East had taken grave reservation about, as he very well may.

May I refer, therefore—I just got an old Public Accounts out of the air. I asked the page boy to bring me the Public Accounts for March 31, 1965—to the Public Accounts at H14, covering pages and pages of contracts, where you have the detailed type of information that we are requesting.

It does not clutter up the Public Accounts. It is certainly giving misinformation to the House to say that you had never reported in the way that we are asking you to report.

I do not know if it carries on to 1966-1967 but I know from memory that last year it did discontinue the practice. From the point of view of being a responsible opposition it is necessary that you reinstitute this indicated type of information.

Right off the bat, let us take the very first one. I will not press this matter unduly, this is the kind of information we are being deprived of and it is serious from our point of view. The very first contract is ABC Structural Concrete Limited, contract number and-so, it says—

**Hon. Mr. Gomme:** Could we have that number again, please?

**Mr. Lawlor:** It is H14 of the March 1965, Public Accounts.

**Hon. Mr. Gomme:** Thank you.

**Mr. Lawlor:** For the very first one, company, ABC Structural Concrete, you “pre-stressed beams, Macdonald-Cartier Ferryway, Highway 401, 6.7 miles east of Highway 31, \$14,602.”

Then you go on to the next contract, tell what it is about. We go down the same page and you mention crushed gravel being used at a certain place.

Take Allied Chemical Canada—they supplied what? At the present time we cannot tell what they supplied. You say in 1965 “calcium chloride” and you list your district at a certain point. You itemize every one of the contracts. You say precisely what they are doing. They are patching the west causeway. In another place you mention canalization 0.74 miles, Highway 7, Don Mills Road, you carry on for page after page with this sort of information. Why do you not do now?

**Mr. Chairman:** I believe the hon. member—

**Hon. Mr. Gomme:** I am sorry, Mr. Chairman, if I misled the House. I had no intention of it. I think I referred to the request of the member for Sudbury East and I do not know whether even 1965 is quite as full as he was requesting. But I can see what you are referring to and we will take this matter up with the people concerned and see if we can go back to this.

**Mr. Lawlor:** Good. That is all we want.

**Mr. Chairman:** The hon. member Humber.

**Mr. G. Ben (Humber):** Yes, through you, Mr. Chairman, to the minister. How many contracts issued in the year 1968-69 were not completed within the time specified originally in the said contract? What fines were imposed? What penalty clauses were in there for going beyond the completion date? How many contractors paid for overrunning the completion date and by how much? And, finally, which contracts were overrun, who were the contractors, and by how much?

**Hon. Mr. Gomme:** Mr. Chairman, we would not have all that information here, but we will certainly get it. It will take a little time and if we do not have it in time for this vote, it could come under "construction," the one a little later on. I think I explained before that a lot of the contracts are based on working days and it does not necessarily mean that a contract is let to be finished on July 1; it depends on the number of working days. It sometimes takes a little time to work out what the member asks for, but I will get that information.

**Mr. Ben:** Were there any prosecutions in that period to recover moneys for penalty, or does the minister need time for that too?

**Hon. Mr. Gomme:** It would not be exactly prosecutions, but there would be money withheld on account of them being in that position, and of course then they are also penalized on their prequalifications.

These things have happened, but I will get that information for you.

**Mr. Chairman:** Does the hon. member now wish to defer to the hon. member for York South?

**Mr. Lawlor:** No, his time has not yet come.

Interjections by hon. members.

**Mr. Chairman:** The hon. member for Lakeshore.

**Mr. Lawlor:** Touching these undertakings and certifications that the minister outlined to us a moment ago, I would only have this to say to the minister.

First of all, you know, between you and me, I have some doubts as to the range or depth or binding of that kind of document. A very nugatory document, I suspect. If people are going to traduce the criminal law, either in the cold, or in The Combines Investigation Act, this kind of piece of paper is not going to make honest citizens of them.

However, it is better than nothing, and in the legal profession we are always taking

undertakings. It does make them aware, I trust, of what they are getting themselves into. There could be a drift into lusive practises, you know, as part of the workaday world, part of the game, and if you remind them constantly, and rap them on the knuckles, I suppose it may have some inhibiting effect.

The second area that I want to mention to the minister is, when the minister requests that the Restrictive Trade Practices Commission does a more thorough and penetrating study, it was somewhat limited in scope to precisely what was asked of it. As I have said to you at the beginning of the report,

Accordingly the department requested the director of investigation and research under The Combines Investigations Act to conduct an inquiry into general asphalt paving work in Ontario.

Then the report goes on to say:

Paving is the placing of asphaltic surface on a prepared roadbed. Sometimes contracts are called for paving only but usually paving is just the final stage of a general contract for the construction of a road or highway.

The minister, as he read the statement he is asking these firms to sign, has restricted and restricted by deliberation, their statement of non-collusive intent to this rather second or minor or peripheral area of highway construction and maintenance.

I would ask the minister to give some thought, and I would be interested in your response, to making the kind of undertaking that you have envisaged here, a general undertaking for all contract work whatsoever, irrespective, in this province. That is what that document presently says as I have heard you read it. If it is to have any purpose to have any binding power, perhaps it should be used across the board in the future, to include all your bidding. So that at least they are aware that you are aware of the possibility because the same firms do a diversity of work within your department. Why should it be confined to this rather narrow arena?

**Hon. Mr. Gomme:** Mr. Chairman, it is not confined to that narrow arena at all. The hon. member will recall the last paragraph of the statement:

As a further precaution on the part of the department and to further emphasize our concern over collusive or deceptive bidding practices, we are instituting in

diately the requirement that all bidders on construction and maintenance contracts submit with their bids a signed statement to the effect that the bid has been prepared and is submitted without collusion or deceit.

**Mr. Lawlor:** Just one question, Mr. Chairman, if I may. The document that you read subsequent to that—as being handed to the 31 firms, 23 of whom may or may not submit them by 10 o'clock tomorrow morning—was directed, am I not right, to this very type of contract and not to another range of contracts?

**Hon. Mr. Gomme:** No, it was not restricted to that at all. The member must realize that we took this approach to get ourselves in the perfect position of being able to protect the people of Ontario. I referred to that in our statement; as soon as we can get this wording properly in the contract it will be in all of them, but this takes care of the immediate situation.

**Mr. Lawlor:** You bet.

**Hon. Mr. Gomme:** And that is why we have done it this way.

**Mr. Lawlor:** You mean it takes care of the immediate situation touching resurfacing work?

**Hon. Mr. Gomme:** All work.

**Mr. Lawlor:** Fine. Would the minister—

**Hon. Mr. Gomme:** You see, the member understands that this is done because some of these people may be bidding on our work on Wednesday. We do not know but it covers any work that they do for the department.

**Mr. Lawlor:** I am not quite satisfied. Would the minister be kind enough to send me over a copy of the document he is having them sign? I listened intently. Now you can have my leader, Mr. Chairman, if you wish.

**Mr. Chairman:** The hon. member for Kent is next.

**Mr. Spence:** What vote do we discuss service centres under? This vote?

**Hon. Mr. Gomme:** They would be under this vote, Mr. Chairman.

**Mr. Chairman:** Under the programme of legal—

**Mr. Spence:** Mr. Chairman, I would like to ask the minister—

**Mr. Chairman:** I am trying to keep the programmes of activity in order. Would it be under legal services?

**Hon. Mr. Gomme:** No. It would be under—I cannot give you that, Mr. Chairman, just under general administration.

**Mr. Chairman:** The first vote. Very good. The member for Kent now.

**Mr. Spence:** I would like to ask the minister how much revenue was derived this year from the service centres across the province of Ontario or on Highway 401?

**Hon. Mr. Gomme:** The estimated revenue was \$2,170,834.

**Mr. Spence:** Mr. Chairman, have any agreements or contracts been renegotiated with these service centres since they have been built? How many years do you renegotiate these agreements with these service centres? As I understand, you call for ten per cent for so much gross, so much percentage, gross take. How are they arranged?

**Hon. Mr. Gomme:** These are called 99 per cent, would say 99 per cent of them, for 25 years. They are based on a basic rent for the value and the rest of it is on a percentage of the gross take.

**Mr. Spence:** Is the percentage of gross take changed, or do they run for 25 years?

**Hon. Mr. Gomme:** They run for 25 years.

**Mr. Chairman:** Anything further under this main office?

**Mr. Gaunt:** Mr. Chairman, I am wondering what safeguards the department has for these service centres? What standards do they have to maintain? Is there any provision which the department can go in and, from time to time, check over these service centres to see that they are maintaining proper standards *vis-à-vis* washroom facilities, *vis-à-vis* food and all of the other services which are supposed to provide to the travelling public?

**Hon. Mr. Gomme:** Mr. Chairman, we have provided inspectors who are continually visiting these places and looking after the very things which you mention.

**Mr. Chairman:** Does the hon. member for Lakeshore now wish to pursue the legal matter he obtained?

**Mr. Lawlor:** Yes, just for one moment on this. Again it hurts me to say so, but I think the minister is wrong, and I am right. On the basis of this document that you submitted, you say that in submitting tenders to The Department of Highways or to other road authorities subsidized by The Department of Highways, the company is not practising any of the collusive or the deceptive practices referred to report No. 49.

I said, and I continue to say, that report No. 49 is the report that you gave us the other day, and I am sure it is, that it involves a rather narrow range of deceptive and collusive practices. All you are asking them to do, in this particular document at least, is not to do those nasty things in subversion of the public realm. It covers what I said it covers in paragraph two of the opening paragraph of the statement. It does not have cognizances of the right or wrong of the big net being thrown.

I am not going to take great umbrage at this, Mr. Minister, but all I really want to know is that, leaving aside this document, which has to be signed tomorrow and which is directed to only 31 companies, that the wording in future documents when tenders are being submitted will not have reference to report 49 or any other report, but in general will say: "You boys must not collude".

**Hon. Mr. Gomme:** Mr. Chairman, this is exactly what we intend to do when we put this into tender form. But even in this particular document here, we mean that they are not practising, on any contracts, any of those things that are in the report.

**Mr. Lawlor:** You may mean it, but you ain't said it.

**Mr. Chairman:** Does the hon. member for York South now wish to speak on the main office?

**Mr. D. C. MacDonald (York South):** He wants to complete this.

**Mr. Chairman:** The member for Riverdale.

**Mr. J. Renwick (Riverdale):** Mr. Chairman, I want just a brief word on this restrictive practices report regarding the procedure that the minister is going to adopt. It seems to me that when he is generalizing for the purpose of future tender bids, he should give serious thought to devising the kind of terminology which would, in fact, invoke a penalty in the event there was a breach, in the department's opinion, of any of the collusive practice arrangements. I think that I express the

idea with some caution, because there is a point in having a commitment to obey the law or not to engage in collusive practices, and then have them go and take out some kind of a bond, on which they can then add the cost of the bond as part of their tender.

It does seem to me that it should be possible, in conjunction with The Department of the Minister of Justice and Attorney General, to devise the kind of language that, in fact, would invoke a penalty in the event that the persons bidding are found to have engaged in poor business practices from the point of view of the tender system of the province.

The second thing that I would like to comment about is that the report, or the press release, of the Minister of Consumer and Corporate Affairs in Ottawa indicates that changes were pending in The Combines Investigation Act as a result of the economic council's report to outlaw or to prohibit bid-rigging. I am just curious as to whether or not the minister, or the Minister of Justice and Attorney General (Mr. Wishart) has had any communication with the federal government as to the adequacy of the kind of amendment to The Combines Investigation Act which is proposed?

The third point that I would like to mention is that I do hope in the course of the investigation by the Attorney General about the question of whether or not any charges could be laid, that when the time comes that if he does, by any chance, decide to suggest charges can be laid, that the particular six companies which are in the process of being wound up will not have disappeared from the scene. There must be some procedural method which the Attorney General could devise in order to make certain that if charges are laid that those companies are, at least, around so that the charges can be effectively prosecuted.

It seems to me that those three items are ones which I would draw to the minister's attention. I would hope that he would take them as steps which he could follow up and deal with in the course of the next day or so.

**Hon. Mr. Gomme:** With regard to item number one, the type of wording is under immediate review, and everything that can be done will be done. That point is well taken.

The other two points, of course, I think affect the opinion of the Attorney General. The member should realize that I am very concerned about this. As you may well know, this is not a nice situation to face. You

not like to do business with people that you have to feel this way about.

But again I say that what we have done this morning is to get something that will tide us over for the time being until we can get it properly worded and laid out in future tender calls.

**Mr. Gaunt:** Mr. Chairman, may I have a word in this respect? I would like to get the minister's assurance, if I may, that in the event the Attorney General recommends that certain prosecution go forward, I would hope that what the minister has done today, in requiring these companies to sign this document, would not in any way prejudice his position in going forward with a prosecution in the event the Attorney General does recommend it.

In other words, what I am saying is that when the minister has this document signed by these companies and perhaps in certain cases, perhaps in all cases, I would not know, the Attorney General may recommend that the prosecution go forward with respect to the companies in question, I would hate to think that because the minister has signatures from these companies in question he would then consider that adequate and would not move forward with the prosecution. I would hope that the minister, even though he does have the signatures of these companies, in the event that the Attorney General recommends a prosecution that the minister would then go ahead, notwithstanding the signatures that he will have.

**Hon. Mr. Gomme:** Mr. Chairman, that is exactly what we have tried to do in this. In the statement I read, and which was read and delivered to the contractors, it definitely states today's meeting has nothing to do with the review by the Attorney General, and what happens here today is without prejudice to further action, if any, directed by the Attorney General. I mean we covered that very position.

**Mr. Gaunt:** Well I am glad to hear the minister say that and to have his reassurance because I hope that the department does not get soft with these companies simply because you have their signatures indicating they will not engage in this kind of practice any more.

**Mr. Chairman:** The member for Lakeshore.

**Mr. Lawlor:** To finalize this particular aspect of the debate, analogous to what they did under the legal aid scheme there would be many people mulcting the scheme, mulct-

ing it and milking it—it was very much the same thing, they were driven to obtaining statutory declarations from individuals.

Have you considered using a statutory declaration rather than a simple statement as the means to have the companies signed down? It would have much more effect than it would put them on their toes the time they made a submission on a tender and they would be very cognizant when they signed the contracts. It would expose them to criminal prosecution on a second count, is for perjury. Is it not your obligation, minister, to put every bit of teeth you can get into whatever moves you make at this time?

**Hon. Mr. Gomme:** Mr. Chairman, that is under advisement as part of what will be done with the contracts, and I certainly believe what the hon. member says. Of course I have a responsibility, and I will do my very best to see that that is carried out.

**Mr. Chairman:** Is there anything further under the main office programme under 801?

**Mr. MacDonald:** Mr. Chairman, I seek your guidance after all this buildup. What I am looking to get clarification on is whether or not we are raising what I think are fundamental policy issues underlying our policy with regard to expressways it should be done here or there. The vote dealing with construction.

**Mr. Chairman:** That would be road construction.

**Mr. MacDonald:** My main concern is not only the Spadina expressway, I will be concerned with others. My main concern is the underlying policy.

**Mr. Chairman:** Perhaps the hon. member would give us his opinion.

**Hon. Mr. Gomme:** This could come under 803 where I believe municipal subsidies are dealt with.

**Mr. MacDonald:** Okay.

**Mr. Chairman:** The main office programme under 801. Anything further on that? The member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** Mr. Chairman, I would like to deal with the matter of what the government's policy is on the matter of tendering when there are close figures from two companies.

There was recent bidding concerning a contract in my riding. There was a com-

from Willowdale which bid \$297,982.90 on this contract; a company from my own riding, very adjacent to where the work was done, bid \$297,975.20, a difference of some \$7.70 on a contract of that size. Now there are a couple of things involved here. I will give the minister the number of the contract if he is interested. It is 69149 concerning work done in—

**Mr. P. J. Yakabuski (Renfrew South):** A lot of work being done up there.

**Mr. Ferrier:** Indeed there is! A lot more than has been done for a long time.

**Mr. Chairman:** One company is right in the riding and the municipal public works people look to a company like that to have the kind of equipment necessary to do jobs in their municipalities if they are needed. But when a contract is given to a company down in the Toronto area to go up there, it means that the local contracting firms are not able perhaps to develop as they ought to. When municipalities need work done, they are not able to call on a contracting company that has all the equipment and knowhow it should have or could have if it was getting more local jobs, especially when the difference is of such a small amount—\$7.70 on a nearly \$300,000 contract.

An area like the north has problems with employment and we need all the jobs that we can get. I wonder if there is any way around this kind of thing that the minister's department can take? What do you do in this kind of situation? Do you just take the lowest bid, even if it is not much lower; or can some consideration be given to some of these local companies in setups like this, so that we can develop stronger companies, provide employment and still get the same quality of work done?

**Hon. Mr. Gomme:** I think probably the hon. member should speak to the hon. member for Sudbury East. He would get the answer from him.

**Mr. Ferrier:** I am asking you.

**Hon. Mr. Gomme:** Our policy is to give it to the lowest bidder and that is exactly what we did, I believe. I believe you are referring to work in the hamlet of Val Gagne. There were four bidders there; four bids were submitted and we gave it to the lowest bidder and that is the one qualified to do the work.

**Mr. R. Gisborn (Hamilton East):** On that question; you might have answered the mem-

ber correctly in relation to that particular contract, but how about the policy of the department? Certainly they do not just go into account the lowest bid. There will have to be performance, reliability and location and this sort of thing, is that not correct?

**Hon. Mr. Gomme:** Yes, this is all part of our prequalification. We know if anyone that bids on a certain job is qualified to do it and these are the only ones that get the tender documents.

**Mr. Chairman:** Anything else under this activity?

**Mr. Gaunt:** Mr. Chairman, I would like to get clarification on one matter of policy. Will the department this year come forward with the new policy with respect to the grants that will be given to municipalities for new construction? My information is that if a municipality has not done any new construction in the previous year, then it is not eligible this year for grants for new construction. I presume that had to do and actually flowed from the fact that the province was embarked upon an austerity programme, so to speak, though the budget went up some 14 per cent overall, but I am just wondering if there are any exceptions to this, and in the event there are, would a municipality that has yet engaged any contractor or done any of new construction within the last eight or 10 years be able to qualify under these special circumstances?

**Hon. Mr. Gomme:** Well, Mr. Chairman, I think this should come under either 80 or 803, municipal assistance.

**Mr. Gaunt:** I thought it was a matter of policy, and it does not matter—

**Mr. Chairman:** The member for Sudbury East.

**Mr. Martel:** I have two matters of policy. One relates to the firing practices, if you want to get rid of an employee or feel you should get rid of an employee; and the other relates to the responsibility if something should go wrong during a contract, and I am talking specifically about blasting. I am going to outline both of these cases.

I would like to know, for example, if a contractor is in trouble once, is it the department's policy just to fire him or has the department perhaps got a demerit system, as the railroad has, where you collect shares in the company and they let you go when you gather 60 shares in the company, or is it just a *carte blanche*?



policy of release if you have got a man who has been in trouble once with The Department of Highways?

**Hon. Mr. Gomme:** Mr. Chairman, I would have to know the nature of the trouble before I could answer that.

**Mr. Martel:** Well, it is somewhat difficult to get all the sides. You only get one side to any one story, you know. This case deals with a Mr. Etienne Brosseau in the Chelmsford area, who came to me two weeks ago. Mr. Brosseau had been an employee with The Department of Highways for something like 17½ years. Now, that is a long time, and he was working on patrol. I might indicate the man only has one hand, and he seemed to be getting along relatively well up until about a year ago, when in fact his immediate supervisor, as I understand it, gave a report indicating that he might be causing trouble among the men. At that point, the man was transferred to Sudbury and, you know, he encountered some difficulties driving all the way with one hand, and after 17 years in one place he did not want to leave. Consequently, he missed three days' work. He returned to work and was fired.

Maybe there is another side to this story, but I would like to know if this matter will be investigated, and at the same time, what kind of a system does the minister have for a man who has been with him for 17 years? Is there a demerit system or a number of incidents or a number of opportunities? Or does a man just get unloaded after a couple of instances, or can he work these off or do they stay with him forever? With the CNR, if you get in trouble, you carry what we used to call shares in the company for a year, and every year you could work 10 or 15 of these shares of the company off and come back with a clean record. But it seems strange to me that if these are the facts, as presented by this man—as I say, I have heard only one side of the story—that, after 17½ years, he would be let out in the cold. I would hope that the minister could explain the department policy, and at the same time have this case reviewed, because I think there is some merit to looking at a man who has been with the department that long.

The second issue is somewhat more difficult. I have been in contact with a variety of the minister's people with respect to this case. It deals with Butt Construction and the Longlac contract last year in the Sudbury area. Most of the people in that area, as you know, derive their water from wells and

most of these have to be drilled by a di drill. It is a pretty expensive undertaking. The four corners of Highway 545 last Butt Construction did a considerable amount of blasting and four or five people subsequently complained to the department that the vein of water wherein they were using their water was broken and their water went dry. Most of the people have been willing to accept \$300 gratuitously. The letter from Mr. Pickett says, except on Laakso. He does not accept it and I do not blame him.

**Hon. Mr. Gomme:** I wonder if the member would give me that name?

**Mr. Martel:** Mr. Laakso. He is not willing to accept \$300, because if he has to drill there is no doubt he is going to have a lot more going to cost him a heck of a lot more than \$300 to drill. And I will read to you the letter I received from Mr. Pickett:

We must apologize for not replying sooner to your letter of April 10 because my writer has been out of town. On reviewing the four files concerning well complaints in this area, we would advise you that the contractor's investigation did not indicate any water problem during the construction nor did the diaries of our supervisors.

The department's legal position in relation to these claims was discussed with our own legal branch and, we understand, the Department of Justice and it was our opinion there was no legal liability for damage to underground aquiferous systems known to the contractor or the department.

I am sure the department does not regret giving \$300 out to three or four people because they are good Joes. And that incident alone makes me a little suspicious. Another thing that makes me suspicious, Mr. Chairman, is that they had to use two pumps to pump the water out; two pumps were used so they could put in the pipes for the water line. They had to use two pumps to keep the water cleared. The department does not want to pay out \$300; they had to use the two pumps to keep water out of the trenches.

I would suggest, Mr. Minister, that to place a responsibility, there is an onus. For me to say, "No, they did not; Butt Construction did not do the damage, or they did not know there was a vein of water there" is a little nonsense, because these people had a lot of water in the past. Suddenly, the well goes dry and they can watch pumps being utilized to keep water levels down so the companies can do their work. But, Mr. Speaker, it goes

However, we realize the problems these people were faced with and it was felt that some assistance should be given on a gratuitous basis.

I find that a little difficult to accept—that we do it on a gratuitous basis. If there is a responsibility, and if this has occurred, and there is no doubt from the past, then I think the onus is on The Department of Highways, maybe by collecting from Butt Construction, to replenish their water supply.

It might cost you more than \$300 in some instances. It might cost you less, but I would suspect that in this case it is going to cost a heck of a lot more, because it is going to involve diamond drilling. This man, in particular, did the drilling only about two and a half years ago, and now he is confronted with the prospect of another enormous bill.

There should be some policy, Mr. Minister, in such a case. I would appreciate knowing what the government will do, or The Department of Highways will do, with respect to this matter.

**Hon. Mr. Gomme:** Mr. Chairman, the hon. member has brought up two specific items here. I would like to get our side of the story, which I will do as soon as possible.

**Mr. Martel:** Thank you.

**Mr. Chairman:** Anything else under main office?

**Mr. Lawlor:** Mr. Chairman, to the minister. If I desire to launch an investigation, or a discussion between us, touching the whole business of road classification, contending that your way of handling the road classification presently is wrong, where would I do it, here?

**Hon. Mr. Gomme:** I would think this would be the one, Mr. Chairman.

**Mr. Chairman:** Yes, this would be the vote for general overall policy.

**Mr. Lawlor:** Well, let us begin.

As the hon. minister well knows, the road grants system in Ontario is based upon the status of the municipality, and within each municipal designation, there may be multiple different kinds of grants. That is, the amounts of money being paid out may be different in different context. For instance, for bridges and culverts. And there is no rhyme or reason, if you look through, to the breakdown of the grants.

If the minister could bring me up to date in some areas? I am basically referring to page

414 of the Smith report, the second volume where the highway situation is investigated by the taxation committee and the percentages that are leviable.

Now it is not the percentages. I can deal with those under the individual votes to municipalities, to say townships, as opposed to counties, or to development roads, as opposed to controlled access urban expressways, in that particular area. But, what Smith recommends to the government, and I would like to see whether or not you are disposed even to consider it, much less bring it into actual being, is a reclassification.

He is not too precise as to what that reclassification should be. He simply outlines the whole history of highway classification in Ontario, going back to the last century, and then points out that the whole structure is founded upon three different kinds of roads—that is, first, provincial county roads, as they were then called around 1900, which have since become Queen's highways; second, the suburban roads, that is the roads linking cities and outlying country; and third, the county roads themselves. Since that time these have branched and ramified somewhat and broken down, these are the pivotal base upon which road classification is based.

He runs through all these, says how they are operated, with the local roads commissions, what the grants down through the years have been and how they have changed here and there. But, to come into the central part in a hurry, at 416 he says:

The basic working principle of a road grant system is to supplement local property levies in accordance with the proper economic allocation of road benefits, is planned a road classification scheme designed to indicate the respective portions of user property benefits by type of road.

Then he goes on, in paragraph 1, to say:

How far Ontario now finds itself fitted for such a system may be appreciated by examining Table 21 above with the exception of development roads, controlled access expressways, and certain connecting link roads. Road finance hinges on the status of municipalities that the roads are in, not on the relative flow of user and access benefits.

I will not take much of the time of the Hon. member to analyse, or to set forth Lancelot Smith's committee he headed offers contentions in the way of fairly radical proposals for you to jettison your present road structure system and categories and to substitute two simple categories, as far as they are concerned.

On one side, the user—the user benefits of a highway, which can be measured. You have computers—we visited them a few weeks ago, a whole roomful with which you are doing in this kind of analysis. And then the access, or property benefit of particular roads on the other side of the fence. With these two basic divisions Smith feels a great simplification and efficiency can be gained, not only within your own department, as to its workings, but as to the grant structure which this likely affects.

In pursuing the subject, I would have mentioned to the hon. minister two other submitted classifications of road systems that have come before the Smith committee which I have read about. One of them has to do with—on page 417, in the middle of the page, he said:

For example, the Canadian Good Roads Association in 1965 suggested that those rural and urban roads should be classified under the headings of freeways, arterial, collector, and local roads.

Then he goes on to say:

We do not pretend to be so knowledgeable in road matters as to suggest the actual classification system, but we are convinced that in a workable scheme geared to user, that access benefits can be devised.

Then he proceeds along this line.

During the hearings of the committee, I wrote a note in the book about the time when the Ontario good roads people came before us, and they asked, only not at that time, at a subsequent date in 1968, for only two classifications. They wanted “regional roads” on one side of the fence and “local, including collector roads”, on the other. This would be the basic classification for the road structure in the future, in the province.

I just want to read one little section here from Smith as to the rationale of his contentions and my contentions here this afternoon. After all I let Smith, in this particular department, lie fallow, hoping that the department, having persued the text, with great acuity would, of its own volition, bring these things into being. However, three years have passed and I not having been rewarded; it can no longer lie fallow. He says, to take our argument one step further:

We declare that the present road grant system itself has helped to drain municipal finance of meaning. It provides a strong deterrent to a town or township acquiring city status, once it has become urbanized. And the minister well knows the curious and anomalous position in which my own

area in Etobicoke is concerned. When we went into the five-borough system, under Metropolitan Toronto Act, a special case was made for Etobicoke and the other four boroughs so that they would be denominated as townships by some arbitrary whim of the Legislature, because by being townships they could get a larger amount of the provincial grant than what they could if they were cities. This is one of the curious anomalies. It goes into this outmoded theory of road categorization. They are still called townships for the purposes of roads, whereas they are boroughs and are far more complex in their operation than most townships in every other region. He says:

It greatly stiffens the resistance of rural settlements to annexation by a city, and again, being bodies of the city, when grants are cut and this complicates the implementation of annexation decisions, an equitable system of road grants geared to the relative benefits that property and industry derive from roads is plainly precluded. If grants are made in accordance with municipal status. The actual operation of the Ontario road grants system by ossified municipal status has, if anything, enhanced inequities in road finance.

It goes on in this particular vein. You will see the language is quite strong, which is not the usual tenor in Smith's.

I feel it is a very valid subject to be brought up at this particular time, and I would be most happy to hear how the Minister would like to handle this.

Hon. Mr. Gomme: Mr. Chairman, I do not know whether I can answer all the comments the hon. member makes, but when he refers to his own township, I think that was the designation that it was before Metropolitan Toronto was born, and that was continued so that it could receive the 50 per cent subsidy. I will recall that last year we introduced a bill to the Legislature and it was passed and has been put into effect, where cities too can receive 50 per cent. So I would say that part of the suggestion by Smith has been implemented by this department. All municipalities get a basic 50 per cent.

Mr. Chairman: Anything else under your office?

Mr. Lawlor: Mr. Chairman, would the minister not care to comment on the issue of municipal status basis as the very basis for the access benefits on one side

the user benefits on the other—of setting up your grants structure?

**Hon. Mr. Gomme:** Of course, I believe some of the report has never been adopted by the government, and we are doing some of these things. We try to base any particular subsidy to the relative ability of the municipality to pay. In all our testing of what a road should be, I think we take into account the origin and destination of the traffic, whether it is local or through traffic—all such things as that.

**Mr. Lawlor:** Nevertheless, what I have directed my attention to is recommendation No. 1 of Smith, as directed to your department. If I may just read No. 2; he says:

After the completion of the road classification scheme, provincial road grants be based on total expenditure for each class of road within a municipality, that percentage of provincial aid to coincide with the percentage of user benefits assigned to each class of road.

I am a little disappointed that the minister would seem to slough off this rather monumental piece of work as having very little relevance or meaning; that is the impression I am getting at the moment. I would be much better disposed, as a member of the House and not in any personal capacity, if the minister would say, "Yes, we are studying Smith; we still have it under consideration. There seems to be considerable merit in what he has to say about these things," or—be quite candid—"there is no merit whatsoever."

But there does seem to be some merit in what Smith proposes. It may well be in the cards that you will see we will be advised in the foreseeable future, and not merely in the fullness of time that the road structure and the grant system based on it, in the province of Ontario, will be in line with the Smith recommendations, because what he says about annexations and what he says about the ossification of the municipal status and what-not, your whole government is tending to run directly counter to in terms of regional development and regional government; and this whole business of the grant structure then has to be adjusted accordingly. And so, it seems to me that Smith ought not to be treated so cavalierly.

**Hon. Mr. Gomme:** Well, Mr. Chairman, I can answer the hon. member this way and say that the whole grant structure is continually under review, and of course we are looking at those things. But as I mentioned

before, there were many things in the Smith report that are being reviewed by the government and that have not been instituted.

**Mr. Lawlor:** It would pain me to remain quiet in this context. Let us look at it for just a few minutes here. The first grant structure is:

Provincial highways connecting links: villages and towns of 2,500 people or less. Grant coverage—all maintenance and construction. Rate of grant—100 per cent.

That is the only area as far as I can see where 100 per cent is granted.

Then there is a (b) category under this "connecting links: villages and towns over 2,500." Then there are two categories within this grant. Road maintenance and construction get 90 per cent, but bridges and culverts get up to 90 per cent, depending purely upon ministerial discretion.

And (c) category is "cities and separate towns." For "connecting links"—under a particular heading, "all maintenance and construction," the sum there is 50 per cent.

I will not run through the whole thing, but the next is "suburban roads." There are breakdowns under that, where 50 per cent of the grant for the basic road, and for bridges and culverts.

I think the whole thing should be reworked and rationalized. Take towns and villages; they are in a different category. Instead of bridges and culverts being up to 90 per cent as they were in the first example I gave, that is for villages and towns under 2,500, in particular case grants are up to 80 per cent. I suggest it is a hodge-podge.

Under development road concepts, depending again upon ministerial discretion, you give up to 100 per cent. Then in county roads and in township roads, you work in an equalization factor. Looking at the equalization base, I came to the conclusion that, mathematically, both are dependent upon different components going into the base. It is partly what we have been advocating over here for many, many years in terms of the municipal foundation plan. It would be such formula that would be worked in but, at least it would be uniform and consistent.

In these cases, you need diversity. I think you have inherited over the years, as the province has evolved, a particular concept. If you are so hog-tied and war-torn that you cannot possibly change it, then so be it; that is the sort of minister you intend to be. But on the other hand, with a rerationalized

of road structures throughout North America, and on the basis of the report for which you paid \$4 million, I think it may deserve a moment's attention and a little thought. I would hope to extract that much at least from you.

**Mr. Chairman:** Anything else under main office?

**Mr. J. B. Trotter (Parkdale):** Just before we pass on, I want to check, Mr. Chairman. I will want to discuss with the minister the policy of the provincial government in building highways. I would expect that it would come under "road construction, vote 802" rather than under the first vote. Am I right there? In other words, why do you put a road through King City? Why do you put a road through Maple? Does that come under 802?

**Hon. Mr. Gomme:** Vote 803, construction.

**Mr. Trotter:** Vote 803. Okay. That is fine.

**Mr. Chairman:** Anything further under the main office?

The financial services under 801? Agreed to?

Anything under legal services? Agreed to?

The hon. member for Sudbury East, legal services.

**Mr. Martel:** I believe that there is only one question—the salaries in the legal services. They seem to have gone up some 33 per cent roughly. Why is there such a tremendous increase? Have you increased your staff or have the boys just got a good pay hike?

**Hon. Mr. Gomme:** It is an increase in staff, Mr. Chairman. We had to put some solicitors in each district to look after the expropriation of property which was a change in policy.

**Mr. Chairman:** Legal services carried? The hon. member for Lakeshore.

**Mr. Lawlor:** On appeals; again, in reading Smith and reviewing him, he had a recommendation which is his third recommendation to your department:

That the municipalities be given the right to appeal the classification of any road service to The Department of Highways and then to the Ontario Municipal Board, which shall have the right to require further studies of The Department of Highways and whose decision shall be final.

Have you taken the particular recommendation into consideration and just what is your reaction?

**Hon. Mr. Gomme:** Mr. Chairman, I think this is the Smith report again. As I said, these things are being examined but we have not taken any particular step—

**Mr. Lawlor:** They are going to be forgotten before long.

**Hon. Mr. Gomme:** No, I do not think so.

**Mr. Lawlor:** They are going to get forgotten with age on your shelf. There is not a thing being done about it.

**Mr. Chairman:** Legal services carried? Carried.

Anything under personnel services? Carried? Carried.

Collection costs at toll bridges. The hon. member for Parkdale.

**Mr. Trotter:** Mr. Chairman, I would like to know from the minister what profit does the government show in the actual collection of moneys at tolls?

**Hon. Mr. Gomme:** The net toll revenue is \$1.385 million. This, of course, goes into the provincial Treasury. On the other hand, there is the expense of operating it; I would assume that what you want to know is the net? It would be to deduct this amount we are taking from the revenue which I—

**Mr. Trotter:** Would I assume that—said the net toll revenue; is that less costs would this \$563,000 come out of the \$1.385 million?

**Hon. Mr. Gomme:** No, the total revenue I am sorry, the total revenue was \$1.385 million; with the collection costs last year of \$540,000 this gives a net revenue of \$1.385 million.

**Mr. Trotter:** It was wondering, Mr. Chairman, if the minister could give us any indication if the tolls will be ended. I know that one of the main ones is on the Burlington bridge. I think there is one at the Catharines bridge and where else is there?

**Hon. Mr. Gomme:** These are the only tolls.

**Mr. Trotter:** It is not possible that we could in the immediate future, do away with tolls. After all, the tolls really belong to an era about 100 years ago with the exception of the United States, where you seem to

robbed every once in a while. The tolls are a real hazard and I think that it would be a good advertisement for this province if we could say that we do not have any tolls. When you consider that there are only the two places, it is not a tremendous amount of money. I know it is important, but then how much of it is buried in administration? What are the other costs and the nuisance value? I think it would be a very worthwhile policy if this government said we would do away with tolls. Would the minister care to make any remarks on that?

**Hon. Mr. Gomme:** It is constantly being considered, Mr. Chairman, but it is not going to be done away with, I am told, this year at any rate.

**Mr. Trotter:** Is there any hope in the near future? In fact I might ask, has the Burlington bridge been paid for yet, insofar as the tolls are concerned? It has been there for quite a while.

**Hon. Mr. Gomme:** No. It never will be, I do not think, with this.

**Mr. Chairman:** Anything further on the collection cost of toll bridges? Carried.

The next programme is office services. Does this programme carry? Carried.

The next one is data processing operating costs.

The hon. member for Sudbury East. Will you speak on this item?

**Mr. Martel:** Yes, on data processing. First of all let me congratulate The Department of Highways for they have scored again.

Why have you moved data processing into four different areas this year? Last year data processing appeared under one item, if I am correct. You have now managed to get it under every vote. What is the purpose?

Is it just to continue the deliberate attempt at confusion, or to fool the members, or should we spend all kinds of time trying to track down what the total cost for data processing is? Or is it to give an appearance that you are doing a lot more because, in the final analysis, Mr. Minister, if my calculations are right, your data processing is an expenditure of \$200,000 less than last year, if my mathematics are correct. It would seem to me that if we are going to get into highway planning and the sociological impact and the economic aspects, reducing the amount of money spent on data processing is not going to achieve the desired end. In fact, if you reduce the amounts expended, it means you

are going to derive less than what we actually need, which is more, in order to ensure the planning for highways and the information that must be centred around them somewhat intensified and not reduced. Now I wonder if the minister could tell me how he has reduced the cost of data processing. Are you gathering less material than before? Why have you distributed it under every item in the estimates?

**Hon. Mr. Gomme:** It is placed under different votes on account of the program budgeting, so we know where it is, and because the cost of the work is transferred to the users within the department, plus the cost of work that is billed to users outside the department, and by that I mean other government departments.

**Mr. Martel:** Your data processing, does this all entail then? What sort of work are you feeding into your computer, if you have one, or to the computer that you are utilizing? To what end is this being utilized?

**Hon. Mr. Gomme:** We have a major computer; it is a digital computer, suitable for both scientific and commercial applications. Then we have all the machines that are necessary to support it. We have unit record equipment. A keypunch prepares data on card form suitable to the computer, and we have the verifiers and sorters reproduced from the punch, as well as the plotting equipment.

The total amount of work carried out includes engineering calculations, transportation studies, photogrammetry, critical path analysis, accounting and commercial reports, personnel reports, management systems, and data plot.

**Mr. Martel:** Well Mr. Minister, if you would like to go into the type of program the deputy minister and you spoke of at the Good Roads, to move ahead in a very aggressive manner, gathering more data than is necessary at the present time—you included two more people in your staff, to understand—and yet you are spending less. My calculation is correct, on data processing. How can you really be moving into this field of endeavour?

**Hon. Mr. Gomme:** Mr. Chairman, last year we purchased some of the major components of the hardware and this has reduced the cost.

**Mr. Martel:** You mean to say data processing last year included purchases? Is

right? Data processing for last year, as opposing to this year. Your rental of equipment is down significantly, but your amount of work has increased? The amount of work you are turning out; has this increased or lessened?

**Hon. Mr. Gomme:** We are doing more work than last year but, as I point out, we purchased some of the major components so we do not have rentals to pay.

**Mr. Martel:** Well, in the final analysis—I am not going to pursue this any further—you really are not doing much. I think I pointed this out the other night, Mr. Minister, that the things you and the deputy minister talked about at the Good Roads are more in the discussion stage at the present time, away up there somewhere than in actual fact, are they not?

**Hon. Mr. Gomme:** No, I would not agree with that.

**Mr. Martel:** Well I would! When you hire two more people to your staff—an economist and a sociologist—to consider the impact across the entire province, and your expenses are less, it does not seem to me that you have moved very significantly ahead in the type of planning necessary in the province.

**Mr. Chairman:** Data processing carried. On research, the hon. member for Huron-Bruce.

**Mr. Gaunt:** Mr. Chairman, I dealt with the matter of studded snow tires in my opening remarks. I just wanted to make a few additional comments.

The county councils from across Ontario are becoming very concerned about this problem, as is indicated by correspondence I received just this morning, as a matter of fact, with relation to the county of Oxford. This particular resolution was drawn up by the county of Oxford and was endorsed by the county of Huron, and I presume a good number of other counties across the province, but it is in relation to the studded snow tires and the council is requesting that the minister ban the manufacture and use of studded snow tires.

I presume that this has come about after a good deal of study and research on the part of the local councils with respect to the condition of their roads, and what has been happening to them during this past winter. It goes without saying that the municipal roads will be subjected to the same amount of pounding, wear and tear, as are the department roads, so that it is pretty obvious that we are engaged in an activity here that is

going to require a great deal of study, and indeed it may require some immediate action or at the very least action before next winter.

I understand the department estimates that its total cost over the next nine years will be something in the neighbourhood of, I believe, it is \$127 million. The cost for the past winter, I believe, was something in the neighbourhood of \$8 million, and the projected cost for the winter of 1971 and 1972 will be in the neighbourhood of \$10.5 million. I note that the department is spending \$1.5 million to repave the lines on these highways that have become worn because of the use of studded snow tires.

The minister, I believe, has a study under way with regard to the safety aspect of the tires. It would seem to me that that is the most important aspect of the whole problem. It can be shown beyond a shadow of a doubt that studded snow tires do prevent accidents, then I think their actual value in terms of dollars and cents just cannot be put down on a piece of paper, in that we are saying they cost the province or the municipality so much in terms of wear and tear on the roads. If they have a safety value, I think we must consider that, notwithstanding the damage which they do.

However, if they do not have any safety value, if it is just a matter of people travelling on local roads and back roads a little faster under adverse driving conditions than they would normally do, or they would do without these snow tires, then I think their value is certainly questionable and should be reviewed in earnest by the department.

It seems to me that the studded snow tire is certainly becoming very popular. I think the figures this past winter showed something like 34 per cent of the drivers in the province used the studded snow tire. Apparently the projections indicate that this percentage will go up to something in the neighbourhood of 60 per cent. If there is no safety value with respect to these studded snow tires, my own personal feeling is that the province should ban the studded snow tire. If there is a safety factor, and if there is some assurance that these tires do prevent accidents, although perhaps in a limited way, then I think at the very least the department should do something to indicate to these drivers who are prepared to use these tires, that there is going to be a surcharge on them. Seven dollars per tire would cover the cost of the use of these tires in terms of the wear and tear and in terms of the damage which they do.

It seems to me that if the department encourages their use—when I say encourage, I think the department would encourage their use if it did not move in and indicate that it was either going to ban them or that it was going to impose a surcharge on those who actually use these tires in the province—if the department does not do that, then I think the deduction can be made by the drivers in this province that the department favours the use of these tires, and if the road life of a highway is reduced from 50 to 75 per cent, then I suggest that the department is in no position to maintain these roads at the standards which we are used to having them maintained.

If we end up with a situation such as they have, I believe, in some Scandinavian countries, I think Norway and Sweden, where they have a great deal of pitting and rutting and so on, then I suggest that we are creating more hazardous conditions by allowing the use of the studded snow tires. The rutting condition certainly affects the steering. If a driver is going along the highway at 60 miles an hour and he happens to hit a rut that is one inch deep on the road, it affects his steering and his car swerves, and in that respect this is a very real hazard. On top of that, where there are particular patches of wear, we are bound to get accumulations of water, and if the temperature is near 32 degrees we are bound to get patches of ice, which undoubtedly will cause hazardous driving conditions.

So taking into account all of these factors, and the fact that the department, if the use of the tire is going to be permitted, is going to have to embark on the most ambitious maintenance programme and construction programme in its entire history inherent in which, of course, is a tremendous cost, I suggest that the department had better take a very close look at the situation and do so before the coming winter. I would like to have the minister's comment.

**Hon. Mr. Gomme:** Mr. Chairman, there is nothing that I know of in the department that has received greater attention. When we were made aware of these figures, one of the first things we did was to call in the rubber companies and discuss the problem. We wanted to know if they had anything in research that could prove the benefits of added safety by using studs. They could not, but they asked us if they could have time to research this during the past winter, which they have done. Their report is not available, but it will be very shortly.

Besides that, we asked the provincial police for any statistics they had on it. I am talking only of the safety angle. We knew the wear and tear of the roads. They wanted to do some research on it, which they have done. Now, you understand that the research to be done under every possible condition, the final part was on pavement with temperature such as we had about the middle of April, or such time as that.

The rubber companies and the Canadian Safety Council are the two organizations that are doing the research on the safety angle. This has been done. As I say, they have tested every type of road condition, because they have to analyse that as to the temperature and the condition of the pavement and these things—snow pack, ice, water, dry-ice—these figures will be available to us shortly, and then we will be able to make a recommendation as to what should be done.

**Mr. Ben:** The results were out two years ago.

**Hon. Mr. Gomme:** Well I wish the member could send me those results, because I could not find anyone who could give them to me.

**Mr. Ben:** I said it in the House on February 21, 1968, two years ago, pointing out there had been an article in the *Canadian Motorist* showing that the studs had no appreciable value whatsoever on icy surfaces, that on pavement they were indeed dangerous and a hazard. It was the same day the hon. member for Yorkview (Mr. Young) had asked the question of the Minister of Transport (Mr. Haskett) about studs flying out of tires, and he would be responsible, and I suggested the Minister of Transport read that particular article, which, as I say, was in a motorist guide, pointing out that studs had no appreciable value whatsoever but in fact were dangerous on bare pavement.

**Hon. Mr. Gomme:** I understand what the hon. member says, and I think I read that article, and it may be true, but we could not find anybody who had the necessary research to prove without any shadow of a doubt the things that we have asked for. And these are the things we are getting now.

**Mr. Gaunt:** In respect to the research that is presently going on, Mr. Chairman, I would like to make the point with the minister that I certainly subscribe to the fact that the safety council is involved in this kind of research. The one point that does concern me is the fact that the rubber companies are also



volved, and I can see why. But from the point of view—

**Hon. Mr. Gomme:** Just a moment, Mr. Chairman. I was mistaken. The rubber companies are not involved; it is the Canada Safety Council and the OPP which are doing the research on this. I may have said the rubber companies but the rubber companies would only be doing market research on the number of sales and things like that. They have nothing to do with the safety angle.

I might say that the rubber companies did not take the attitude that they cared whether they were sold or not, because they do not sell them.

**Mr. Ben:** They are made in Sweden; they are tungsten steel.

**Mr. Gaunt:** Well, I was just going to make the point that if the rubber companies were involved in the research, they have a very definite vested interest and I am glad to hear that they are not involved.

It would seem to me that, from the safety aspect, particularly on a highway, the studded snow tires, rather than being a safety factor, are a hazard to the driver. For instance, if a car has a pair of studded snow tires and is able to stop quicker on a paved highway and the car behind does not have them on, then I suggest that the chances of a rear-end collision happening are increased to quite an extent. I think this is a—

**Hon. Mr. Gomme:** I could not agree with the hon. member more. But after all is said and done there are a lot of people who have the idea that they are such great safety factors. I mean, we have to be able to prove without a shadow of a doubt the very things that you and I agree on, and this is what we are doing.

**Mr. Gaunt:** In the event it is shown conclusively that there is no safety value to the studded snow tire, what is the minister going to do?

**Hon. Mr. Gomme:** I will make a recommendation to The Department of Transport; that comes under The Highways Act.

**Mr. Gaunt:** Yes, I realize that.

**Hon. Mr. Gomme:** I am not trying to get out of anything, because our research started on road wear. But, of course, I will make a recommendation.

**Mr. Gaunt:** You would recommend that these tires be banned?

**Hon. J. R. Simonett** (Minister of P Works). Be careful now!

**Mr. Gaunt:** That the studs be banned?

**Hon. Mr. Gomme:** I am going to wait the research is all in, and I am going to make a recommendation to The Department of Transport.

**Mr. Chairman:** The hon. member for Yorkview.

**Mr. F. Young** (Yorkview): Mr. Chairman, thank you very much. I have been interested in and witnessed a very interesting experiment here. The hon. member for Humber has been against studded tires for a long time. Only a short time ago the hon. member for Humber Bruce was very much in favour of them. I was advocating in the House that they be maintained, particularly for the benefit of those in the rural areas who need them, that an extra licence be paid.

**Mr. Gaunt:** On a point of order.

**Mr. Chairman:** Point of order.

**Mr. Gaunt:** Mr. Chairman, with respect, I think the member for Yorkview has completely misconstrued my statements. I never indicated that in any way, shape or form, and the construction he puts on my remark is not so. They confuse easily in that part.

**Mr. Young:** I appreciate it if I am being corrected by the hon. member for Humber Bruce. I remember him making a speech where he advocated an extra licence for those who wanted them. He said that for those in the rural areas, studded tires had some great advantage.

**Mr. Gaunt:** I said if they had no safety value.

**Mr. Young:** All right. It indicates, one way or the other, I am glad to see, that this question is here, whether or not it was there before. All right, I am willing to admit it was because the member says it was.

**Mr. Gaunt:** I have not changed my position one bit.

**Mr. Chairman:** In challenging back and forth, the individual members are out of order.

**Mr. Young:** I take his word. But I would like to ask the minister—

**Mr. Lawlor:** Faulty memory!

**Mr. Young:**—as to whether or not any research is taking place this spring in respect to accidents. You know it has been a terrible experience to drive on the highway.

## PROTECTION OF PERSONAL PRIVACY ACT

Mr. Kennedy moves second reading Bill 58, An Act to amend The Protection of Personal Privacy Act.

Mr. R. D. Kennedy (Peel South): Mr. Speaker, Mr. Courtney Towers, in the March 1970, issue of *Maclean's Magazine*, relates the case of Bruce McGrath who had a series of job refusals because of an inaccurate credit or personnel report from an agency that does such work. The article goes on to say that 40,000 businesses receive reports on 10 million Canadians each year.

The article also relates other blunders and inaccuracies, and it quotes federal Justice Minister John Turner, who says a man's right to privacy includes protection from any type of surveillance without his consent. Mr. Turner also said hidden files on the private lives of Canadians, without their knowledge or consent or right of rebuttal, brings the world of 1984 too close for comfort.

The Ontario law commission report on the protection of privacy, the Ryan report, has affixed to it the remarks of the chairman, Mr. H. Allan Leal, and they included the following and I quote:

For some time the commission has been giving thought to and compiling data on the problem of protection of privacy. Our preliminary inquiries in this direction indicated a serious and growing concern among distinguished jurists, scholars and men of public life throughout the Commonwealth and throughout the world, with the grave threat that is posed to all free men and democratic institutions by modern technology and well-intentioned government and commercial practices that expose the individual to public and institutional scrutiny; that record and collate all his transactions; and that treat him as an object to be manipulated in the attainment of public, social and economic goals.

The concern evidenced by the material in our file on privacy has been mirrored to a great degree by the growing amount of perceptive analysis and criticism in the Canadian press, as well as in the provincial and national legislative bodies in the country.

I would like to interject here with respect to the mention of the Canadian press. Just last week there were two articles, on May 7. One was from the *Globe and Mail* and headed "Invading childhood's privacy"; the other,

Ontario and the streets of our cities. The obvious damage has been where the lines have been scrubbed out, and we have been left without white lines on our streets and highways; some remnants of those lines remain here and there. By and large, I presume, and this is the report that I read, studded tires are largely responsible for the removal of the white lines.

I wonder whether or not any real research is being done or has been done, as to whether accidents are attributable to the fact that the white lines were scrubbed out, and whether we have any information here now. Perhaps the minister could enlighten us on that aspect? Certainly, there is no question that the whole matter of the use of studded tires is in grave doubt. At a certain temperature, evidently, when the roads are covered with snow, they have some advantage. At a lower temperature, they act like skates. Without the snow, of course, which is true, I would say, of most of the mileage of our highways with the exception of the north, they are of doubtful use because all they do—

Mr. Chairman: Perhaps the hon. member will recognize the hour; we are to move to another item of business at this time.

Mr. Young: All right. I think I have pretty well completed what I had to say. I would like the minister, perhaps, to answer this, either now or at a later time.

Hon. Mr. Gomme: Might I tell the hon. member, Mr. Chairman, that the research is being carried out all the time on the very thing he is talking about.

Mr. Chairman: All right. Is there anything further on the research programme?

Hon. Mr. Welch moves the committee of supply rise and report progress and ask for leave to sit again.

Mr. Ben: We are not making much progress. If we could get to the minister—

Mr. Chairman: Order!

Mr. Trotter: Not much progress around here!

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

think, is from the *Star*, the same date, where the Ontario branch of the Consumers' Association of Canada called for an investigation of credit recording and collection agencies. Part of this latter article says:

With advent of the computer your whole life can be fed into a data bank by a stranger without your knowledge. Credit investigating agencies should be required to inform a consumer each time an inquiry is made about his credit rating so that errors can be corrected before they are passed on to creditors.

This bill, Mr. Speaker, covers that very point, making the information available to the individual. I go on now with Mr. Leal's comments: The Canadian Bar Association—

**Mr. P. D. Lawlor (Lakeshore):** Can they permit that bill of the member's?

**Mr. Kennedy:** Well, the member has 10 minutes, ask me then.

**Mr. Lawlor:** It does not say that.

**Mr. Kennedy:** Quoting:

The Canadian Bar Association adopted a resolution calling for controls over certain forms of surreptitious invasions of privacy and there can be no doubt that its concern is shared by many other responsible, professional and private organizations and individuals. Included in the Ryan report is the statement "trafficking in reputations must be controlled."

Mr. Speaker, we are casual about our personal life and because of this we are allowing one of our basic freedoms to be eroded, though slowly and imperceptibly. Nevertheless it is happening, in my view, and we are not alert to that fact. Indeed, we do not seem to be concerned that this basic right is slowly disappearing and it is disappearing by default.

Last fall I was in the States and we rented a car, using several credit cards.

**Mr. Lawlor:** Two weeks ago two of your boys were all for lie detectors.

**Mr. Kennedy:** Speak to the Speaker.

**Mr. Lawlor:** Incredible!

**Mr. Kennedy:** This has nothing to do with lie detectors; this—

**Mr. Lawlor:** I will remember that to my dying day.

**Mr. Kennedy:** —this bill has to do with the truth, not lie detectors. The rental agency that

was handling this transaction wanted to firm what they said was the home telephone number, but I know that that person played in the office direct-dialed through Toronto, and he did not dial to check telephone number; they do not care what telephone number is. What they called for to obtain further credit information, and not know why they cannot just say this is purpose of their call instead of bringing suspicion on themselves by doing what they

Now, a businessman in my area was refused credit by a bank, due to a file mixup, due to an error. Because of this he was refused a loan for such a period of time that in interim he received quite a serious financial setback. Through some chance inquiries so on, it was found out it was due to an error that this credit had been refused, but unfortunately the damage to his business had been done and what was done could not be undone. I further understand that the recording of personal lives is big business; there is a big work all over America. Modern communications media are advanced, sophisticated and efficient. No person is beyond reach.

I am not against credit worthiness reports and this type of thing. Society wants it, people want it and business needs it. I received a letter from the Galt credit bureau, and it points out that people want credit with a minimum of fuss and bother; I think that is quite true, and many would resent having a lot of red tape and difficulty in gaining credit needs. But I feel there is sufficient evidence to have demonstrated the need for measures to prevent dissemination of false and inaccurate information; any such legislation would protect individuals and agencies who are doing a good job and working within the terms of good credit reporting.

Incidentally, this bill was not introduced with the thought originally of taking off credit agencies—I had not thought of that, but as a result of the earlier introduction last fall, it seemed to strike a nerve in that area of our commerce. Anyway, the agencies who are doing a good job should not be affected by any such measures, and the careless or irresponsible organizations would have to modify their ways in order to protect people. I suppose you could say, "If the shoe fits, wear it" and those who are not involved need not concern themselves.

I mentioned this letter from the Galt credit bureau earlier, and it included some good suggestions. They were somewhat concerned about section 2(b), but generally are in support of the bill and feel that

industry, in fact I could quote from a paragraph in their letter:

I believe there are many facets of our customer credit system that we must improve. And I think you have given us in the trade much guidance as to what is needed—

Which is a rather good response to have from this organization, and it is encouraging that they are concerned over the issue.

I have a letter, and I would like to quote from it, from Mr. K.C.—I will not give his name—of Port Credit. He takes quite a bit of exception to credit investigators, and I quote:

These credit investigators are often part-time employees on a fee basis and often provide an inaccurate picture, as anyone could who is not trained. The usual source is the applicant's own family, his own neighbours, his landlord and former employers. Since those investigators are not being paid on a salary, they are naturally interested in completing as many as they are able in as short a time as possible, and usually with minimum results.

He goes on:

In the case of new employment, this company investigates the past employment record of the prospective employee—

He does not say what company.

If the last place of employment was a large company which had thousands of personnel, the personnel department does not know the ex-employee personally and makes out a non-committal statement based on a report from the former supervisor. In the case of a very small company, the boss is usually so busy he does not have time to give a full story. He regards it as a nuisance. He is likely to be the person who discharged the ex-employee and would not give an impersonal, objective report.

And then he goes on to say:

The reason I know so much about this type of credit investigation is that I worked as one myself. I have made many reports and have been reported myself. By accident, I was able to read two such reports.

In each case, on himself.

In each case, the reports were incomplete and provided distorted truth about me. Often partial truth is worse than an outright slander. Fortunately I was able to secure the auto insurance and in the other case full explanation was made.

I gather that has to do with employment.

Most people never see reports and never get the auto insurance or the job because a full report is not made.

And that is the end of the quote of his letter—part of his letter.

An insurance friend of mine—as insurance agents do—worked very hard to sell a policy. Then he tells me his company refused to accept an application because of an unfavourable report which the agent insists was not warranted with respect to his prospective client. He feels a medical report on the prospect is fair and the only good business for an insurance company, but when it intrudes into the personal life of the applicant, he feels that his word, following his investigation and the taking of the application, should have more credibility than information gained from some agency through perhaps a telephone call.

While he was at it, he vigorously objected to collection agencies sending form letters which demanded payment for “just” debts through shoddy workmanship, and that in fact is not just. But the collection agency, not knowing the circumstances, sends out a letter demanding payment and there may be good and just reasons why it has not been paid, so that was his other area of concern.

The January-February, 1970, issue of *Canadian Consumer* had an article on individuals' credit situations and made mention of cases where individuals have been refused access to their records by credit bureaus. I think around this area that this is not the case, but this is what the article related. It made reference to an outdated lien that was still on the records of one of these agencies to the detriment of the subject, and I have heard of another similar case where the record was not kept up to date. It is as simple as that.

The member for Scarborough East (Mr. Reid), who is here, has a bill somewhat along these same lines with respect to surveillance and the use of stored information. He referred a couple of weeks ago to the need for a person to waive the right of suit against an agency before he could see the file. This was included in that *Canadian Consumer* report, as I recall, but I did not hear of any similar cases in this area, though another person told me that indeed this was so, but he has nothing other than that to mention. This is the only evidence I have on that part.

Section 3 of the bill refers to unauthorized use of a portrait of an individual. A case was brought to my attention just a couple of weeks ago; this is, in fact, in process—the case of a large firm which did this. I think it would

be *sub judice*, or I would mention the names, but I can still quote briefly from the letter received from the solicitor acting for the complainant. He says:

Please be advised that we act on behalf of Mr. X, who has instituted an action against [this company] for invasion of privacy on the basis that the company made use of a portrait of Mr. X for the purpose of advertising without his consent. It has come to my attention that you introduced An Act for the Protection of Personal Privacy in the Legislature of the Second Session of 1968-1969—

and he would appreciate hearing from me in regard to this.

Mr. Speaker, surely the courts would support the introduction or the bringing forward of a measure that provides protection in situations such as this.

I could relate several more cases that have come to my attention and I am sure each member of the House knows of some or similar cases that would lead them to support legislation along these lines proposed in the bill. British Columbia has a privacy bill. It is mentioned in the Ryan report, which is very good reading.

I would like to say, that following the presentation of the bill last fall, the Association of Investigators and Guard Agencies of Ontario submitted a very good brief, particularly with respect to wiretapping. However, they were of the opinion that the bill would jeopardize their industry, but I do not think that this is so. It certainly is not the intention. Moreover—no, I will not quote that—I see my time is running out.

In reference to the bill I refer to section 1(3) on wiretapping. It is under study in Ottawa. I cannot accept that any person should have the right to eavesdrop on another and not be in violation of that person's right to privacy, Mr. Speaker. So with certain controls and under certain authorization it would declare this to be a violation.

Mr. Speaker, we have laws which regulate false advertising and news stories. Laws of libel and slander, but no law to protect the individual from false or erroneous material which may be divulged about him.

There is evidence to support the bringing in of some measures for the protection of personal privacy. I would urge support of the principle of this bill by all parties.

Mr. T. Reid (Scarborough East): Mr. Speaker, I rise to support the principle of

Bill 58. It is very close in a number of ways to my own Bill 46—An Act to Provide for Data Surveillance and Privacy. I think the essential issue centres on credit companies. I would like to deal with that specifically in the 10 minutes I have.

What are credit companies? Well, sir, I submit that, unregulated by the government, they are pernicious merchants in the eyes of the people's privacy. They make their profits by stripping a citizen of his individuality and dignity. Their merchandise, Mr. Speaker, is your privacy and mine. That it what is for sale in the higgling and haggling of the "fish market," to quote Adam Smith.

Mr. Speaker, they maximize their profits by invading and by intruding upon your privacy and my privacy and the privacy of other citizens of this province. The more they systematically invade and pry into our private lives, the greater their profits.

The commodity, privacy, has a high market value. The larger and more detailed the dossier, the greater the selling price. That is the way the incentive system works in the market. Surely, Mr. Speaker, this is a fair perversion because the freedom of the merchant, the seller, is granted a higher value under our provincial laws than the freedom of the individual to lead a private life. The intruder, Mr. Speaker, has more legal rights than those he intrudes upon.

It is a perversion, Mr. Speaker, of the free enterprise system, because the basic rationale of the free enterprise system, as we know it in this province, is that the individual is free, especially as a consumer who is supposed to be the king in the marketplace.

I submit, Mr. Speaker, this question: when freedom is left to the individual when a seller of the free enterprise system in this province systematically pries into his life because such prying has a profitable market value. Is the consumer really the king of the free enterprise system when it is his privacy that is for sale?

It is my contention, Mr. Speaker, that the present unregulated, investigative activities of the credit companies and bureaus threaten the continued existence of the free enterprise system in this province. I state this because unregulated they are a plague, a parasite, and a prey on the free enterprise system itself as we know it in this province.

If the ordinary individual in the province knew the extent to which credit bureaus and the hired investigators of those credit bureaus—have pried, and are today prying

into his personal life there would be a disgusted assault against the present high degree of freedom now allowed by "the general will" of the people, if you like, Mr. Speaker, to the present form of market organization in Ontario under private ownership and control.

In this regard, Mr. Speaker, I would like to quote Mr. Thomas J. Watson, IBM board chairman in the United States. This is what he says about this type of perversion of the free enterprise system. He says this, and I quote directly:

If we businessmen insist that free enterprise permits us to be indifferent to those things in which people put high value, then the people will quite naturally assume that free enterprise has too much freedom.

I submit, sir, that the present unregulated activities of credit bureaus in their investigative activities in this province are going to lead people quite naturally to assume that free enterprise in this province as a whole has too much freedom.

I want to deal specifically now with that aspect of the credit bureau business called personnel reporting. Most people do not realize that many credit bureaus collect information on individuals and sell it to third parties for purposes, Mr. Speaker, that have absolutely nothing to do with the credit rating or credit application of those individuals.

The Associated Credit Bureaus of Canada refer in their documents to personnel reporting as "specialized information". They note that this has absolutely nothing to do with a consumer's credit record, and I quote directly from their own pamphlet. Mr. Speaker, it is this specialized information on individuals that gets the highest price in the market, in the buying and selling of personal privacy.

Within the last six months, for example, Mr. Speaker, there were credit bureau circulars going around the Newmarket area to employers and personnel managers soliciting business, a sort of "do not hire anyone until you have checked with us" sales pitch. Now what has that got to do with credit applications of those individuals whose dossiers are for sale? Nothing. In the exact words of the Associated Credit Bureaus of Canada, it has to do with the "evaluation of the qualification of present or prospective employees". It is not just so-called "hard credit" information that is for sale, Mr. Speaker; it is the specialized information that is for sale. That "specialized information" the credit bureaus do not like to talk about too much. In short, the credit bureaus are involved in trafficking in reputations.

This specialized information on you, me, sir, and almost everybody else, sells at a high price in the "black" market as well. For example, some lawyers find this specialized information from the credit bureaus very helpful when they are cross-examining one on the witness stand. It is not that they read the credit bureau's dossier of specialized information or even let the court know they have such information. It is just useful information to have with a difficult witness. I wonder if crown attorneys in this province purchase the dossiers of specialized information from credit bureaus or get them through third-party, once-removed transactions.

We are not talking about credit companies, Mr. Speaker. We are talking about private investigation activities that have a fraudulent cover. And the prying activities of private companies are not regulated. It is a rotten state of affairs in this province that I believe it threatens the continued existence of the free enterprise system as we know it today.

One can go into a number of examples to show the credibility of this information. One can refer to the report in *Maclean's Magazine* in March, 1970, in which a man who had done private investigation work for credit companies tells his story. Need one say any more, sir, than that he made up three or four reports of interviews with neighbors about a man's sex life, his activities, his drinking and so forth. It is unregulated information that a man got away with murder.

Now what to do? Let me just point out one short fault of the present bill. The present bill imposes very small penalties on a person who contravenes any provision of the Act. The fine is of not more than \$500 for an individual, or, for a corporation, a fine of not more than \$2,000. I submit, sir, that that is a ludicrous proposition to put into a bill such as this. It is serious about giving the individual a higher value in law than the person who is intruding upon him. In my opinion, sir, I point out a prison sentence or a high fine when those regulations are broken.

In concluding, Mr. Speaker, I think that the companies involved in the investigation of personal lives must be registered with the government. The credit companies must give you and me our files to let us know exactly what is in that file. If they leave any information of the file they send out, the person goes to jail. Whenever that information is sold to a third party, you and I, sir, are notified that our file has been sold to a third party so we know who is getting a

and who is going to use the information in it. In conclusion, Mr. Speaker, my time is up. I could speak for three hours on this subject. There must be tough penalties against those people who intrude upon your privacy and my privacy, and if they break those laws, they go to jail because we have rights as individuals that surmount the rights of people who are abusing the principles, as I understand them, of a free enterprise system in this province. Thank you very much.

**Mr. Lawlor:** Thank you gentlemen.

Mr. Speaker, of some private members' bills, one says, thank heavens these bills do not come to a vote because while the intention of the hon. member who introduced the bill is of the highest, what he has actually succeeded in doing falls somewhat short—somewhat short, and in many respects so much so, as I will point out, as to give us really severe reservations about supporting this bill at all.

You know, sometimes the Tory Party reminds me, Mr. Speaker, of a one-eyed armadillo. The little creature, if you asked him, "Are you the fleetest creature in the world?"; no doubt would say he certainly was. When he lifts his little head two or three inches above the turf and looks around at the great universe that his short-sighted little eyes are able to penetrate, the foot or so in front of him moves as a mountain. This is what happens in this particular kind of bill.

**An hon. member:** He burrows through the turf?

**Mr. Lawlor:** I should now link up area after area where the fleet Tory armadillo—

**Mr. R. G. Hodgson (Victoria-Haliburton):** Is the member speaking of the bill?

**Mr. D. A. Evans (Simcoe Centre):** Is this the hon. member's contribution?

**An hon. member:** It is better than votes.

**Mr. Lawlor:**—where the Tory fleeing armadillo is in operation. Well, let us just look at it.

In section 2, subsection (a), he goes on to say:

Without limiting the generality of the foregoing [is that not nice?] it is a violation of the privacy of any person to (a) collect any economic, commercial or social data concerning such person without disclosing to that person, upon request, such data.

That clause says precisely the opposite of what Ryan, in the report on privacy, recom-

mended to this body and to a future committee that would be established to study privacy. In other words, all the data is collected; then, some time afterward, they collect along and, without disclosing to that person upon request they collect it. The fact is I never requested him to make the collection in the first place. I would request him to collect now. The hon. member for South sets it up in armadillo fashion, goes along at tremendous speed, backward. If he is going to have a privacy bill that is protective of human privacy, talking in the flow-n terms of human dignity and the right of each to govern our own laws and persons, being the end of a Christian civilization, any number of things, well, why does he do it? Some kind of strange atropism or some hangup that the Tory blind men is capable of, and it goes and ruins something that is good.

**Mr. C. G. Pilkey (Oshawa):** And are only the Tories.

**Mr. Lawlor:** Let us take a look at the second clause, which concerns collection. The first clause has to do with collection, the second clause has to do with disclosure to people who collect all this private information.

It is an offence to disclose to any person economic, commercial or social data collected with respect to any person without properly informing the latter if such a disclosure has been made [well, is the past tense] and without making available to him, upon request, the data obtained.

The horse is out of the barn, the armadillo has closed his other eye; the Act is innocuous and meaningless. The whole point in Ryan's report and he can give you text after text, is that this is exactly what he wanted to prevent. Well, let us give a text or two. At 78, I am talking about the role of governments in collecting information, and there are two aspects to it—the internal use they make of the information and what may happen to it by making it available to the public at large. Under heading, he said:

As a good general rule, personal information should not be passed between ministries or agencies or between the provincial government and the federal or municipal governments unless there is, first, a need to know—

There is nothing about needing to know anything in the hon. member's bill

—and consent to general circulation has been obtained from the party supplying the data.

They get the consent and they get the disclosure after the event, in terms of this legislation. Therefore, the legislation is not only useless but even possibly pernicious, laying the great white hand upon a piece of activity which we find jaundiced and diseased, if you will, in the extreme. Those are the two basic faults in the Act. The hon. member does not take them into account—as he certainly should if he is really out to bring some measure of fruition to bear in this legislation. What in law we call the onus of collecting information has primacy here.

There is a good deal about that in here. In the area, at 81, Ryan says:

The collection of economic, commercial and social data about an individual for the use of the collector should be governed by two basic rules: (1) consent and (2) non-disclosure to others.

One legislative approach to this problem would be to make non-concentual collection or disclosure of such data a *prima facie* invasion of privacy, with the burden on the collector to show that he came within some exception to the rule. There are several reasons why this may be a desirable approach. First, casting the protection in this form would imply a legislative policy that the individual has a right and a protected interest in being left alone and not having his affairs known to others unless he consents, rather than the position [which is the position of the Kennedy bill] that it is legitimate to gather personal information about an individual unless he objects.

And so the squirrel has run around and turned itself inside out and gone up the wrong tree and brings a bill with all the plumage of a peacock before us; but when you survey it, it has somewhat the ratty appearance of an early morning crow. In area after area, this bill fails. Why does he want in section 4 to set up an Ontario privacy commission, to set up another board? Perhaps the member feels his tenure of life in this House has gotten spotty and is somewhat shortlived or something like that. I would not care to attribute motives; and there would always be a post for another Tory board.

Mr. Speaker: Might I point out to the hon. member that references are to be made to members of this House by their seat or their constituency?

Mr. Lawlor: Yes, Mr. Speaker, you quite right. I fail in many regards.

Interjections by hon. members.

Mr. Lawlor: There is lamentation and beating of breasts. I shall beat my breast the hallways, but not here.

Ryan in his report says he scouts the possibility of some kind of special ombudsman commission in this regard but finally he rejects it, as I recall. He asks: "Why does the Ontario Human Rights Commission, which is already constituted to do such a job, survey this field; and would it not take on kind of responsibility that the hon. member for Peel South desires be carried out under the terms of this Act?"

There are many other fallacies, false whatnot, in the legislation as presently posed.

Section (d) of subsection 2 is equally fallacious in the way it is set up. It does not prohibit or to inhibit the use, the sale, the trafficking in devices of this particular kind. If you are going to get to the root, you are going to have to get to where the things are being sold and how they are being used; you just cannot use a clause in this way. There is one blessing in the bill. It gives an assertion to the tort of privacy as a nominate tort within our legal system, which at the present times really does not exist.

Mr. R. G. Hodgson: Mr. Speaker, the remarks of the hon. member preceding appear to be somewhat in error in this regard. Society wants credit, the people do not of it and only the errors are the problem.

The popular contention that there is inevitable alliance between scientific invention and human progress is questionable today when we are confronted with man-induced deterioration of our environment. It is almost redundant to say we are keenly aware of air and water pollution. But modern technology has brought a nightmare in wake in another area. The privacy of the individual has been steadily eroded under modern socio-economic conditions and there will be yet further intrusions and violations if we do not enact legislation soon embodying the principles of Bill 58.

Privacy is commonly held to be a right, Professor Edward Ryan's study for the Ontario Law Reform Commission shows clearly it has no basis in law. For example, the miscellaneous of intimidation, watching and besetting, nuisance and trespass sections of the Criminal Code



as well as such statutes as The Bell Telephone Act, are aimed primarily at the protection of a property interest. The safeguarding of personal privacy, if it is recognized at all, is recognized only incidentally. The tendency of the common law system to tie as many rights as possible to ownership and occupation of land is understandable, because land can be measured and defined. Privacy is more easily described in terms of human, physical and psychological needs than in legal principles. However, we need to recognize that privacy is a new field in legal and constitutional thought and should be protected for its own sake.

By giving statutory affirmation to the concept of the right of privacy, we in this province would, in fact, be recognizing the far-reaching technological and institutional revolution which has occurred during the last century. It has been only during the last two or three decades that we have seen the tremendous revolution in communications techniques, such as the widespread use of television, telecommunications and microwave systems. Remarkably complex and effective eavesdropping devices have been developed. A report recently made public by United Nations secretary, U Thant, "Human rights and scientific and technological developments", says that by the year 2000 it will be possible to keep a man under constant surveillance without his ever becoming aware of it. Radioactive substances can be added to your food so that you can be followed with a geiger counter, without your knowing it and without ill effects.

We have seen during this century the development of what John Kenneth Galbraith has called, "The new industrial state" which is dominated by large scale industries and companies that depend for their success upon complex information-gathering systems about the consumer. At the same time, large scale communications intend to influence and warp the consumers' preferences and, in reality, the consumer is not the complete king of our economic system.

Rather, the consumer finds himself frequently in the position of a pawn being investigated and probed on the one hand by industry to find out his likes and dislikes, and then, at the same time, being influenced and tempted into following courses which will meet the objectives and needs of industry. Affluence has been accompanied by an increasing demand for consumer credit and insurance, in turn creating a demand for more extensive and intensive personal and credit-rating reports.

Referring again to the recent United Nations report on human rights, it reveals that a laser scanning process is being developed which will make it possible to compile a 20-page dossier about each of the 200 million inhabitants of the United States, and this information could be stored on a single reel plastic tape. Although this may be an era of a big industry, it is even more an era of a big government. The major expansion of the domain of government services into such traditionally private citadels as education, medical care and welfare has required enormous amounts of information.

No one can quarrel with the proposition that if the state is going to play an expanded role, supported by public funds, then it should have all the means and relevant data at its disposal in order to do this as effectively as possible. However, the asserted right of modern governments to unimpeded access into this domain will continue to prevail unless privacy is championed as a value by the state itself.

Mr. Speaker, in summation, I would like to quote from a statement by Professor Edward Ryan from the University of Western Ontario:

As matters stand today, your telephone can be tapped, your office bugged, your fingerprints photographed, your life history collected and sold, your physical movements recorded, your economic behaviour passed from hand to hand, and all this information, together with your school, medical and employment records, could be easily compiled on computer tape, and you would have no recourse in law. Complete loss of privacy is not scientifically and economically possible.

The orbit of privacy is an ever shrinking one and the zones of solitude are being occupied as there are no more sanctuaries. We would do well to remember that the spectre of Orwell's "1984" is but 14 years away. The law must ensure that the right of privacy—our most complete of human freedoms—remains so. I therefore urge all members of this House to support this bill.

Thank you very much.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker, as I rise to speak to this bill, I am a bit disappointed in the fact that the bill does not say what happens after the fact; what happens after they sell the information to you and obtain. If they inform you of it, then the law allows anyone to collect any information that he pleases.

It is interesting to note, Mr. Speaker, from the earliest days in our Canadian history

our legal and political systems have been devoted mainly to placing limits on the power of surveillance that authorities can conduct over the lives of individuals and private groups. The tradition of limiting this surveillance goes back even further in Western history; at least as far back as the democratic Greek states.

In the early days, of course, Mr. Speaker, physical surveillance over individuals and groups was possible only in terms of actual entry, eavesdropping on conversations by ear or by overlooking the individual. To place limits on these forms of surveillance, our laws have required that searches and seizures by government be reasonable and be not made without search warrants which describe specifically the place to be reached and the persons or things to be seized. Reasonableness was determined by a judicial inquiry at which law enforcement officers had to establish probable causes and were examined by a judge about the scope and content of their inquiry.

We have to go back a long way, Mr. Speaker, before the beginning of Canada, to discover that psychological surveillance over individuals began with torture and inquisitions to extract information or beliefs, and star-chamber types of proceedings to compel individuals to testify against themselves.

In civilized nations, of course, Mr. Speaker, the task was to prevent this type of endeavour and up to now our courts have certain laws of evidence. Our Legislatures and Parliament of Canada have passed certain laws to prevent, or forbid, a person from incriminating himself or to forbid somebody else forcing him to incriminate himself.

When we consider the aspect of privacy, Mr. Speaker, we have to remember that surveillance and bugging and the sale of private information, the use of polygraph equipment are all basic invasions of a man's right to privacy. Let us consider the lie detector test. We can relate its widespread use, Mr. Speaker, to the time after the war when the concept developed that before a man was hired you had to find out whether he was capable of telling a lie. The lie detector test, together with all other types of physical surveillance that are available today, Mr. Speaker, is now being immediately picked up by both the law enforcement agencies and governments. They question people who are suspected of even the most minor misdemeanor.

We also have to consider the personality tests, Mr. Speaker, that people seem to inflict upon individuals together with all the other

devices that are used. It seems that the privacy of the individual shortly will be technically non-existent.

As the years have gone by these systems have become more refined. For instance, a detector can be attached to a chair you are sitting in while you are being interviewed. It is attached to a machine outside the room and they find out whether you are, in a telling the truth or a lie when you are interviewed.

For this reason, Mr. Speaker, it seems among the thoughtful segments of our population and of the law-abiding community of parliament and of the legislatures, the search is for a whole new framework for defining privacy in a technological age. We need a set of interventions, Mr. Speaker, from social and judicial decisions, to administrative and professional standards which must, somehow, be devised to replace the current restraints which originated and service a much earlier period of our history, but which are outmoded today. Professor Clark, Mr. Speaker, points out that if an invasion of privacy cannot be avoided, the extent and character of the privacy must be scrutinized. Is it real or theoretical? Real or technical? Is there potential harm to the subject? If so, is the harm substantial or insignificant, lasting or fleeting? Is the invasion minimal?

These are the questions that we have to ask ourselves, Mr. Speaker, when we allow one in our society, whether he be a private individual or a private corporation, to credit reports or other reports. We must decide in this Legislature and the other legislatures of Canada how it will harm the individual. How much does it invade the privacy of the individual? It is interesting to note you read "1984," Mr. Speaker, there was no privacy. There was nothing. You could walk down the street without somebody looking at you. You could not go home; you had to put your card in front of the mirror; a monitor at the central office would know where you were.

Let us consider surveillance from a wide field and the invasion of the rights of privacy in another field. Take the one-way mirror, the one-way camera or monitoring devices which challenge directly and fundamentally the claim to privacy when the focus is on the individual. The challenges are drastically reduced if the focus is not on the individual but on the social interaction.

Thus we would not mind having a monitor at a pay station on the subway, at a s

where a man pays, to make sure he pays. But it would be different, Mr. Speaker, if we were to allow closed circuit television to watch an individual in his living room. This would offend all our susceptibilities, because no individual in his right mind would give consent to being watched in that way. The sophistication of the devices is such that a man can be 300 feet away and could watch you with a high-powered telescope. I think that is a serious invasion of my privacy.

The use of the polygraph is a sort of voyeurism: They look right into our very spirit; they try to find out the kind of individual that you are. The use by the Cadet Cleaners of the polygraph negates the claim of a specific individual to make his own choice of whether to withhold or disclose information and to disclose it, if at all, at the time and place and the extent of his own choosing. Consent is the exercising of that choice and satisfies the claim to privacy.

Even with the full anonymity or complete confidentiality, the use of all these machines can still be intolerably offensive to human dignity, and this should be at the heart of what we are getting at today.

Perhaps I should quote from Professor Flemming in *Torts* 568, third edition, 1965, where he says:

In its broadest sense, the interest involved is that of being left alone to maintain one's intellectual and emotional personality free from offensive intrusion by conduct calculated to annoy and induce emotional distress.

The fact that distress can be raised is easy to see when one looks at the literature. I would like to refer you, Mr. Speaker, to "Pathological Lying, Accusation and Swindling," by William Healey and Mary Kenny Healey. They said:

Once you are suspected by polygraphy of having lied, other conclusions can be drawn. For example, a fair question to ask at this point is whether pathological lying is ever found to be the only delinquency of the given individual.

This is after he has had a polygraph test.

We would hesitate to deny the possibility of its being the sole offence, but in our study of a long list of cases and after review of those reported by other authors, it seems practically impossible to find a case of this. The tendencies soon carry the person over to the production of other delinquencies,

and if these do not come into the category of punishable offences, at least for the trouble and suffering caused others, they are to be regarded essentially as misconduct.

In other words, once someone is accused of lying, a whole string of accusations of antisocial conduct soon follows, and the person is categorized and damned, possibly for the rest of his life.

Mr. Speaker, the principle in this bill is good. It must go much further. I would suggest that the bill be expanded to all types of listening devices, all types of data-collecting agencies, and then I will support this bill. Thank you very much.

Mr. R. Gisborn (Hamilton East): Mr. Speaker, one first must say that it is somewhat a shame that such a bill or subject of such importance should be brought forward under the private members' hour, with such little attention paid to the real import of the subject matter.

My colleague from Lakeshore has pointed out the drafting that closes the barn door after the horse is out, and two or three speakers have had different approaches as to whether they would support the bill in its present form or not. It takes me back to about six or eight years ago when automation and technological changes and cybernetics were dealt with by almost all of the experts across North America. This leads us into the computer age, and the question was raised then as to what was going to happen to our privacy in regard to the computer and who would own such stored information.

I do not think we can confine our fear of the invasion upon privacy to credit agencies but to many other institutions. How about the employers of big industrial plants who use the computer system to compile all of the information about an employee? I daresay that the Steel Company of Canada, Dominion Foundries and some of the big automobile plants can tell a person more about their own life, their own habits, their own wishes in five minutes than one could write in five hours. Just by pushing the button on the computer machine, you have the information as to what is your status with the credit union, what is your status with collecting agencies—all of the relevant material—your marital status, how often you are off work, your health regulatory habits. Everything is in that computer system.

Briefly, I would think it is a subject that has to be given a lot of deep study and may

the introduction of such a bill and of such commissions and studies that have been mentioned by various speakers will be given some attention in the near future by responsible government to establish a responsible scientific body to look into this very serious subject and find out what is happening to the privacy of the individual across this country.

**Mr. Speaker:** This completes the private members' hour.

**Clerk of the House:** The 15th order, H in committee of supply; Mr. R. D. Row the chair.

ESTIMATES, DEPARTMENT OF  
HIGHWAYS  
*(continued)*

It being 6 o'clock, p.m., the House recess.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Monday, May 11, 1970  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 11, 1953

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF HIGHWAYS (continued)

On vote 801:

**Mr. Chairman:** We are in research.

**Mr. T. P. Reid (Rainy River):** Mr. Chairman.

**Mr. Chairman:** Yes, the member for Rainy River.

**Mr. T. P. Reid:** Yes, thank you, Mr. Chairman. I would just like to make a few brief remarks in line with some of the remarks that were made by the member for Huron-Bruce (Mr. Gaunt) in regard to studded tires.

I would like to bring to the minister's attention—and I have no idea of what kind of legislation or regulation he has in mind with regard to studded tires—that the situation in southern Ontario is vastly different from that in northern Ontario, or *vice versa*. I was talking to people in my riding this afternoon and I just came back from there last night myself and they informed me that they have had a number of inches of snow.

But regardless of the climatic conditions at the present time, my own experience, and the experience of those people who live in north-western Ontario, is that circumstances are somewhat different. I would hope that if and when the minister brings in some regulations in regard to studded tires, that he would bear in mind the difference in climatic conditions—the length of the winter season in southern and northern Ontario, and especially the vast stretches of highway in northern Ontario along which there are no service stations or no human habitation.

If one gets into serious difficulty on the highway, it is quite possible, in some areas of northern Ontario, that one is not going to be either found or discovered until it is too late. So I would hope the minister would bear the geography of northern Ontario in mind in relation to studded tires. It is one of the

few defences we have in travelling by automobile in northern Ontario. The studded tire is one of the few things that we rely on for protection, because, as I say, we do not have the population density to ensure that if there is an accident, if one does get in trouble because of slippery roads, that one will be found either shortly by the police or by other passers-by.

Having said that, I would like to return to a theme that I raised with the minister some two years ago—in the Legislature during his estimates, again on the question of research. That is the fact that our highways are of a different kind than we have in southern Ontario. We have a great deal of problems with frost upheaval, much more severe winters—longer winters, harder winters, colder winters—than we do in southern Ontario.

I would draw to the minister's attention, for instance, the situation of Highway 621 in the Rainy River district, which is in extremely bad shape at the moment due to the climate of the last winter. It is a road that leads from the highway up to Morson, Ontario, which is an extremely well-used tourist spot and the road is in terrible shape.

As a matter of fact, I would go so far as to say that it is rather—I would not say hypocritical—but ironical perhaps, that the government should try to attract tourists up into this area and then subject them to riding over a road such as 621. It is full of potholes and frost heaves.

I was on the road last Friday myself. I was at a commercial fishermen's meeting in Rainy River and I took a run up the road on my way back to Fort Frances and the road is in terrible shape. I was fortunate in that I was driving a rent-a-car, not my own, and I did not go up the road but a great many—

**Mr. H. Worton (Wellington South):** makes a difference?

**Mr. T. P. Reid:** Well, the rent-a-car belongs to me anyway, so it does not. But a great many tourists use this road hauling heavy trailers, both house trailers and boat trailers with expensive boats on them, and

would hope that the minister would see his way clear to doing something about this particular road.

We were fortunate in the Rainy River district last week to have the Lieutenant-Governor of the province of Ontario visit our district and our area. There was only one unfortunate mishap, really, on his whole visit and that was the fact that he had to drive over the highway between Kenora and Fort Frances, and the minister himself has been over this road and he knows what condition it is in.

The whole point of these remarks, Mr. Chairman, is, once again, to draw the minister's attention to the fact that we suffer from differing climatic conditions in northern Ontario. I would again ask that his department, under this vote—under research—do something about providing research into the kind of construction material and the kind of road construction in northern Ontario.

The minister is well aware of the cost of upkeep of these roads. He knows what it costs the department annually. He knows the problems that we have with our tourists and that we depend on them a great deal. This is not taking into regard the residents of the area themselves, who by now are to some extent used to this kind of road construction but who suffer great economic losses personally because of the condition the roads are in.

So, I would like to ask the minister what research his department is doing in regard to construction materials, new kinds of asphalt, new kinds of road construction, for areas in northern-northwestern Ontario.

Having posed that question, Mr. Chairman, I would just like to say to the House for the second time in less than three weeks that there has been another great Liberal victory in the country of Canada—the Liberals have won in Prince Edward Island.

**Hon. R. S. Welch** (Provincial Secretary): Majority government?

**Mr. M. Gaunt** (Huron-Bruce): 21-0?

**Hon. Mr. Welch**: What?

**Mr. Gaunt**: 21-0.

**Mr. Chairman**: Does the minister wish to reply?

**Mr. T. P. Reid**: Mr. Chairman, I realize the minister has been suddenly taken aback by that announcement of another Liberal victory, but I pose the question again to him. What research is his department doing to improve the roads?

**Mr. V. M. Singer** (Downsview): Just to the Tories, yes.

**Mr. T. P. Reid**: If we won 21-0 we have a big influx of PEI Tories into Ontario. I do not know whether we have enough for them or not. We will be building highways, I can see that.

I would pose the question once again in case the minister did not catch it. What research is his department doing, specifically in the area of providing construction materials, or different types of construction, to meet the particular conditions of roads in northern and western Ontario?

**Mr. Singer**: What is going to happen to those disenfranchised and disencumbered Tories?

**Hon. G. E. Gomme** (Minister of Highways): We are continually researching in many areas and, of course, as you see, we get the benefit of all the research from the Canadian Roads Association which gathers research materials from every jurisdiction in the country with climatic conditions the same as you have up there. We also give out a good deal of research to universities, who are investigating the type of granular materials and the permeability of asphalt mixtures and all this type of stuff.

We are doing some actual rebuilding of crosspiece sections, using styrofoam and things as that. It is satisfactory for that type of work, but it is too costly to build a highway with that kind of material. We are continuing that all the time.

In regard to your remarks about the worn and ded tires, the research that is being done is being done under every climatic condition. It will take in the weather such as you have up there in the north.

**Mr. T. P. Reid**: Just to finish this off, Mr. Chairman, if I might. May I ask, has his department either farmed out or is it doing any specific studies on this? The minister has answered in a rather general way. Has his department taken any cognizance of the research and experience, for instance, of the Russians in Siberia—although I do not know if we are in quite that bad condition—to these problems of frost upheavals, and so on?

Finally, Mr. Chairman, is the minister prepared to do anything about Highway 17 which is probably a prime example of the problems due to these kinds of climatic conditions?

**Hon. Mr. Gomme:** I am assured that we have taken in the conditions that you mention in Siberia.

**Mr. Singer:** The minister is going there too—and he may never come back.

**Hon. Mr. Gomme:** That may be your opinion, but it is not mine.

**Mr. T. P. Reid:** Just after the next election.

**Mr. Chairman:** The hon. member for Yorkview.

**Mr. F. Young (Yorkview):** Mr. Chairman, one more question in respect to studded tires. On Highway 401 from west of the airport to just beyond Highway 10, there is a strip of highway where the top has been torn, in most instances, down to the cement bottom. I would like to ask if there is any determination as to whether that has been caused by studded tires or not?

**Hon. Mr. Gomme:** Offhand, I would say that it has. I have not got the details of the specific road with me, but we find this happening.

**Mr. Young:** I think we find damage being done in a great many places at this time. But the thing that occurred to me about it is whether or not the continued use of studded tires is going to give an excuse for sloppy contract work on the highways. I raise that issue because that is the only lane of the four lanes with this kind of damage done.

It may well be that this was perhaps constructed earlier than the others, though I do not see why it would be done earlier than the right lane of those westbound lanes. This is another facet of this whole business. If we continue to use the studded tires, might sloppy workmanship then be attributed to the damage done by the studded tires and so people will have an out for this kind of sloppy workmanship?

**Hon. Mr. Gomme:** There is no danger of that. I mean that is one thing we are researching: to find materials that will withstand the studs and experimenting with all kinds of materials for this purpose. I did not catch which way you said this was—east or west? It may be that it is an older lane.

**Mr. Young:** The westbound lanes; the left-hand lane of the westbound lanes. This is where the major damage seems to be done. The other three lanes seem to be fairly free of it.

Mr. Chairman, just to keep the record straight, this afternoon the hon. member for Huron-Bruce and I had a bit of an altercation, and afterwards we looked up the speech to which I had made reference. I am going to make an issue of it, but I would simply say, that the House, if interested, could check on page 319, March 6 and come to its own conclusions as to who was right in this particular situation.

Now, I would come to another question—the minister on research. We have heard a lot in recent days about non-returnable bottles and the use of glass. After all, the non-returnable bottle is something that has been with us for a long, long time—not just with Coca-Cola and the other drinks, but with jam, marmalade; you name it and we have had it in great quantities. Recently, there has been an experiment in Etobicoke. A roadway laid down, using glass—ground-up bottles, I understand—as the primary material instead of gravel and sand. I wonder if the minister has any information about that? There would be time yet I suppose, for us to have some definitive results, but I wonder if the minister has some information as to the process as to whether or not, so far, it has been considered satisfactory?

**Hon. Mr. Gomme:** We are researching that and are presently using in the research some ground glass in the aggregate, but we have no report on it as yet.

**Mr. Young:** One further question, Mr. Chairman. Following your research outside St. Thomas a couple of years ago, you came up with a guardrail of three-span cables which is much more satisfactory than the ones that have been used for years in the province of Ontario. It was proved, at that point, that these old-style things were practically useless in restraining motor cars heading for the side of the road.

I notice on Highway 401 and other spots that some of these new installations are now being made. I wonder if the minister could inform us as to the timetable for replacement of the guard restraints—which have been proved pretty useless. Can he just tell us the timetable for replacing those with the new ones, which have proved to be much better?

**Hon. Mr. Gomme:** We are undertaking to replace all of these as we can, and all new construction has this new type of three-span guardrail.

**Mr. Chairman:** The member for Etobicoke has been on his feet for quite some time.

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CENTRAL LEGISLATURE

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Chairman, I would like to ask the minister a few questions about research. In doing so, I would like to refer the minister back to the problems which about 100 homeowners on Clarion Road, Waterbury Drive, and Willowridge Road, east of the Macdonald-Cartier Freeway, are having with the widening of the highway. Some of my comments, Mr. Chairman, are related to the question of what sort of research this minister's department is carrying on in connection with the change in the environment that the widening of Highway 401 and other highways might have on the neighbourhood.

The minister, no doubt, remembers that we are talking about the portion of Highway 401 between Martingrove Road and Dixon Road interchange on Highway 27, which is in the northwest part of the riding of Etobicoke. The minister no doubt will recall that on or about October 21, 1969, he met with a delegation of people from that area, homeowners from Clarion Road, Waterbury Drive and Willowridge Road, and they discussed a brief with him.

I have the brief with me today, Mr. Chairman, and I want to ask the minister a few questions about some of the comments raised by these people. Before I do that, I just want to remind the minister that on March 17 during the throne debate, I brought this matter up. The minister was in the House, so I am sure he is familiar with the various details.

I pointed out at that time, Mr. Chairman, to the minister, that the people in this particular area were quite disappointed over what they felt was a betrayal on the part of the minister. After all, he did see a delegation and he had promised me, as their representative, that we would be notified as to what could be done.

I pointed out at that time, Mr. Chairman, that the hon. minister waited until March 12 to notify me that nothing had been done or nothing could be done. In summary, then, Mr. Chairman, what I am concerned about right now is the research, which this minister's department is carrying on in connection with the possible effect on the life of individuals in the neighbourhood of a highway such as Highway 401 when it is widened.

I am going to stop for a moment. I wonder if the minister could tell me if he has the details of the investigation which he referred to in his letter of December 12 to me, wherein he stated:

An investigation is now being carried on by the planning branch of this depart-

ment to determine suitable ways of reducing noise abatement on freeways. I expected that the report on this investigation will be available in about three months' time.

I would like to know if the minister is in a position to tell us where this investigation stands now. I would like him, if he could, to send over to me some of the documents of the investigation that is being carried on in reference to this particular problem.

**Hon. Mr. Gomme:** I have not got the report here, but I will get it for you.

**Mr. Braithwaite:** Could the minister tell me if this could be available before his estimates are over? I would like to discuss the report with him.

**Hon. Mr. Gomme:** Yes. The only thing I can tell you is that the research department has been doing some work on this, and I could have a copy of his report. I cannot tell you whether I can get you a progress report on the complete report, but I will get you whatever information I can.

**Mr. Braithwaite:** That would be seen before the estimates are over?

**Hon. Mr. Gomme:** I will do my best.

**Mr. Braithwaite:** Thank you. Now, Mr. Chairman, I wonder if I can refer to the *DHO News* of April, 1970. I want to commend the minister and his department on a very pleasing and informative paper. I noticed that reference is made in the paper to the fact that the DHO has launched a special programme to help prevent air pollution.

Mr. Chairman, I want to refer this to the minister, because we all know that air pollution is quite important and is in the public mind, and the minister's department is the first department in the government to carry out this type of programme. This is what I am particularly concerned as to whether the minister's department is also proceeding with these lines of research in connection with the effects of the widening of highways in the neighbourhood that is affected. I have referred the minister to the *DHO News* and what I would like to know in particular is what sort of research is being carried on by his department in that regard?

**Hon. Mr. Gomme:** Mr. Chairman, I admit I have not seen that article to which he is referring.

**Mr. Singer:** Your own publication? That is good.

**Hon. Mr. Gomme:** Well, do I have to read everything?

**Mr. Braithwaite:** Well then, Mr. Chairman, perhaps I might again state, just to bring the minister up to date with reference—

**Mr. Singer:** Read him the article in his own publication so that he will be familiar with it.

**Mr. Braithwaite:** Well, now, I would not want to embarrass the minister. I will not do that, but I will say that during the throne debate, when I participated in it, I mentioned to the minister that the particular people in this area were quite upset because trees were being planted and they were something like 18 feet apart and they were being planted along the east side of the Macdonald-Cartier Freeway, abutting the backyards of the various homes in question.

At the time of the meeting of the deputation with the minister on October 21, it was pointed out to the minister that unless a very dense planting were made and unless a planting of very mature trees was made, the planting of evergreen trees, such as is used on other Department of Highways' jobs, is worse than useless.

I want to bring to the minister's attention the fact that I have received many calls from people who are wondering just by this government is throwing its money away for. I pointed out to the minister the fact that if these people had purchased their homes after the widening had come about, then they would have no cause for complaint. I want to bring it to the minister's attention again, and if necessary we will do it at another time and again, the fact that this department has altered the way of life of these people. His department has brought noise and dirt and other objections, to which I will refer later, to this area.

I do not think it is good enough for this minister, at the time of his estimates when he should come here prepared for any and all questions that might be asked, particularly when they have been brought to his attention beforehand, to come here and say he does not have the information. It does not speak well of his staff.

**Mr. Singer:** Or him.

**Mr. Braithwaite:** I want to say this, Mr. Chairman, that as far as this is concerned,

this is a problem that affects this whole neighbourhood. What concerns me is, if it is happening in this particular area here, it is happening throughout other parts of Ontario as well, because people who are suffering in this way cannot be compensated by the replanting of a few trees.

The member for Armourdale (Mr. C. C. Ton) some time ago brought up a similar problem—well, he spoke on a similar problem that people in his riding were having due to the very same widening of Highway 401. At that time, Mr. Chairman, it was quite in order for the department to come along and buy those particular houses on the south side of 401, and perhaps on the north side as well.

**Mr. Singer:** Both sides. Both sides.

**Mr. Braithwaite:** Both sides, in the neighbourhood of Avenue Road. It was quite right for the government to come along and buy these, because, at that time, the houses could be resold overnight. But I want to bring it to the minister's attention, and I am certain that he and his department are aware of the fact, that in Metropolitan Toronto at this time having money is not enough. No matter what he might be able to pay these people for the houses they have, they could not purchase comparable houses anywhere else in Metropolitan Toronto. Besides, they would be forced to leave the good life which they presently enjoy in the good borough of Etobicoke.

I want to make it quite clear to the minister that these people cannot benefit by having their assessments lowered, because that would be by only a few dollars. That does not repay them for some of the problems I am going to bring to the minister's attention in a few moments. And I ask—I plead with the minister—can he not do something with this whole problem of research in this particular type of situation?

When the representatives of these people came to see the minister on October 21, as they should be in a democratic society, they asked the minister to look into different ways that this problem could be eradicated. Bear in mind that we did not come where the problems already existed; your department had ruined our way of life. They suggested one particular way and that was the type of baffles used along the south side of the Airport Road in the premises of the international airport. They just suggested that but they asked the minister to bring to bear the tremendous resources that his department has in the field of research. They asked him to do something about it in any way; to do something

lessen the problem. As I say, they were quite upset, and I was quite disappointed in the minister, believe me, when I heard from these people, before I even heard from him, that great big holes were being dug for trees.

Now it is not as if the minister could have forgotten this. I wrote him reminder letters. I referred to this in my contribution to the throne debate. I wrote him reminder letters and I asked him what was going on. A gentleman would have written back and he would have said, "well, nothing can be done. We are putting in trees."

I want to remind the minister that these people are not going to forget what they consider to be cavalier treatment on the part of his department.

These people, Mr. Chairman, have asked this minister to do something about research. I have asked him tonight just what is his department doing about this particular problem, not only in Etobicoke, but throughout Ontario. I have not heard anything yet. I would be pleased to hear in detail what sort of research this department is carrying out.

If the minister tells me that he cannot say anything about it, that is fine. But I would like to know. Perhaps he could take a moment now, and he could tell me just exactly what is being done about the various factors that are brought into play when highways are widened and the good life of people who live adjacent to the highway is ruined.

**Hon. Mr. Gomme:** In the first place, Mr. Chairman, the hon. member brought up the question of the baffles that are out near the airport. One of the first things we did was contact the federal Department of Transport to find out why they were there and what benefit they were. They were not put there for noise at all. They maintained they were only there for stopping the jet stream from coming out on to the highways. They would not help in a situation such as this.

I may say, in regard to the report on tree planting, it was sent to me this minute for it was only compiled on May 6 and I have not seen it yet. It is that up-to-date. I will send one to you.

**Mr. Singer:** You certainly get prepared for your estimates, do you not?

**Mr. Braithwaite:** Mr. Chairman, I brought this up to the minister on March 17. I spoke in the House. The minister was sitting there. He heard me talking about it.

**Mr. Singer:** Because he was here does mean he heard.

**Mr. Braithwaite:** I would have thought he could have looked into this. I really t

**Hon. Mr. Gomme:** Mr. Chairman, fairness, I said the report was just brought out on May 6.

**Mr. Singer:** But today is the 11th. That's five days ago. You knew your estimates were coming up. Do you not read your reports?

**Hon. Mr. Gomme:** The hon. member will realize that I have no time to read reports. I mean, I have a lot of other things to do.

**Mr. Singer:** Well, at least for one set of estimates, one would think he would be ready.

**Mr. P. J. Yakabuski (Renfrew South):** Did you in the House on the 9th and 10th?

**Hon. Mr. Gomme:** I have a lot of other things to do.

**Mr. Chairman:** The member for Etobicoke

**Mr. Braithwaite:** Mr. Chairman, I do not think there is any need for anybody to be excited, not tonight. I want to confirm to the minister really cannot tell me what is beside tree planting his department is doing about highway noise.

**Hon. Mr. Gomme:** Mr. Chairman, I have already said that I will get that information and send it to the member.

**Mr. Singer:** He has got that report but has not read.

**Mr. Braithwaite:** I do not mean in connection with my own riding. Perhaps I have made myself clear. I am talking about a field of research into the various problems that the widening of highways—and you are carrying this out throughout Ontario, I mean—the various problems that this brings to the neighbourhoods concerned. This is what I am talking about; not just in Etobicoke.

You said you would send me that report or an interim report, before the estimates come over. I say fine, but I am not talking about that now. I am talking about the situation generally.

**Mr. Singer:** He has got another report but has not read. No wonder they call you Gomme Whatsisname.

Hon. Mr. Gomme: All I can say, Mr. Chairman, is that the report will take in comments over all areas as well as his specific one, I will get to that.

Mr. Braithwaite: Does the minister mean to say that before October 21, before the meeting of this group of citizens with him, his department had not even considered the problems of the widening of highways?

Hon. Mr. Gomme: No, that is not right, Mr. Chairman.

Mr. Braithwaite: I would like to hear what is right. I just want to see if I have it right in my mind. I would like to know generally what type of research is being carried out on this particular problem.

Hon. Mr. Gomme: I have already said, Mr. Chairman, that I will get that information and send it to the member.

Mr. Braithwaite: All right, then. Let us go forward another step.

I am going to refer now, Mr. Chairman, to the particular brief which these homeowners left with the minister in October. If the minister's department looked into these problems, as he claims it did, perhaps at this time he might be able to give me some specific material on some of these things. This is in addition to the report that he is going to send over.

The very first problem these people brought to the attention of the minister was the increase in noise pollution. They had quite a bit about this in the brief but, basically, these people pointed out, Mr. Chairman, that the traffic had been moved closer to their homes. They pointed out that there was a tremendous increase in noise; they also pointed out that prior to the widening, an embankment muffled the noise to a certain degree.

The minister no doubt is aware that in widening the highway the embankment had been removed and the grade of the highway had been changed. This question of noise pollution was to have been studied by this minister's department because trees are used in some areas where the highway, perhaps, is farther away from the backs of people's homes. But where the highway has been brought almost to the backyards—and 38 feet is about the distance from one of these houses—when it has been brought that close, Mr. Chairman, the minister must have done

some research in connection with noise pollution and what can be done to minimize the increased noise.

Perhaps the minister might like to comment on that.

Mr. Singer: The member keeps on asking these tough questions.

Mr. Braithwaite: I just want to let him know we have a problem.

Mr. Singer: There will be a dull part while The Department of Highways figures out what research it has done.

Hon. Mr. Gomme: In the member's particular area, the contract for the tree planting had been let before the people came with the brief. As a result of our studies we are going to do a more massive planting of trees there.

That is why the first contract was in that way. But we are going to do more work than that.

Mr. Chairman: The member for Hamilton East (Mr. Gisborn).

Mr. Braithwaite: No, wait.

Mr. Singer: He is not through; he has several more questions to ask.

Mr. Braithwaite: Is the minister then telling me that the reason I could receive a reply from him between October and February, or March, when his final letter came about tree planting, is that a contract was let prior to October 21? Is that correct?

Hon. Mr. Gomme: I am advised that it was prepared, but not let.

Mr. Braithwaite: Where does that lead us? What I am trying to figure out is, how does that answer the question I am asking, Mr. Chairman?

Mr. Singer: It really does not.

Mr. Braithwaite: I know now there was a contract prepared. I do not recall the minister referring to this when the deputations was in his office.

In any event, what I am concerned about, Mr. Chairman, is has the department done anything? For instance, when the contract for the widening was let, was any thought given to perhaps a particular type of base or special type of base for the highway which might, say, minimize the rumble of trucks? I am just throwing these things out, I know

nothing about highway construction. But the minister has his experts there.

What I am trying to find out is was anything done about, say, special embankments being built or any type of special construction? Was any thought given to anything like that so that the noise factor could be minimized, before I get to the other complaint?

**Mr. Singer:** That fellow from Etobicoke keeps on asking the tough questions.

**Mr. Braithwaite:** No.

**Hon. Mr. Gomme:** We have looked into all types of baffles and there is no known pavement to us that will stop such rumbles.

**Mr. Braithwaite:** Perhaps I have not made myself clear. I am talking about the research you are doing now. I would like to know—I just used that for a suggestion—I am asking if there was any particular type of research done in connection with, not only highway construction, the actual roadbed, but also with the portion of the right-of-way off the roadbed. I just want to know if any research has been done in this problem, or are we more concerned with widening the highway and making it fit for traffic to use? This is what I would really like to know.

**Hon. Mr. Gomme:** I am advised that we have been studying this matter since 1962. The recommendation at that time, as it has been since, is massive tree planting, which we are going to do.

**Mr. Braithwaite:** Fine. I understand from what the minister says that there is going to be even more massive tree planting in this particular riding, in this particular section. Is this the answer that the minister is giving me?

**Hon. Mr. Gomme:** This is right, Mr. Chairman.

**Mr. Braithwaite:** There are many other areas on the question of noise pollution that we would draw to the minister's attention. I really would like to point out, Mr. Chairman, to the minister that it is not likely that this is going to work because the trees themselves are not going to stop the noise pollution.

**Mr. Singer:** If they live.

**Mr. Braithwaite:** If they live. I was just going to get to that.

Mr. Chairman, I do not know if the minister is aware of the fact that in the winter there is a prevailing westerly wind there. I do not know if the minister is aware of the fact

that in order to keep that highway opening the winter, a great deal of calcium chloride has to be spread. I do not know if the minister is aware of the fact that a great deal of salt is spread during the winter.

These people, Mr. Chairman, because this roadbed being widened to eight lanes, and because of the fact that their yards are no more than 38 feet away from the highway, are subject to salt spray; they are subject to sand spray, besides the salt. I would like to know, has the minister given any thought to what could be done to minimize that particular type of problem? Besides the salt and the sand, Mr. Chairman, deteriorated storm windows, the TV aerials, the brickwork, and in general, the houses of the people who live on the east side of the Macdonald-Cartier Freeway between the Martingrove-Dixon interchange and Highway 27.

All I am trying to find out, Mr. Chairman, is, has the minister's department done any research on the effect of those particular chemicals and sand and the wind, not only on the homes of these people, but also on the trees which might be planted as a barrier?

**Hon. Mr. Gomme:** I do not have that information, but I am sure it has, Mr. Chairman.

**Mr. Braithwaite:** All right, what are the effects? I would like to hear more about it. It has, fine? What has the—

**Hon. Mr. Gomme:** Mr. Chairman, I have reported three or four times that I am going to report on these things for the hon. member, and I will do this.

**Mr. Braithwaite:** Fine. The next question I would like to ask, Mr. Chairman, on the subject of this brief, which the minister has mentioned, and he is well aware of, concerns vibration. These people complained, Mr. Chairman, that the minister that because of vibration, they will read right from the brief:

The rattling of windows and chimneys, the cupboard doors can be heard quite frequently. Pictures on walls in most homes vibrate as trucks gear down while travelling up the hill on the highway behind their homes. The clash of gears as they suddenly accelerate to proceed up the hill is unbearable.

Has the minister's department done any research in connection with the additional problems that the vibration of traffic close to backyards and to the homes of these people would cause?



**Hon. Mr. Gomme:** We have, but we do not know of any way that it can be prevented. We cannot find any way.

**Mr. Braithwaite:** Mr. Chairman, could the minister tell me approximately how much money the widening of the highway at that particular point cost? What is the contract price there?

**Hon. Mr. Gomme:** We would not have that figure here, but we can get it for you. I have not got the figure for every contract that has been let.

**Mr. Braithwaite:** All right, just give me a rough figure. Is it between \$10 and \$20 million?

**Hon. Mr. Gomme:** As an educated guess I would think it is \$5 million.

**Mr. Braithwaite:** Five million dollars. There are about 100 homes affected. If the minister spent as little as \$100 a home, how much money would the minister be spending? Could you give me an educated guess.

**Mr. G. Ben (Humber):** Figure it out for him, he will never figure it out.

**Mr. Braithwaite:** Now I am asking, how much money are we talking about? How much?

**Hon. Mr. Gomme:** I imagine we can get that.

**Mr. Braithwaite:** All right.

The point I wish to make, Mr. Chairman, is this. By the spending of that little for each house, the minister no doubt, could, in this particular strip of the highway, put something besides trees, or something in addition to trees, which would stop the sand, the salt and the noise. If this is not so, perhaps the minister would tell me. It does not seem like a lot of money when you are talking about a contract worth about \$5 million, now does it? This is what I want to get to the minister. For this little amount of money, about \$10,000 to \$20,000, I am certain in that short space of the highway some improvement could be made. Now I would like to hear the minister's comment on this?

**Mr. N. Whitney (Prince Edward-Lennox):** A lot of money spent on such things could build a lot of miles of road.

**Hon. Mr. Gomme:** One thing that concerns me. I wonder where the hon. member got his estimate of \$100 a house?

**Mr. Braithwaite:** That is just a figure pulled out of the air. All I am trying to point out is that if the minister spent as little as \$100 a house, he would have something like \$10,000 that he could use to improve the situation. I do not know whether that is sufficient, or more than enough.

All I want is to point out to the minister, that if you divided the total by \$100 or whatever the figure is, it is nothing compared to the \$5 million—and that is just an educated guess that you have given me. It is nothing compared to that figure being the overall cost of the contract. That is all I am trying to point out to the minister.

All I am trying to say is, that the rights of these people have been infringed, and at that small amount of money—even at \$100 a house, we are not talking about a lot of money—that for that, these people would be happy. I am sure, I am certain, that the minister is going to have, if he has not already, the same problem in other parts of Metro and throughout Ontario. Have I made myself clear where the figure comes from?

I have already discussed, Mr. Chairman, the question of air pollution. I have talked about the sand and I have talked about the salt in the winter, and the dirt. I want to make it clear to the minister that—in wintertime air pollution does not really matter too much—because of the salt and the sand, the houses and the buildings are damaged, but people do not use their backyards. That is one thing; trees, for certain, are going to die.

But let us look into summertime. The minister should bear in mind that these people, before this highway was widened, were able to use their backyards in the summertime. They were able to make use of the fact that there was grass there. But now, not only are there the factors that I have mentioned, but also the fumes from trucks which come past their homes at a much closer distance have combined to make it almost impossible for these people to use their homes.

I want to point out to the minister that there must be, there has to be, some solution that his department could come up with that has tremendous resources. It has a tremendous portion of the overall budget of this government which it spends. I only want to say it is a shame that the minister can say here tonight that \$100 or \$200 per home is too much money when you look at what effect the widening of this highway and other highways is going to have, and has had, on the lives of the people who are citizens.

These people are not living in Ontario Housing—nobody is giving them their homes. They own these houses. They have worked hard for them.

I pointed out already to the minister that there is no way that these people could have their homes expropriated and go buy another home for the same money. You could not do it. In other words, they are locked in.

The minister's department could look into some way of providing, perhaps, air conditioning if these people have to stay inside their homes in the summertime. He might look into this. They cannot open their windows in summer or winter. He could look into ways by which the noise could be baffled. He could look into ways by which the fumes and the sand and the salt in the air could be kept away from their houses. His department could do all this. I would like to hear what the minister has to say in regard to this?

**Hon. Mr. Gomme:** Mr. Chairman, when the hon. member talks about a figure of \$100 a house I would like to inform him that the tree-planting contract is for \$47,000. It will be a very concentrated effort and we think that it will do a lot of good for the area once it is done. I think most people are prejudging the effects of it. We should, at least, have the opportunity to do this, to let people see the effects that it will give. The other thing about it is that it is not all because the lanes of traffic are closer. The hon. member should realize that the amount of traffic there is building up all the time and that it is increased traffic that is, maybe, causing some of the problem.

**Mr. Braithwaite:** I fully realize this and that latter point was pointed out to the minister in the brief which stated as follows:

In 1963 the estimated count of traffic at that particular point was 47,000. In 1964 the actual count was 50,000. In 1965 the actual count was 54,000. In 1966 the estimated count was 58,250. In 1967 the estimated count was 64,650.

This is the traffic count over a 24-hour period. That just points out the fact that I am trying to bring to the attention of the minister—that the problem is getting worse not better, and that before he widened the highway, his department should have researched the effect of the increased traffic flow. The effects of the noise, the effects of the vibration, the effects of the sand, the effects of the salt and the deleterious effects of traffic should have been considered before the road was widened, not after. This is all I am trying to bring to

the minister's attention. I repeat, if you spending \$47,000 on trees, that is not compared to \$5 million. It just goes back what I said—the \$100 was just drawn out of the air.

All I am saying is that even if you spend \$47,000 for some sort of barrier, even if you spent \$75,000, it is nothing when you consider the total overall money on contracts. It is a small amount to pay to repair the damage that has been done, not only to the property of these people, but to their way of life. As I pointed out to the hon. minister, they cannot move. They are locked in. There is nothing that they can

The hon. minister, or his department, caused the problem. I came here tonight, Mr. Chairman, to bring these to his attention is not as if I had just come from now and said, I am going to ask you some questions about something you know nothing about. This goes back to October 21; between that time and early in March, the minister received several communications from me asking about this problem.

On March 17, I brought it up in the House again and I discussed it at length during the throne debate. The minister should have, at this time, some better replies to some of the questions that I have raised with him tonight. I am disappointed. I really did feel that the resources this minister has behind him there should be no difficulty in his being able to reply and to reply quite well to this particular problem; and to the problem of search generally on the effects that the widening of various highways will have on the way of life in the areas concerned.

Mr. Chairman, there is one thing before me close that I would like to bring to the minister's attention in the same area. Because the highway has been widened—and that is in the brief; the minister knows this, I just want to refresh his memory—many of the 100 or so families that have been affected by this widening now have the problem of almost constant illumination of their backyards and the rear portion of their homes. Now, the minister has not said a word about this in his research, but surely there must be some way that this particular problem could be minimized. I would like to hear the minister's comments in connection with this particular portion of the brief that was presented to him on October 21, 1969.

**Hon. Mr. Gomme:** I might point out to the hon. member that when he speaks about added traffic and pollution and noise

light and everything else, it is not something that has just happened on that highway; the figures show that this is happening on all city streets. The proportion is going up and probably at the same percentage as it is there, and the intensity of the light from a constant stream of traffic, I am told, is just about the same as what it is from a street light like the luminaires which are used; you know, the bright ones.

**Mr. Braithwaite:** In fact, I have not made myself clear. If the hon. minister or his assistants had read the brief, they would see that what we are referring to here are the overhead directional and destination signs, combined with high illumination lights. I am not talking about the car lights; that is bad enough but that problem is caused by cars. I am not talking about traffic; I am talking about the overhead lights, the directional lights, the illuminations, the type of signs that are illuminated—that type of light. All I am saying—and the minister in his very statement has confirmed what I am saying—is that the problem is getting worse. Since the problem is getting worse, there is no reason, there is not a single reason, why his department, before it lets any new contracts, should not have looked into this type of problem.

You are spending a lot of money, and I accuse this particular department, and this particular minister, who is responsible for it, of having no regard for the people's way of life—no regard for the damage that could be caused to the citizens of this particular province when a highway is being built.

What this department seems to be more worried about is getting the highway built. It does not worry, at all, about what effect it will have on the people who live close to, or adjacent to, the highway.

I make it clear that these people did not move to this problem. This minister's department bought this problem to the people. Since this minister's department brought this to the people, Mr. Chairman, I say this minister's department should solve it. It should not look to these people to even complain. It should have these things solved.

This brief was given to the minister some months ago, on October 21. There is no reason why this minister should not tonight be able to say something definite—to have some better comments than what he has had tonight.

Mr. Chairman, I have to report to these people that just about nothing has been done in connection with these problems, but I am

going to wait until I hear or I receive a report that the minister says is pending. I am going to ask them to wait until this massive tree planting is carried out. I do not know where he is going to put these trees but I am going to wait. I am going to tell them to be patient, but I am afraid that this is the type of action that department after department in this particular government has carried on. This is the reason that this particular government is going to be in trouble and it will not be very long from now.

**Mr. R. Gisborn (Hamilton East):** Mr. Chairman, I can put an easier question or two to the minister.

How long will it be before we have a mortgage on the Burlington Bay Skyway paid off?

**Hon. Mr. Gomme:** I stated this afternoon that I do not think it will ever be paid with the finances—you are talking about toll collection and that. These questions were all asked and answered this afternoon.

**Mr. Gisborn:** I do not quite understand what the minister means. It is fine, if a specific question was asked, I could reach *Hansard*.

**Mr. Chairman:** This was covered. Collection costs at toll bridges was passed.

**Hon. Mr. Gomme:** Is the hon. member referring to the collection costs and the amount we collect and whether this will wipe off the capital of the bridge? I do not think it will ever do that.

**Mr. Gisborn:** I understood that when they built the skyway bridge—maybe it was 1955 when it was completed—it cost \$19 million and I understood at that time when we discussed the necessity and the establishment of tolls, that the tolls were placed on the bridge to pay for the building of the bridge.

It was not very long after that that they were talking about the need for a twin Burlington skyway bridge and I am told now that the income from the tolls is not wiping off the capital costs at all.

**Hon. Mr. Gomme:** It may be doing that but not the carrying charges. You understand that if it was a type of debenture issue with interest and all other carrying charges, it would not wipe it out.

**Mr. Gisborn:** I tried to put that under "research." I would have asked the question under "research."

Did I understand the minister to say a short time ago that some research was being done in regard to finding the proper material to build roads that would withstand mistreatment from studded tires?

**Hon. Mr. Gomme:** We are using all types of materials in strip tests in different places to see if we can come up with something that will withstand it better than what we have. We have not got any yet that will withstand it, but we are working on it.

**Mr. Gisborn:** Then that brings me to my main concern regarding the use of studded tires. Surely we should have some research done to find out the justification for the studded tire. First, do we have enough days during the winter season on the highways where there is no ice or hard-packed snow, which is about the only benefit you get from the studded tires, and now, if we understand correctly, we are starting to do research to find materials to make a harder road—which might involve an astronomical cost in road-building—for studded tires which are used by a very small number of motorists and for a very short time.

Let us say, is it necessary and does it pay off? Safety-wise, this side of the French River, as the term has been used many times, maybe we should ban the studded tires. What kind of research has been done? What I am trying to get at is that if we are going to justify building all our highways with a costly material that will stand the use of studded tires without damaging the roads, it might be a wrong step to be taken.

**Hon. Mr. Gomme:** I did not say that we were taking that step at all. I think the hon. member asked me if we were doing any research into other materials, and we are. But there is also research being done on studs, and as I explained this afternoon, the Canada Safety Council has carried out a complete research programme on the safety benefits from them on roads under every condition. It is my understanding that this was completed somewhere around the end of April or the first week or so of May, and we are waiting to get that information. The Ontario Provincial Police have also done quite a lot of research into the safety benefits from using studded tires, and after we get this information, then we are going to make a recommendation as to what should be done, whether they should be kept or not.

**Mr. Chairman:** Anything further on research?

**Mr. M. Shulman (High Park):** Mr. Gomme, to the minister, may I ask what relationship of the department is to the Highway Research Board?

**Hon. Mr. Gomme:** We are a member of the Highway Research Board.

**Mr. Shulman:** Then, may I ask why are you spending \$708,000 in research, and duplicating the work that they have already done?

**Hon. Mr. Gomme:** We are not duplicating it; it is supplemental to what they have done.

**Mr. Shulman:** Can the minister give me just one example of any research that has been done in his department that has not already been done by the Highway Research Board; just one example?

**Hon. Mr. Gomme:** One is the three-wire cable, and the research that we have done on studded tires has been handed over to them. They get the benefits of what we do too.

**Mr. Shulman:** I wish you had not mentioned the studded tires, because their research on that was released before the one of the Canada Safety Council was ever begun. All the work was all done down there, in the United States and on northern highways in Alberta. So I hope that is not your example.

I am sorry, you said something about three-wire cables; what was that? Would you explain that to me, please?

**Hon. Mr. Gomme:** The new guard-rail cable system that we are using now.

**Mr. Shulman:** What do you mean by three-wire?

**Hon. Mr. Gomme:** Just that: three wires in place of the single one.

**Mr. Shulman:** Oh, three wires. Well, you suggesting the Highway Research Board has not done that work already on the three-wire cable, because they had three-wire cables in New York where research was being done over 10 years ago.

**Hon. Mr. Gomme:** I have been told that is not the design that we are using here.

**Mr. Shulman:** In what way is the design that you are using here different from the one in the research that was done in New York?

**Hon. Mr. Gomme:** I can get you a specification of what this is and send it to you.

**Mr. Shulman:** All right, I will not press the minister. I think the point is very clear. Most of the work, if not all of it, that you are doing here has already been done, or is being done simultaneously, by the Highway Research Board at a fraction of the cost of here, because it is being supported by so many governments. I would like to suggest to you that in future this money is just going straight down the drain.

If I can take an example, just one of the most striking things that they have worked on in the past year. Has your department considered bringing in any of the Fitch inertial barriers, which allow a car to collide with a fixed object at 50 miles an hour and the people to walk away from it? This, of course, is one of their great breakthroughs in the past year or two. Has anything been done about bringing that into Ontario?

**Mr. Chairman:** Is that not in another area of research? Perhaps we should finish with the studded tires first, if the hon. member would—

**Mr. Shulman:** Well, everyone else has been wandering all over the road, Mr. Chairman. The previous speaker—

**Mr. Ben:** Well, that is illegal in this province.

**Mr. Shulman:** May I complete this work?

**Mr. Chairman:** If they have, in fact, been going to all areas, then the hon. member is quite right, he may proceed.

**Mr. Shulman:** All right. Would the minister answer my question?

**Mr. Ben:** He is the doctor; I am patient.

**Hon. Mr. Gomme:** Yes, I am told that it has been; we are just getting the information that you are asking for.

**Mr. Shulman:** Well, in that case, when will we see some of these on the highways of Ontario?

**Hon. Mr. Gomme:** We have four locations on Highways 400 and 401 where these are erected now.

**Mr. Shulman:** Would you give me the location of one of them, so I can go out tomorrow and take a look?

**Hon. Mr. Gomme:** Dixon Road, eastbound at the 401.

**Mr. Braithwaite:** Is that the particular I was asking the minister about?

**Hon. Mr. Gomme:** It is in the same general area.

**Mr. Shulman:** Without belabouring it without belabouring the minister, will minister give consideration, beginning year, in next year's estimates, to stopping research that is already being done by Highway Research Board? In other words get a list of the things they are doing not do any of the work they are doing? will save, I guess, three quarters of money, if the minister will. I will leave matter go at this point. Will you give assurance?

**Hon. Mr. Gomme:** No, Mr. Chairman cannot give that assurance.

I think that in your profession there doctors all over the world doing research the same thing. The collective benefits come from different parts of this research really make the best that we have.

**Mr. Shulman:** I am sorry to have to labour this, but obviously the minister is aware of the work of the Highway Research Board. This was set up just to avoid type of situation, this waste of money. Originally, if we go back 25 years, every state and every country in Europe was duplicating work.

Of course, you can do the same research over and over again and, if it is done properly, you are going to get the same results. It is not as though you are duplicating operations on human beings, where there is a variation. If you are working with the same concrete barriers you are going to get the same result if you drive cars into them.

The Highway Research Board was set up just to avoid this waste of money and effort in the United States, and countries in Europe and provinces in Canada have had to subsidize the board, so as to avoid the necessity of duplicating work. It hurts me to see the minister getting up and saying, "It does not matter what they are doing, we are still going to do it anyway." That is a sheer waste of money.

It is my opinion, and it has been my opinion since I came into this House, that in that particular department, for all sorts of reasons, wastes more money than any other department in the whole government. Wastes take various forms. This is a prime example

of something where—I am trying to be reasonable—I can show you that something is being done by someone else, and we should not do it. I am not going to belabour this any farther here; I am saying this is sheer waste of money. I am asking you—and you have refused me up to now—to reconsider what you are saying, and not to continue to throw out this \$750,000 a year. That is what you are doing.

Mr. Chairman: Research. The hon. member for Humber.

Mr. Ben: I am sorry to be taken aback that a member of the medical profession would suggest only one individual can do research. The progress of mankind has been possible because people were going on almost parallel paths, and yet one discovered something and the other one did not. One was acute and the other one was not. I happen to think of how Duplate safety glass was discovered by sheer accident.

I am sure the hon. member for High Park does not appreciate what he is saying when he suggests that we ought to restrict ourselves in research. If we save one life through the expenditure of \$750,000, it is money well spent.

Mr. Chairman, getting back to these studs. What disturbs me about these studded tires is this: Normally you do not let an automobile on the road unless it meets certain preconceived minimum specifications. It has to come up to rules and regulations which you have passed before the car is let on the road.

This applies to axle size; it applies to width, and so on. Why, in this particular case, did you let them go on the road first and then say you are going to see whether you should let them on the road or not? Should you not have researched this matter before you permitted them on the roads, instead of after?

There was sufficient material at hand from other jurisdictions to show that the use of these studded tires was at least harmful to the roads, if not dangerous to the users. Why did you not demand that research be done before you permitted them to get on the road? That is one question. I have another question after you have finished that one.

Hon. Mr. Gomme: Mr. Chairman, I might tell the hon. member that we really did not permit them on the road. They and their control come under The Highway Traffic Act. Ours is The Highway Improvement Act. Of course, we started the research after they were on the road to see the effects of what

they were doing to the road. Then, as a result of public opinion and, I suppose, advising and everything else, people judged they were a very safe thing to have on.

As a result of this, we had further research and estimates of the harm that was done on the roads, and we asked the and these other organizations to give report on their safety aspects. They undertook to do this work in the past winter and the research on every type of road in every type of climatic condition. When material is available, and I hope it will very soon, we will have to judge whether the safety benefits are worth what we are spending on it.

Mr. Ben: I take it, then, that there absolutely no prior consultation with you. The Department of Transport as to how people reacted to the use of studded tires on the highways?

Hon. Mr. Gomme: I think the original experiment as I recall it—now this is in memory—was for a two-year period, which would be reviewed. Of course, there was contact between The Department of Transport and ourselves.

Mr. Ben: Did The Department of Transport ask your department whether you would permit the use of these tires, and if so, what was your answer?

Hon. Mr. Gomme: I do not recall just what the answer was, but we knew of the trouble that would be caused with pavements. I may say, we were not enthused with the idea.

Mr. Ben: Therefore, we ought to be somebody else up here to whip for the cost to taxpayers by the use of these tires. Is that correct?

Hon. Mr. Gomme: No, I did not say that. We have the benefits now of the research that has been done. We have learned about the harm to the roads and everything, and we can document this. We will make a recommendation when we get the report on the safety aspect.

Mr. Ben: The department also uses a lot of salt on the highways. With the studded tires pitting the roads, especially the concrete roads, and making the undersurfaces more vulnerable to the action of the salt, how much is this going to increase the deterioration of the highways?

**Hon. Mr. Gomme:** Our research says there is no tie-in between the salt damage and the use of studs on the pavement.

**Mr. Ben:** Would not the breaking of the hardened surface of the concrete by the studs make it easier for salt to get in and start eating through the cement?

**Hon. Mr. Gomme:** No, I think the big problem the member refers to, with the salt, is on the metal, not on the pavement.

**Mr. Ben:** Would not the cement roadbeds have steel rods, pre-tension steel rods? The minister is nodding, I take it the answer is yes.

**Hon. Mr. Gomme:** Yes.

**Mr. Ben:** All right. Now, by breaking the surface and making the surface pitted, more open to moisture getting in and cracking it, is it going to speed the time the salt is going to take to get to those steel rods and start causing deterioration and oxidization?

**Hon. Mr. Gomme:** The hon. member must realize these rods are put down, I think, five or six inches in the road, and the water is on the surface of the part he is talking about. I do not think the studded tires can be blamed for cracks in the road; it is the wear. To my knowledge, there has been no place where the wear has been so excessive that the salt would get on to the steel rods. But it is part of the research; maybe it will happen eventually.

**Mr. Ben:** The minister's department was carrying out an experiment on the use of sodium hexametaphosphate—I think that is the word—as an additive to salt to prevent corrosion of automobiles and other metal members. When is this report going to be distributed among the members of the House?

**Hon. Mr. Gomme:** I am sure, Mr. Chairman, that report was made public about two years ago, but I will get the member a copy of it.

**Mr. Ben:** Well, the experiment, if my memory serves me correctly, did not start until 1966 or 1967, and it was supposed to be carried on for two years, so it just ended last year, if the experiment was carried out. Now, the report may have been made public, but when are we going to get copies of the results?

**Hon. Mr. Gomme:** I can get the member a copy of it; I will have one for him tomorrow.

**Mr. Ben:** Fine.

**Hon. Mr. Gomme:** I remember making a report to the Legislature on salt damage—the examination that was done and the type of thing, and I am sure it was two years ago. But I will get the member that.

**Mr. Ben:** Well, there was a report that made some time ago, a joint report by the municipality of Metropolitan Toronto and The Department of Highways, I think it is. I have that report.

**Mr. Chairman,** through you to the minister. On the Queen Elizabeth Way, starting from the exit that leads from Kipling Avenue, on to the service road to the highway, as you travel east from Islington Avenue to merge with the main highway, there is a series of barriers composed of, I imagine, 40-gallon drums painted a vivid orange and black to restrict the use of that acceleration. Those 40-gallon cans that cut off part of the use of the highway have been there for a long time now. The cloverleaf at Highway 27 has been completed, and even so, it would not interfere with the traffic that was going east from Kipling and Islington Avenue. Why are the barriers still there, cutting the acceleration strip in half? Why have they been there so long and when do you intend to remove them?

**Hon. Mr. Gomme:** I am sorry I cannot answer the member's question but we will have it looked into tomorrow.

**Mr. Chairman:** Anything further in search? The hon. member for Sudbury?

**Mr. E. W. Martel (Sudbury East):** Thank you, Mr. Chairman. It took a long time to be recognized but I guess I can put up with it. I was with a group that visited Downsview recently to see the type of research facilities we have. I might say that I was somewhat disappointed. I think I indicated to the minister last year that we on this side would certainly like to see a good deal of funds made available for research. I think it is the way that we are going to reduce the big problem of highways, that being water. I do not think \$700,000 for research is nearly sufficient—

**Mr. J. W. Snow (Halton East):** Speak to the member for High Park.

**Mr. Martel:** I will come to the member for High Park—

**Mr. I. Deans (Wentworth):** No, he says it is wasted. He says it should be spent—

Mr. Martel: Right. I am glad—

Mr. Snow: You read *Hansard* and see what it says.

Mr. Martel: Let me say the member for High Park made the point that all of the work being done by The Department of Highways at the present time was duplication of work being done in some other jurisdiction and, therefore, it was a waste. You might just listen a little more attentively and learn, although I have my doubts that it is possible.

Interjections by hon. members.

Mr. Martel: He asked for it. He should listen to what is being said.

Mr. M. B. Dymond (Ontario): If you had one more brain it would rattle.

Mr. Martel: Well, that would be that many more than you have got.

Mr. Chairman: Order! Can we get back to the estimates?

Mr. Martel: I am estimating—I am trying to speak, Mr. Chairman. It is your side of the House that is being obstructionist at this point.

Mr. Chairman: Perhaps the hon. member will try a little harder.

Mr. Martel: Let us get back to where I was. If we are ever going to get down to resolving some of the problems in the north and pretty well in the whole of our jurisdiction under The Department of Highways in Ontario, it must centre around reducing the problem of water. I think, in fact I am quite positive, that we are not doing a thing about it.

We might be borrowing from here, there or whoever is willing to give us a little bit of advice. But I certainly did not see anything at Downsview that would lead me to believe that we were attacking the problem of the heaving and so on in the highway in any way that was really going to, in the long run, allow us to build a highway that would not deteriorate five years after we have constructed it. Of course, the basic problem is water and I would like to see this department spend \$10 million—I think last year I suggested \$20 million if necessary—if that is going to be the amount that will give us some edge in construction of highways which will withstand the rigours of frost and water and so on. This has to be done, I think, in

the area of the province where the conditions are encountered.

I am sure the deputy minister and minister are aware of the various studies at Crowthorne where they simulate the conditions they want in order to test the possibility or all of the ramifications involved with water. They have buildings wherein they can add the water that is necessary, recirculate it and so on, in order to find out what effects what types of soil and so on are necessary in order to construct highways which are good to last. We spent the whole sum of \$655,000 last year and \$700,000 this year for research and, really, all we are getting is a little test to determine how much stress some of our concrete or asphalt it might be able to take. It just is not enough, in my opinion, to spend \$500 million on highways which we know will not last any length of time.

I think of Highway 69 which was constructed last year from Capreol to Hamilton. It is less than a year old, Mr. Minister, and there is one particular heave at the present time with a bump of almost a foot high. That road is not even a year old. In two or three years you will be out there with a lot of equipment patching it. I just do not think we can afford to spend the kind of money that we are spending on highways to be returning shortly thereafter to start patching work. It is just too expensive.

I would suggest that if we are going to do anything, we should either spend the money to do a real job or just get out of the business completely, but I would much prefer to see the former. I think we can conquer the problems. There is enough documentation available from a variety of sources from which we could start; I could quote the literature of great length, but I do not want to belabour the research. However, we have a good amount of data from which we could start to simulate the ground water, to determine whether or not it is a case of elevating the high water table in areas, the type of soils that are necessary in sub-base and so on.

I would like to see, as I indicated last year, the use of some of the slag from various companies as sub-base, because I have the impression that despite the fact that water might get in there, there is enough space in the slag that it would not cause much expansion through ice to really damage the highway at all. It just goes to show, I think, Mr. Minister, that we must spend considerable amounts in doing a first-rate job in order to eliminate waste or having to do it over again.



There are three other areas I want to deal with. It might be possible for the minister to answer after that as to whether their plans are to expand their facilities. I would hope they are. We, on this side of the House, would certainly support the minister to increasing that amount ten times at least in order to do the job necessary.

In England, at the present time, there is what has to be the finest research department, I guess, in the world. I am quoting from information from the Ontario Safety League:

Britain's Road Research Laboratory is experimenting with arrester beds of loose gravel as a means of providing escape routes for vehicles whose brakes fail on long down grades. The Ontario Safety League reports the tests include deceleration measurements of heavy vehicles and of automobiles running into gravel beds at speeds of up to 61 miles per hour. In Britain there are many hills very much steeper and longer than any in Ontario.

I am wondering if The Department of Highways is doing anything to provide the safety, or as they term it, the arrester beds, in this particular field?

I think the member for Huron-Bruce mentioned yesterday the signs that the optometrists were using; the left turn signs are so badly designed that doctors use them to test eyes. This being the case, Mr. Minister, I would suggest that if there is an area for research, certainly it would be improving some of the signs, because it leaves a good deal to be desired that the optometrists would be using our signs in Ontario in order to determine whether people's eyes are good or not, and I would hope that something could be looked to in that particular area.

One final thing is the overall style of highways. I want to quote Mr. Bartelsmyer, director of the U.S. Bureau of Public Roads, at the 31st annual convention of the New York State Association of Highway Engineers on April 16, 1970. There seems to be a good deal to be said for improving the development of highways.

Without question the most important benefit of the Interstate system is that lives are already being saved and will continue to be saved. A report issued recently by the Federal Highway Administration disclosed that in New York in 1968 1.6 persons were killed for each 100,000 vehicle miles of travel on Interstate highways, compared with 5.42 on other roads. For the nation, the Interstate fatality rate was 2.99, compared with 5.62.

Now, I do not know how that really compares with ours in the province of Ontario whether it is on a par or lower. But I think it points out that the more we improve the type of highway we have, the greater safety record appears to be, based on material I have just presented as a result of the research done in the United States. You know, when one travels over the highway in northern Ontario and the type of curves and so on that the people who are driving up there are subjected to, one wonders whether it is more in the interest of conserving dollars or lives that some of these curves are tolerated.

I have had occasion to drive in much of southern Ontario and certainly they do not have the same problems with rock that we have. But some of the roads in the north, Mr. Minister, leave a good deal to be desired. I do not see too many 90-degree curves in southern Ontario, but I can take you to a good many in the north: I would hope that the design of the highways in northern Ontario could be greatly improved to reduce the number of fatalities that are occurring there. I would ask the minister for his comments on the matters I have raised.

**Hon. Mr. Gomme:** I think, Mr. Chairman, we talked about the research and the signs and everything. Our director was on the staff at Crowthorne for some years and he is very familiar with everything that was done there. In regard to the loose gravel beds in California that you referred to, I think we have tried these but found that they caused more problems in the winter.

In regard to materials again, I think you referred to slag. We have many test sections of actual highway where long-term research is being undertaken. I think, as was pointed out to the hon. member last year, that we have tried this. I cannot tell you the results of it but it would probably be a very good thing to get this all over Ontario; even over northern Ontario for that type of work.

Then you referred to the accident rate on the freeways; we have compared our figures with the United States and ours are about the same.

**Mr. Martel:** Let me go back to two points. Can you give me the specific figures for 100,000 miles? The other point is I realize you have as your director someone from Crowthorne. The unfortunate part, Mr. Minister, is he does not have the facilities to work with. He does not have the equipment there. You know, I went through it and

am not trying to be overly critical, but he just does not have the goods to work with. If you are not going to provide him with that type of equipment necessary on a budget of \$700,000, there is just no way.

You look at it; let us look at it for this year: \$493,000 of that is going for research or for salaries; \$20,000 expenses; \$40,000 maintenance; \$150,000 to the universities. What type of equipment are you purchasing? What type of facilities have you got at your disposal in order to allow this man and his staff to do some first-rate work? There just are not any facilities available and this is what I am complaining about.

It is not the calibre of your people. It is that you are not providing enough in the form of revenue to equip it properly. You do not have adequate space, and you just do not have the facilities, in short, if we intend to do a first rate job in research, Mr. Minister, that is just a fraction of what is necessary to do research. As I say, when you take the other items away, you have nothing left for equipment or so on.

This is the area that we have to start to look at to provide the buildings where you can simulate situations or at least get right out in the field and spend the time necessary to do the type of work which is going to allow us to overcome the problems. You are just not spending the money and you really cannot defend it. I just do not think there is any way you can possibly pretend that your research programme is adequate when on a \$500 million budget, you are spending only \$700,000.

**Mr. Chairman:** Does the hon. minister wish to reply to any of these comments? Anything further on research? The hon. member for Humber.

**Mr. Ben:** Yes. Would the minister tell us what happened to an experiment, carried out in New Brunswick quite a number of years ago, which involved a process that had been introduced or invented by someone who had come to Canada a short time prior to that from Europe? It involved impregnating asphalt with some kind of a chemical substance which was supposed to melt the snow. I recall seeing a picture in the paper which showed this stretch of highway in New Brunswick as a trial stretch—New Brunswick or Nova Scotia—which was snow free. Would the minister's advisers, perhaps, inform him and he inform me? What was the result of that experiment?

**Hon. Mr. Gomme:** As far as we know was not a success. My advisers tell me read about it, but there was no benefit in it.

**Mr. Ben:** Would your advisers please set up the result of this experiment, so that could perhaps look into it and find out if it was all about?

**Hon. Mr. Gomme:** Could you tell me in which province it was?

**Mr. Ben:** I think it was either in Brunswick or Nova Scotia, but it was stretch of the Trans-Canada Highway and I would venture to say, it was probably within the last 10 years.

**Hon. Mr. Gomme:** We will attempt to find that out.

**Mr. Ben:** That is a good point. Let me know.

Would the minister tell me how much money is in these estimates to combat the ravages of the salt that is used by his department during the wintertime to cut down on the ice and snow?

**Hon. Mr. Gomme:** Are you asking me the number of tons of salt that are being used?

**Mr. Ben:** I could, but you might tell me how much salt is used. What I am interested in knowing is how much it costs the department and how much you have in these estimates to fight the effect of the salt on guardrails, for example, the posts along the highways and, perhaps, the automobiles of The Department of Highways.

**Hon. Mr. Gomme:** I think as far as repairs to our own guardrails and that is just have that in general maintenance. I do not think I could give you that figure at the moment. But the figure, the tonnage and all that I can give you under maintenance when the time comes to that.

**Mr. Ben:** All right. Mr. Minister, you say you have never tried to find out what the cost of using this salt is indirectly, that is the damage to steel members, to your bridges, your viaducts, even the pipes that run under your viaducts and which carry water, and so on, like?

**Hon. Mr. Gomme:** We find it very difficult to separate that because there is the pollution, and there is the dampness, and moisture that we have in the air, and no deterioration. I do not know how you would

divided it as to what salt is doing to this. It would be very difficult.

**Mr. Ben:** Not even an estimate?

**Hon. Mr. Gomme:** I think when you get the report, it will give you some idea of automobile waste.

**Mr. Chairman:** The hon. member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** I am glad the member for Humber brought up the subject of salt, the benevolent curse of every motorist in the province. There is one aspect of salt that I wonder if your research people have ever looked into, that is besides the corrosive effect that it has. Is it in any way possible that the use of salt speeds up heaving in pavements—in other words, I do not know, through some warming effect or chemical reaction? If more salt is used, for example, would the danger of heaving pavement be greater? What effect does it have on heaving?

It occurs to me that in the city of Thunder Bay, apparently, somewhat more salt had to be used to combat the very difficult winter, and it seems as though the streets are broken up worse than they have been after past winters. Certain streets that one would not have expected to have cracks in them, for example, are cracked. They say that more salt was used on the streets, so it led me to wondering whether salt might have that adverse effect. Can the minister enlighten me on that?

**Hon. Mr. Gomme:** We do not believe so. But the point is, that the more salt that is used, the more the street is kept bare, and the frost may penetrate more and cause some of the problem which you are referring to. But the salt is not doing that directly.

**Mr. Knight:** Mr. Chairman, I am glad that the minister acknowledges that the salt can cause spot penetration or increase it and also make the breakup of the street that much worse. I would like to recommend that he put a few more departmental bucks into this aspect. Maybe, we might find out that salt is doing far more damage than good and, maybe, that will speed up your research people's efforts to find a substitute for salt, something better.

**Mr. Chairman:** The member for Sudbury East.

**Mr. Martel:** May I ask the minister if anything been done with respect to studying the effects of the yellow lines you have been painted on as a guideline for driving in these conditions, and so on. I find these most helpful driving to the north when there is excessive rain or on a dark night or if it is at all foggy. I find these extremely useful. I am sure that most people who do drive under these adverse conditions find them extremely useful. I would hope that your department would see fit to paint a lot more of these yellow lines on the outside.

**Hon. Mr. Gomme:** Yes, we realize that it does help a great deal, but we have just been painting them on the curbs and places like that.

I suppose if economics did not enter in it at all they could be done all over, but that would be more costly to keep up and present on long straight stretches of highway where the gravel coming in from the edge, a things like that.

**Mr. Martel:** Mr. Minister, when we get to the north it is not a 20-minute drive to our destination. When we get on the highway we are driving five and six hours at a shot to reach other localities.

When you start from my home, let us say to get to the Lakehead, it is about 750 miles and there are not that many places that you can stop. I just think the yellow lines would be a tremendous advantage to those people who are driving at night and under the type of climatic conditions we are exposed to.

There is a good deal of fog, both in the spring and the fall and even in summer, and because of the type of storm that we get early in the year and late in the spring, I think they would be well worth the expenditure for people in northern Ontario. As you say, it would, I think, improve the safety factor of driving across these great expanses tremendously.

**Mr. Gaunt:** Mr. Chairman, I am wondering what research the department does with respect to the optimum amount of salt that should be applied to the highways. I note that there are very great differences in the application of salt from one district to another.

I know that in many cases in our area the difference is very pronounced. We have two districts in the area of Wingham, and in one case the department uses salt quite freely and in the other case it is used a little more sparingly. I wonder if the department has

any particular research that is directed at the optimum of salt that should be used on a road. This goes back to the point made by the member for Port Arthur, but in one case where the use of salt was excessive, the road appeared to heave unduly with the frost.

I am wondering if the department is looking at this aspect of the problem. It seems to me that it is a very important one. I have had a great deal of complaints from truckers who have said that when they come into this one particular area, the salt application is just extravagant in some cases. Even when it is not needed, the application of salt goes on anyway.

I am wondering if the department has done any research in this and, if they have, the results of such research, and is the department going to lay out ground rules for each district in applying salt to the road?

**Hon. Mr. Gomme:** We have this under our maintenance management study, and I can get you the results of that.

I think I have got to admit we find some operators not as careful as others. If you find one of those fellows really extravagant, I would like to know who he is; maybe we could do something about it.

But, you know, a lot of the time it depends on climatic conditions. It will only work at certain times and they may put it out at the wrong time and have to do it over again.

But, I think, generally we find that the maintenance men try to keep the roads in the best possible passable conditions.

**Mr. Gaunt:** I took this matter up with one of your people in the district, and he indicated to me that the theory behind the application of salt, as far as he was concerned, was not to allow the road to build up to any extent with snow. In other words, keep it bare, if at all possible.

In that way it is easier to maintain from the ploughing standpoint and it is also easier for the department ultimately to keep the traffic flowing, and to have the drivers moving along the highway at a safe rate, rather than have the road snow-covered and the conditions rather slippery. In some cases, I suppose, the drivers could end up in the ditch.

However, it is a judgement I gather that is pretty well left with the various departments and they just apply the salt whenever they think it is needed.

**Hon. Mr. Gomme:** We have standards set, but it is very hard to get them to the point that you talk about.

**Mr. Chairman:** Anything else on research?

**Mr. Ben:** What is the standard? Do you spread salt every time you have a pile of

**Mr. Minister:** I have a question. I am in the paper that the intersection of Highway 27 and 400—your bowl of spaghetti—whatever you want to call it that you are constructing there—is going to be closed down for two years because of the complicated interchange that you are constructing. Does it have to be closed down for two years?

**Mr. Chairman:** This would be under your jurisdiction. I would think.

**Mr. Ben:** I want to find out why they did not research it before they closed it down.

**Mr. Chairman:** Anything else on research then?

**Mr. Ben:** Would you mind if the minister gives answers? We have been going along for some time now, Mr. Chairman.

**Mr. Chairman:** Well, we are trying to get to this other vote. Does the minister have a quick answer for that right now?

**Hon. Mr. Gomme:** I am told that the traffic is still flowing through it, but it will be closed down for construction for another year and a half.

**Mr. Ben:** I read that it is going to be closed down for two years, and I recall reading that the intersection at Highway 27 and Queen Elizabeth Way was completed a year ahead of time through the use of a computer. The matter was researched using a computer and the contractor was able to finish the project a year ahead of schedule.

Work on this other intersection has also been going on for almost two years. I know for I have been inconvenienced by it for at least that long. Now I read that it may be closed down for a period of two years. This is what baffles me: why you cannot find a way of continuing to use this area through detours.

**Hon. Mr. Gomme:** Mr. Chairman, under 803 I will get all the information about this particular interchange.

**Mr. Chairman:** The member for Hants-Bruce, on research.

**Mr. Gaunt:** I was actually in the area pursuing a further question with respect to the salt. What would the minister's criteria be with respect to the application of salt? You said you had certain guidelines.

**Hon. Mr. Gomme:** We have not got that here, but we can supply that information for you.

**Mr. Gaunt:** Does the department take the position that the road must be maintained in a bare condition at all times, if possible? I realize on a blowing day, for instance, it is not possible to do that. But, all things being equal, aside from a very heavy snowfall and blowing conditions, is it the department's policy to maintain the road in a bare condition and use salt to do that?

**Hon. Mr. Gomme:** It depends on the particular highway, the traffic conditions and the weather. There is a scale that is worked out for this.

**Mr. Chairman:** Anything else on research?

**Mr. Ben:** I would just like to expedite these estimates, Mr. Chairman. But every time we ask something the minister says he does not have it here, but he will get it. To help us, and to help the minister get through with his estimates, would he please tell us what he does have here and we will try to restrict our questions to those things.

**Mr. Chairman:** Research Carried.

Vote 801 agreed to.

On vote 802.

**Mr. Chairman:** Road maintenance.

**Mr. Gaunt:** Mr. Chairman, just a minute. Hold on.

**Mr. Chairman:** The member for Huron-Bruce.

**Mr. Gaunt:** On road maintenance, Mr. Chairman, I think it was indicated to me this afternoon that I should be addressing myself under this vote rather than under the previous one.

It has been drawn to my attention that we have a problem with respect to one of the county roads in Huron county. This road was built last year. It was originally intended that the road would be 22 feet wide. The department felt that 22 feet was not necessary; they said that 20 feet was adequate and, rather than have it 2½ inches thick, 1½ inches thick would be sufficient. This road has only been down less than a year, and it is completely broken up. The county is going to have to take a month off, I would think, to repair the road. Actually, the whole thing should be reconstructed, that is what really should happen.

But it was indicated to the county that they were not required, and indeed were allowed, to build this road to what the thought would be adequate requirements cause of the cost.

**Mr. G. W. Innes (Oxford):** The department will pick that up.

**Mr. Gaunt:** The department said, "I think it is going to cost too much money you build it 22 feet wide, and if you build it 2½ inches thick; this is not necessary." Yes, Mr. Minister, you should see that road right at the moment. It is an absolute mess.

I wonder if the department, under the circumstances, would consider, or at least reconsider, the rules and regulations with respect to the building of county roads? Perhaps it overlaps, Mr. Chairman; perhaps I should be making these comments under construction, although at the moment the problem is one of maintenance.

**Hon. Mr. Gomme:** Would the hon. member tell me the number of the road, so that I would be able to get some information on it? I do not know it just from the way you have described it.

**Mr. Gaunt:** The road is the one from Wroxeter to Morrisbank. I am not sure of the number, but I can get that for you if you wish.

**Mr. Chairman:** Vote 802. The member Humber.

**Mr. Ben:** Mr. Chairman, item 1 is general maintenance of the King's Highway system that is \$30,385,000. Further down, there is a summary of road maintenance program by activity, and this breaks down the \$30,385,000 I had mentioned. I note that patrol costs take up \$22,070,000, which leaves just over \$10 million for actual repair and maintenance work. But then it is further broken down; for example, out of this you could take the operation of ferries, \$1.3 million—

**An hon. member:** Operation of ferries?

**Mr. Ben:** Ferries, yes. I am not talking about this one. They do not need that to operate.

Bridge painting and repairs, \$600,000; gravel crushing, \$1,200,000—that says "gravel crushing," and I presume it means what it says. This is not the application of gravel but simply crushing the gravel to be subsequently used for that purpose. Mr. Chairman, I would suggest that the cost of patrolling

completely out of proportion to the amount of work that is done. It costs more than twice to patrol as it does to repair. If you take off some of these expenditures, three times as much goes to patrolling as goes to actual repair. Why such a high ratio?

Hon. Mr. Gomme: Mr. Chairman, the patrol costs cover the maintenance work, salaries, wages, travelling expenses, material, equipment and so on, carried out by 330 patrols throughout 18 districts. The work includes pavement maintenance, hatching, crack-filling, grading, gravelling, maintenance of shoulders, grass cutting, tree planting and trimming, maintenance of picnic areas, repairing guide rails, maintenance of drainage and cleaning out of ditches, culverts, catchbasins, safety work such as zone painting, erecting and maintaining signs, traffic lights and so on.

Mr. Ben: Okay. Then let me ask you this question: If all those things are included in patrol costs, and if you were indeed giving us some real road maintenance programmes by activity, why did you not break down patrol costs: why did you have items for gravel crushing, dust laying, surface treatment, hot mix patching, mulching and so on to give the impression that patrol costs do not include the actual work that you have just enumerated? What kind of people have you got preparing these estimates? Do you not consider that to be misleading to the members of this House?

Hon. Mr. Gomme: No, I do not, Mr. Chairman.

Mr. Ben: You do not know?

Hon. Mr. Gomme: It is not any different than it ever has been. But I might point out—

Mr. Ben: I was warned; the hon. member for Lakeshore (Mr. Lawlor) already caught the minister once saying it is no different than it ever was. Are you sure this time that it is no different than it ever was? We would not want to embarrass you twice in one evening.

Interjections by hon. members.

Hon. Mr. Gomme: The hon. member referred to gravel crushing; this is supplying by contract, stockpiles of gravel for use in maintenance of pavements and shoulders, and these are separate contracts that we let for this in the different districts. This is why this is broken down as a different item.

Mr. Ben: This is fine, but why do you say, "supplying of crushed gravel"? Why you say "gravel crushing"? Could you crush the gravel? Could the department crush gravel? Then why do you have an item there for gravel crushing?

Mr. T. P. Reid: Mr. Chairman, on a point of order.

I would like to inform you, Mr. Chairman and through you the rest of the House, the election in Prince Edward Island is over. The Liberals have won 27 seats; Conservatives five, and the Conservative leader lost his seat, which is probably an indication of what will happen in the Ontario provincial election.

Interjections by hon. members.

Mr. Singer: That is the last one.

Mr. Ben: Might as well retire in a point of order.

Mr. Chairman: Not a really a point of order, but it is interesting information. hon. member for Sudbury East.

Interjections by hon. members.

Mr. Chairman: The member for Sudbury East.

Mr. Martel: It seems to me the Liberals forgot what happened in Manitoba last year in all their jubilation. They now have 10 seats there.

Mr. Ben: They needed the help of the Liberals to form a government.

Mr. P. D. Lawlor (Lakeshore): Wait a minute, watch for what happens in Saskatchewan.

Mr. Martel: How many seats did you have you had left in Manitoba? You had five seats and even one of those absconded.

You know, every spring, Mr. Chairman the minister and I have a great deal of correspondence involving roads in unincorporated townships, so I wanted to see how much money is spent.

Before we start, how many miles of highways are there in unincorporated townships in northern Ontario—how many miles of highway is the minister responsible for; either through local roads boards, or so on?

Hon. Mr. Gomme: The roads in unincorporated townships is what the member wants to know. High-class bituminous, 2.5 miles; 1st class bituminous, 2.3 miles; gravel

crushed stone, 4,476 miles; earth, 871 miles; and other, 144 miles, making a total of 5,496 miles.

**Mr. Martel:** A total of 5,000 miles. The minister's share—I would presume that this expenditure here is roads in unincorporated townships—is \$1.4 million for maintenance on 5,000 miles of road. Is that the share that the department pays directly to the local roads boards?

**Hon. Mr. Gomme:** Yes, that is right; and that is broken down to \$250,000 to the statute labour groups; \$1,020,000 to the local roads boards; Indian reserves, \$50,000; and special, \$80,000, bringing it to \$1.4 million.

**Mr. Martel:** It is quite understandable now, Mr. Chairman, why the minister and I have an exchange of correspondence annually on this. If you calculate that, it is something like \$280 per mile for the entire 5,000-some miles of road.

Recently it has come to my attention the reason The Department of Highways in the Sudbury area could not move in to improve at least six roads was that the base material was so poor that The Department of Highways could not move its material in, even to put gravel on the roads, because they did more damage than they did improvement.

If this is the type of generosity that this department has shown over the years to the roads in those townships, it is little wonder that they are not much more than cow trails. It is little wonder they do not stand up at all, because that is a pretty small, niggardly, amount that the department is advancing toward the people who must utilize 5,000 miles of road.

**Mr. Singer:** He means the minister is not giving very much.

**Mr. Martel:** The member for Downsview does not know what it is like. He has never left Toronto, so we can accept that.

**Mr. Singer:** I do not disagree with the member, I was just interpreting for him.

**Mr. Martel:** If the member would like to come and see, he can.

The point is, Mr. Chairman, you really do not anticipate improving those roads to any degree. We can anticipate that the people who live in those areas will be faced with this type of road from now until God only knows when, because you simply cannot expect to improve over 5,000 miles of road

with that generous donation of \$1.4 million out of a budget that is this year \$500 million.

Like everything else in this government Mr. Minister, even The Department of Highways could not give a damn less about the people in those areas. This is significant and we are going to find, Mr. Minister, when we come to new highways under the next vote on new construction—if I could just digress for a moment—that the same piddling amount of money being spent on new highways in those types of townships.

It is a disgrace, pure and simple. I do not know how you and the deputy minister have got away with this for so long—that someone else has not brought it to your attention—that it just is not sufficient to meet the need.

When your own people in the Sudbury area admit that they cannot improve the roads at the present time and that people will have to carry their groceries a mile and a half until it dries up, because the base is so bad that they cannot bring in the equipment or it will sink out of sight, or will just worsen the conditions, it leaves a good deal to be desired. I would like to know what the minister intends to do to improve this situation but it cannot be tolerated any longer.

**Mr. Chairman:** Vote 802.

**Mr. Martel:** Does the minister intend to answer?

**Mr. Singer:** He is thinking about it.

**Hon. Mr. Gomme:** As you point out about the roads, this is only for maintenance. You know there is another \$1 million set aside for reconstruction of the same roads.

**Mr. Martel:** Two million dollars for 5,000 miles of road.

**Hon. Mr. Gomme:** Yes, but for that type of road, you do not have to build a road that is 24 feet wide and things like that. Many of them will handle the traffic that is necessary.

**Mr. Martel:** I am not suggesting that we should be building Queen Es up there, but I am suggesting that the highways and the roads in there should be such that the people could utilize them. Every spring and every fall this is almost an impossibility and, in many instances, it is an impossibility. People are forced to carry their groceries and everything over great distances because they cannot get their cars in to reach their homes.

I do not think that you can slough it off that easily and say that we are implying that there should be that type of highway. What we are saying is that they should be strong enough, and the maintenance of the roads should be good enough, that cars do not sink to the axles every spring and every fall.

It is understandable why, when you consider the amount of money you are spending. It looks good when you match it dollar for dollar, or \$2 for \$1 but when you start considering the amount you are spending, as opposed to the number of miles involved, and then look at the overall budget, certainly it boggles the mind, Mr. Minister, to think that you can justify your position by trying to infer that we are asking for highways that are similar in width and in type of pavement, and so on, to the main highways. That is not the case at all.

**Hon. Mr. Gomme:** I do not think, Mr. Chairman, the member is right in saying we are the ones who are spending this amount of money on these roads. I mean the money that is spent on these roads is largely controlled by local expenditures. Of course, you add this to it and you take the local roads board; we are paying \$2 of our money for \$1 that they raise. If you have any cases where we have refused to assist in this way, I would like to know about them.

**Mr. Martel:** I am not saying you have not. I can name two cases in the Wahnapiatae area, last week. I was in touch with your people who were very co-operative and they are going to move in and do the work when it dries out, because they cannot get the equipment in at the present time. It worsens the condition. The base is so poor that rather than improve it, trying to do some work on it worsens it.

In the Long Lake area even the construction companies are having difficulties in getting their equipment to an area just to set up shop. And again the same situation applies. And in talking to your people in Sudbury, they tell me they can name at least another six conditions which are the same.

They are willing to move, Mr. Minister. The only problem is that in trying to do so, they will only make conditions worse until it dries out and, well, they cannot move. What I am saying is that there just is not enough body—if I can use that expression—to the roads to withstand either a quick thaw, or any amount of work, until it dries out completely.

This is why it is understandable that must get many complaints. I get a number and I am not the minister. I get a good number of them from my own riding and I written the minister telling him about it over a number of areas. It is quite obvious why these roads are the way they are.

Mr. Minister, how much do you expect from those people when there is a hard along the road that might be eight miles long? How much is their share of the contribution because they too purchase gas in the province and pay 20.5 cents on the gallon tax. And they too buy licence plates in the province. And their share, through purchasing gas and licences, must come to at least a million, which is a great big sum total way of an increase of about \$8,000 over the year's expenditure. Now, is that not a tremendous increase? Eight thousand dollars more to improve the conditions of those roads in the unincorporated townships—a whole \$8,000. And, besides that, they then kick in through paying to the local roads boards amounts comparable to what you give to

**Hon. Mr. Gomme:** No, that is not correct, Mr. Chairman. It is \$2 for \$1.

**Mr. Martel:** Well, it is \$2 for \$1 under one, but is there not one that matches for one, the statute labour board?

**Hon. Mr. Gomme:** That is the statute labour board, but I might inform the member that these are gradually disappearing, the number of local roads boards are increasing, so that the people get the benefit of added subsidy.

**Mr. Martel:** The point that I am making, though, Mr. Minister, is that they are paying gas tax, they are purchasing licence plates

**Hon. Mr. Gomme:** Well, Mr. Chairman, there is not any municipality in the province where the residents are not paying gas tax and they are not paying a share of the costs.

**Mr. Martel:** That is precisely my point besides that, they also kick into the statute roads board or the statute labour board well in order to get highways—and I do mean highways; I mean trails into the homes. That is precisely the point: they are kicking in again. So, in essence, they are certainly paying their fair share of the tonnage, and they just are not getting the type of maintenance that is necessary, because the amount allowed for construction does not allow them



build a road that is going to last, but one that is going to fall apart on them rapidly. Many of those roads just follow what might have been a bush trail at one time. They skirt all of the rocks, and so on. We will come to that one when we get on to the well-built St. Charles Highway. You go around the rocks. You do not blast through them; you just keep going around.

It is just like a snake's back trying to drive over some of those roads. It is understandable why it is this way. You have just never given any money in the quantities necessary to make the type of roads that will stand up. Then you are in the bind, despite the fact you would like to help us. I appreciate that, and I know your people are waiting for it to dry out, but you cannot help because the conditions of those roads are so poor you cannot even move in to repair them at this time. That is the problem; there just is not enough money made available for them.

**Mr. Chairman:** Vote 802. The member for Yorkview on 802.

**Mr. Young:** Vote 802. Maintenance, Mr. Chairman.

I presume that what I want to bring to the minister's attention comes partly under Highways and in some respects under Transport. The Minister of Transport (Mr. Haskett) is here. One of the problems in the maintenance of highways is the matter of overloading of vehicles using those highways. I wonder if the minister has any information as to how many trucks, particularly those carrying aggregates, have been fined over the last year for overloading on the highways? Has the minister that information?

**Hon. Mr. Gomme:** No, I have not that information, Mr. Chairman.

**Mr. Young:** Then I think the Minister of Transport might have it, but in any case his estimates will be coming up in a year's time, or something like that. There is a great deal of discussion in connection with highway contracts and other contracts among those who are private operators of trucks—the people who haul sand, gravel, rock, and aggregate over the highways where the minister has supervision.

I get a great many stories about this. One of the gripes of these people—one of them—is that they are told by those who load their trucks that they either take what they are given and take their chances of being caught, or they do not get the work. In other words, they can either accept overloading and take

their chances on the highways, or else they do not get work.

I do not know how much of this has come to the minister's attention. But, during the past year, a good many truckers have spoken to me about this—and they all seem to have the same story—that unless they are willing to overload and take these chances they are in real trouble as far as employment is concerned.

The other thing that they complain about is that the wages are set by the brokers who hire them. The brokers set up their own shop evidently. The brokers themselves do not have trucks and they see to it that their own trucks are used before they bring into operation the private truckers. Then the private truckers who are hired have to work for some substandard wages.

They tell me that at this season the figure of \$7.50 an hour is being quoted to them. They cannot possibly survive on that figure. The figure three and four years ago was higher than this. The contracts, particularly the Department of Highways contracts, are being let on the basis of much higher payment than this, and yet in between, somewhere at the brokerage level, the cream is siphoned off. The people who are doing much of the hauling and slugging are now facing virtual bankruptcy because they cannot make ends meet on the amount they are being paid.

I wonder if the minister would comment on these problems which the independent truckers are now facing on the highways of the province of Ontario.

**Hon. Mr. Gomme:** I am not familiar with the reference you make to brokers. But we have minimum truck rates in all our highway contracts and these have advanced as the years have gone by. But you are referring to somebody in between the contractor—

**Mr. Young:** Do the minimum truck rates apply to the people actually doing the trucking or to the contractor? This is where the problem seems to lie.

**Hon. Mr. Gomme:** These are rates that the contractor has to guarantee to pay the individual trucker.

**Mr. Young:** He must pay. Could I have an indication of what those rates might be? I suppose they vary according to the job.

**Hon. Mr. Gomme:** We will get you the rates. They vary as to the axles and the size of the trucks, and all that.

**Mr. Young:** Well, then, Mr. Chairman, could I ask the minister to elaborate on the first problem I raised, the problem of overloading? The statement is made by these people that when they are overloaded and are caught, they have to pay the fines. Their contention is that the person who does the loading, the contractor responsible, ought also to be responsible for fines if he insists on overloading those trucks.

I wonder if there are any stipulations in the contracts in respect of loading the trucks and allowing overloading or forbidding overloading on the highways?

**Hon. Mr. Gomme:** Are they totally highway contracts that you are talking about in this or—

**Mr. Young:** Not totally, no. There are other private contracts that also concern people who are working for builders and so on.

**Hon. Mr. Gomme:** I would not know about that, but we will not pay them for hauling any more than 1,000 pounds over what their rated capacity is, so there would not be any benefit. I mean the contractor would not gain anything.

**Mr. Young:** As far as the contract is concerned, there is a stipulation as to the yardage, or the weight in this case, and therefore no payment is made, but the payment is made to the contractor. Is it not to the advantage of a contractor, if he is paid on that basis, to overload the truck, because this is the complaint that I hear from private truckers who are hired by contractors through brokers?

**Hon. Mr. Gomme:** Not in our contracts. It would not be of benefit to him.

**Mr. Young:** So you are satisfied that the safeguards are there as far as highway contracts are concerned? Perhaps I can give the minister or the deputy minister some further information on this whole theme and perhaps bring some people in to discuss the matter with them.

**Mr. Chairman:** The member for Sudbury East.

**Mr. Martel:** Unincorporated roads, Mr. Minister, are development roads. How many miles of development are there?

**Hon. Mr. Gomme:** Mr. Chairman, this particular item is only for maintenance of development roads—

**Mr. Martel:** Right.

**Hon. Mr. Gomme:**—and this is put there because sometimes there might be a development road which is built by a contractor and partially completed in one season. The part of the contract would be completed and it would be our responsibility, in providing the development road, to do some maintenance on it. There may be some cases where we have to do some extra gravelling or things like that over and beyond the contract for development. This is the amount of money that is set aside for development roads.

**Mr. Martel:** No. I just want to know how many miles of development road you anticipate contributing to this year. You have allocated in \$355,000 for these development roads and assistance this year in maintenance. I am wondering how many miles you anticipate this will involve.

**Hon. Mr. Gomme:** I do not have the mileage but we are going by the figures that we have used in past years and \$288,000 was used in the past; \$353,000 one year. This year we are asking for \$355,000.

**Mr. Martel:** Maybe we had better get on to development roads. Does that also involve, let us say, opening up an area for forestry or anything, or opening up a road to get to a mine? Is it not that type of road that you are talking about?

**Hon. Mr. Gomme:** No, we are not.

**Mr. Martel:** I would like to know if you could go pretty carefully because I want to know how many miles this might involve before we are finished these estimates. You might use last year's figures, Mr. Minister, what you spent last year. That is the same figure, how many miles it involved last year because I am interested in making a comparison of what you are allowing for development roads. On the matter I brought out just a few moments ago, where you are allowing only \$280 per mile of maintenance for 5,000 miles of road in unincorporated townships, I would like to make a comparison between how much you are allowing for maintenance of development roads on a mile basis, and what you are allowing for roads in unincorporated townships—

**Mr. Chairman:** Order, it is now 10:30.

**Mr. Martel:**—in the north.

**Mr. Chairman:** Are there any other questions for 802 before we close it?

**Mr. Gaunt:** I have two questions, Mr. Chairman. Very brief ones.

**Hon. A. F. Lawrence** moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come to a certain resolution and asks for leave to sit again.

Report agreed to.

**Hon. A. F. Lawrence** (Minister of Mines) Mr. Speaker, tomorrow it is the intention the afternoon to continue with these estimates and I understand that arrangements have been made so that the House will not be sitting tomorrow night so that the members can attend His Honour's dinner.

**Hon. A. F. Lawrence** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.









# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Tuesday, May 12, 1970

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 12, 1970

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our guests this afternoon are: In the east gallery, students from Main Street School, Toronto, and Essex District High School, in Essex; in the west gallery, from Glendale School, in Simcoe; in both galleries from Gordon McGregor Public School, in Windsor. Later this afternoon in the east gallery we will have students from Emery Junior High School, in Weston; and in the west gallery, from Penetanguishene Secondary School, Penetanguishene, and from St. Kevin's Separate School, in Scarborough.

Statements by the ministry.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, I wish to inform the members of this Legislature, through you, sir, that following a series of discussions between the government of Canada and the government of Ontario, we have reached accord on a new five-year shared-cost federal-provincial rural development agreement.

As a result of meetings with the hon. Jean Marchand, Minister of Regional Economic Expansion, we have been able to develop a comprehensive programme that will give new emphasis to the continuing efforts of the ARDA administration to ensure opportunity and security for those persons affected by rural adjustment. Just this morning, I signed my name to this agreement, as has Mr. Marchand also. I am pleased to say that an announcement of the signing of this agreement is also being made today in the House of Commons.

This is the third federal-provincial rural development agreement to be implemented in Ontario. The first of these was for a period of two and a half years, entered into in 1962 when this Legislature passed The Agricultural Rehabilitation and Development Act, creating the Ontario ARDA Directorate and establishing within The Department of Agriculture and Food, an ARDA branch.

In 1965, after extensive discussions and consultation, the two levels of government entered into a five-year agreement which

formally expired on March 31, 1970. During the lifetime of that agreement the ARDA programme has provided the province of Ontario with a valuable tool to cope with many considerations of rural development. ARDA has been used in a number of successful programmes.

During the early years of the recent expired agreement we did not use all available moneys. However, it was our opinion, and this opinion was shared by our Ottawa counterpart, that all programmes and projects should be adequately researched and planned before being undertaken. The programme grew and expanded year by year until the full federal-provincial commitment was disbursed by the end of the 1969-1970 fiscal year.

Before looking ahead into the next few years, might I review briefly some of the accomplishments of ARDA in Ontario since that modest beginning seven years ago:

—More than 170,000 acres of submarginal agricultural lands have been acquired by ARDA and transferred to such other public uses as forestry, recreation, wildlife production, and water conservation.

—ARDA provided an additional one-third grant to municipalities for drainage works constructed under The Drainage Act in Ontario. Total ARDA grants paid, until March 31, 1970, amounted to almost \$7 million.

—Twelve hundred and forty Ontario residents have sold to ARDA a total of 128,000 acres of marginal farm units, and have either retired out of agriculture or moved into other areas of employment. Much of the land so acquired has been attached to adjacent farms under our farm enlargement programme, and to date approximately 1,000 improved, economic units have resulted.

—Eight community pastures, consisting of 25,000 acres, have been established to serve adjacent farmers with extra grazing land at nominal fee. Two of these community pastures are located on Indian lands and they are operated by Indian people.

—We have placed high emphasis on water supplies and water conservation. One hundred and thirty-three small dams for rural

water supply have been built by municipalities or conservation authorities, which have received grants amounting to almost \$8 million. In addition, about 3,500 farm wells and 1,150 farm ponds have been provided with ARDA financial assistance.

—More than 7,000 Ontario farmers have received ARDA assistance to remove old fence rows providing larger fields for more efficient use of farm machinery.

—Just under 2,000 farmers have taken the 20-week "Business of Farming" courses in farm management in order to upgrade their management skills.

—A further 3,400 people, both farm, and rural non-farm have received direct benefits through increased income from ARDA development projects. These include expanded industrial milk processing plants, tourist industry developments, a revitalized maple syrup industry, expanded rural industries, and improved livestock marketing facilities.

An hon. member: He did not give a grant to building.

Hon. Mr. Stewart: These are examples of the manner in which ARDA has served Ontario during the past seven and a half years, and we are pleased to be able to say that the relationships between the two levels of government have been very good.

The new five-year agreement recognizes the success of a large number of the existing programmes and provides for their continuance. It introduces new means whereby ARDA will act in the interests of rural people and the management of our physical resources. But the most important aspect of this new agreement is the willingness of the government of Canada to share equally with Ontario in a programme with an annual allotment of \$12 million for each of the five years. This means that the government of Canada and the province of Ontario will each invest the amount of \$6 million per year over the next five years.

I want also to point out that this agreement represents a firm commitment on the part of the federal government to make available to this province not less than \$30 million during the five-year lifetime of the agreement, and we in Ontario are pledged to match that amount equally.

Under the new agreement, six types of programmes will be undertaken, and I shall list them in the order that they appear in the agreement, not necessarily in their order of importance or priority:

1. Research to determine the need, feasibility of new programmes and to measure the impact of existing programmes.

2. The continuation with increased emphasis of the farm enlargement and conservation programme.

3. The provision of retraining for those who will benefit from it, and rehabilitation assistance for those who need both financial and moral support during trying times.

4. The expansion of our rural development field services, to ensure that competent technical assistance is available to those who need it, and that they will also develop a public information programme to ensure that potential recipients of ARDA benefits will know how and when to apply, and the general public will know how their money is spent.

5. Continue to generate projects aimed at resource development and management, recognizing the real thrust of ARDA is to solve the resolution of problems affecting people.

6. The development of alternate income and employment opportunities for rural people. In this new agreement there is provision for public assistance to be made available to establish new, or to expand and modernize existing, processing and manufacturing industries that will utilize renewable natural resources and employ local people in the process. Financial aid will be available for forest stand improvement operations on crown and publicly owned lands, on the condition that it generate income for rural people in the area and contribute to the development of that resource.

This new agreement recognizes that Canada Manpower is the prime instrument in the area of employment, retraining and personal placement. But it also recognizes that the Canada Manpower programme has its limitations and that there are special and unique situations which result from the ceaseless change which is going on in rural Ontario. To meet these special and unique situations the new Agreement provides for allowances and grants to assist in the movement and resettlement of those rural families who wish to take advantage of new employment opportunities. Special assistance will also be available to those who wish to take advantage of counselling and retraining courses.

Mr. Speaker, this new agreement demonstrates once again that the two levels of government, federal and provincial, are aware of the special problems that exist in agriculture and rural Ontario. It demonstrates also that the two governments are de-

committed to corrective measures aimed at easing the anxieties of adjustment and providing access to new opportunities. It also demonstrates a willingness of the two levels of government to work together in a common programme.

As I look back over the accomplishments of the past seven years, I am reminded of those men of vision who first generated the broad principles of ARDA, and who are often referred to by their critics as "dreamers." They were bold enough to suggest that two levels of government could work together, sharing the costs of programmes that involved, and were most often initiated by, local people. They envisaged a programme that placed greater emphasis on people than on massive public works, a programme where no project was too small if it provided a meaningful benefit.

The ARDA programme has accomplished much in the last seven years. We have made some mistakes; we have had our share of criticism. But I can report today with great satisfaction that the ARDA programme in this province is alive and well, and heading into the future with a new five-year, federal-provincial, cost-sharing agreement that is signed, sealed and delivered.

**Mr. Speaker:** Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, further to the Minister of Agriculture's statement, can he give us any further information as to the allocation of the \$60 million? Will it be based on \$12 million per year? Or will it be handled as was the expenditure in the previous agreement, sometimes allowed to lapse for certain years and spent with, let us say, more enthusiasm on other occasions?

The second question, since the minister will be rising, I hope, to reply, is what are the implications of retraining; is this going to be separate and distinct from Manpower facilities and Department of Education facilities?

**Hon. Mr. Stewart:** In answering the first question, this new agreement will be similar to the last one. There will be, as I indicated in the statement, a total of \$30 million provided to the province of Ontario, which will be matched by us in full, but spread over the five-year term of the agreement, not necessarily all used in equal allotments. It will be much the same type of agreement we had before.

The answer to the second question is that we have not got the full details of this worked out as yet. We are working with the Man-

power group at Ottawa and The Department of Education, recognizing that there are changing conditions all the time. We think perhaps that it should be continued as it has been in the past, but with some modifications.

**Mr. Nixon:** A supplementary question: that it is quite possible that there will be new services available for retraining, as well as those available under Manpower retraining and The Department of Education? That is what I gather.

**Hon. Mr. Stewart:** No, I would not say that at all; as I say, the whole thing is under review.

**Mr. Nixon:** The other supplementary question: Will the \$100 limit per acre, on the acquisition of land for farm consolidation, be done away with in the new programme or will it be maintained?

**Hon. Mr. Stewart:** The ARDA agreement and I think this was delivered to each member's desk, was it not—is the agreement that was signed this morning. It provides for a maximum amount of \$150 rather than the \$100 limit. But the \$50 development clause is still in there.

**Mr. Speaker:** The member for Essex South has a supplementary?

**Mr. D. A. Paterson (Essex South):** Will the hon. minister just answer the question I was going to ask.

**Mr. Speaker:** Does the member for Peterborough have a supplementary?

**Mr. W. C. Pitman (Peterborough):** I wonder if the minister could answer whether rehabilitation assistance, which was mentioned in the statement, is in addition to, or in replacement of, such assistance which is already given by The Department of Social and Family Services?

**Hon. Mr. Stewart:** No, it will have the same bearing as it always had in the past—the real problem there. I do not follow what the hon. member is coming to.

**Mr. Pitman:** Mr. Speaker, if I might ask a supplementary on the rehabilitation system for those who need financial and moral support. One would assume that they are already receiving financial support through The Department of Social and Family Services when their income drops below a certain point. I am wondering whether that money will be in addition to the mor-

which is already provided by The Department of Social and Family Services or whether it replaces that.

**Hon. Mr. Stewart:** The meaning the hon. member is taking out of this is not the meaning that has been intended. The meaning that is intended here is that when rural farm people are having difficulty making a satisfactory living from the piece of ground that, in today's modern technology and modern agriculture, simply will not provide that kind of a decent standard of living for their family—because of geographic location, perhaps physiological reasons, whatever it may be, wrong type of soil or climate—because of the financial difficulties that family may find themselves in, we hope to provide them the opportunity either to sell this property to ARDA, retrain and get located in a new job opportunity so they can provide a decent standard of living for themselves; or, if that person is already entered upon agriculture and he realizes that he has not got the necessary resources in that farm, we will provide him with additional land through the land consolidation programme in our agreement. He can establish what we describe here as viable agricultural units. This is the connotation of the financial problem that I refer to.

**Mr. Speaker:** The member for Essex-Kent has a supplementary?

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, a supplementary; it is a question with regard to the statement made by the Minister of Agriculture. Could the minister tell us off-hand now whether this will include assistance for farm drainage under the previous agreement that they had?

**Hon. Mr. Stewart:** No, Mr. Speaker, it does not include farm drainage in the connotation my hon. friend suggests. It does provide the extra one-third drainage under either agreement for, I believe it is, 12 counties in eastern Ontario, the same as in the previous agreement.

**Mr. Speaker:** The member for Brantford has a supplementary.

**Mr. M. Makarchuk (Brantford):** A supplementary question of the minister. Would the responsibility for initiating these projects, either in direct assistance to the farmer or as secondary employment projects, be the responsibility of the province of Ontario? Would the federal government have the veto over this?

**Hon. Mr. Stewart:** It is a mutual agreement, Mr. Speaker. Each project has to be justified on its own merits, as I pointed out in my statement, based on the effect it will have on the local community, on the people involved and on the general benefits that will accrue to all concerned. While the federal government, I suppose it could be said, could fund certain projects, we have not found in our experience that this is very often the case. Our ARDA directorate works with the people and with ARDA counsellors and staffs throughout the province developing projects. When those projects are brought forward they are brought forward with the best of intentions and very, very rarely they ever vetoed by either level of government.

**Mr. Makarchuk:** In addition to that, would the responsibility of initiating projects lie with the province of Ontario?

**Hon. Mr. Stewart:** Yes, to a certain degree it does, but we prefer that the initiating projects stem from the interest of local people working with their ARDA counsellors and ARDA field staff, and that it come up through the grass roots.

**Mr. Speaker:** Has the member for Brantford an Arthur supplementary?

**Mr. R. H. Knight (Port Arthur):** I have a supplementary of the Minister of Agriculture. Since this new ARDA programme out there today seems to deal primarily with land adjustment, rehabilitation, and alternative employment, would one draw the conclusion from that that the federal and provincial governments have come to the conclusion that the day of the small farmer is over and now time for the governments to hustle farmers into collective, co-operative and other types of farming? Does this sound the knell of the small farmer?

**Hon. Mr. Stewart:** No, absolutely not. There is no suggestion in this agreement that there should be collective farming. I want, Mr. Speaker, to say emphatically to the hon. member and to the members of the House that we have never suggested that there should be anything in any agreement that line.

We do say that the emphasis in this agreement must be on people. Where a farmer finds himself not able to provide a living for his family that he thinks is satisfactory, we want them, through the ARDA agreement we have, to provide a better living. If we can do that by helping him on the farm, all well

good. If we cannot, we talk to him about the possibilities of other potential employment opportunities.

**Mr. Speaker:** The hon. member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** A supplementary, Mr. Speaker. In view of the increased emphasis on farm enlargement, will the terms of the lease remain the same?

**Hon. Mr. Stewart:** That is a difficult question for me to answer right off. As you know, there have been several types of leases that have been drawn and an agreement was reached on a lease just recently—if memory serves me correctly, just a few weeks ago—that replaces the existing leases. This was done through a meeting of the ARDA field staff discussing the problems as they found them with the people who were writing—or at least working on the leases and the people who are renting the land from ARDA.

We have worked this programme out. I have not got the details at my disposal but I would be perfectly willing to show them to the hon. member any time. I think it is a satisfactory type of lease that eliminates some of the problems that he knows and I know existed in the last one.

**Mr. Speaker:** Has the member for Scarborough East a supplementary? Has the member for Grey-Bruce a supplementary?

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, would the minister advise if the terms of reference are wide enough in this joint fund to use the money for say, a beef co-operative similar to something like FAME?

**Hon. Mr. Stewart:** Mr. Speaker, I would think that each project would have to be judged on its own merits. We would explore the possibilities pro and con.

**Mr. Speaker:** The Leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, I have a question of the Premier. Can he confirm newspaper reports that he intends to introduce legislation which will set a limit of 15 per cent on any increases in taxation due to equalized assessment being a policy of the government? If he cannot confirm nor deny that, can he account for government policy being so frequently announced by the press before it is announced here in the House?

**Hon. J. P. Robarts (Prime Minister):** No, Mr. Speaker, government policy in that regard

is not yet settled; therefore, the story be only speculative.

**Mr. Nixon:** A supplementary question. I think that the Premier's answer is a proper one, but surely would he not say that over the long term there is a tendency for press people with more initiative than others to ferret out things from the government which really should be reserved, if all possible, for public announcement, and, of course, the Premier is considering that to be a trial balloon? Does he, in fact, use the press for this purpose and run something up the flagpole and see what the response is?

**Mr. D. C. MacDonald (York South):** Very unsophistication!

**Hon. Mr. Robarts:** No, no, Mr. Speaker, we do not use that particular technique. I would be quite frank with you, I have never found it necessary, and it is not a technique that appeals to me particularly. On the other hand, the civil service is large and the press is unsuppressed and it is not always possible to keep things as secret as we would like.

Certainly there has been discussion in the House about the possibility of such legislation; I believe the Minister of Municipal Affairs (Mr. McKeough) has been asked on many occasions what he proposes to do so on, and he has said that the government was working on the proposition. There is some basis perhaps for speculation without necessarily any leaks. As I say, as there is no policy. One discusses a whole lot of things before deciding what he might do.

I can assure the hon. member that we do not run it up the flag pole, to use that expression.

**Mr. Nixon:** A further supplementary, Mr. Speaker, with your permission. Does not the Prime Minister from time to time have questions as to how leaky the security of his administration is on a number of matters of policy? Has he taken—

**Hon. A. Grossman (Minister of Correctional Services):** Ask Mr. Trudeau.

**Mr. Nixon:**—any steps, for example, following the reading of confidential letters or reports in the Legislature which could have been obtained only from government officials? Has he taken any steps to improve the security of secrets which should be associated with cabinet decisions?

**Hon. Mr. Robarts:** I do not know what the member means by "steps", but certainly

do not believe in limiting—by tight screening—a civil servant. As I say, the civil service is large and many of these matters have to be discussed in a great many areas before our policy is finally settled.

There are many times when matters are leaked, if that is the word, or released to the press, which I find distressing certainly, but I take it as part of my job. I live with this and I recognize that the newspaper business in this town happens to be highly competitive. I do not suppose there is a more competitive newspaper town in North America than the city of Toronto, and we have a very high degree of competition emanating from the news media here trying to be the first with the most, and therefore enterprise is displayed.

While it may be a little awkward occasionally, I am content to live with it, but I can assure the member that I do not intend to try to impose some form of muzzling or security measures because it would not work and it would be distasteful.

Interjections by hon. members.

**Mr. Speaker:** Order! I think this has been pursued far enough.

**Mr. Nixon:** Mr. Speaker, I have a question of the Minister of Correctional Services.

Does he intend to take any steps following the statement of the coroner, Dr. R. C. Bennett, investigating the death of James Herrell, I believe, in the Don Jail, alleged to be the result of an overdose of heroin? The coroner said that he was disturbed that he had difficulty in determining the source of the drugs that were obtained while the man was an inmate in an institution under the minister's control.

**Hon. Mr. Grossman:** Mr. Speaker, I am not familiar with what the coroner himself had to say. I had the report of the coroner's jury before me yesterday, as a result of which I visited the Toronto jail this morning to find out precisely just what the situation was.

**Mr. T. Reid (Scarborough East):** Pretty crowded was it not?

**Hon. Mr. Grossman:** We usually have a full house. As I say, I visited the jail this morning to discuss this particular incident with the doctors and the nurses and the medical procedures and medical supplies in general.

First of all, with respect to this particular incident, we do not have supplies of either

heroin or morphine in the jail and so, questionably, the inmate concerned must have obtained these two drugs from an outside source.

Secondly, while the evidence showed the type of syringe used was similar to the type used in the jail medical section, I am convinced that the precautions taken by the medical staff were such as to prevent an inmate obtaining a syringe from that source. I believe that the syringe, just like the drug, was obtained from the outside.

The jury made a number of recommendations which we in the department have considered. It recommended that:

The administration of any medical and examination should take place in a room separate from the room where medical or drug supplies are kept.

I might say, Mr. Speaker, this might very well suggest that some reorganization of the makeup of coroner's juries might be considered, because obviously anyone who is a specialist in this field would not make a kind of a recommendation, and I repeat

The administration of any medical and examination should take place in a room separate from the room where medical or drug supplies are kept.

It is a broad statement and medical and drug supplies cover a wide range. It would mean that a doctor could not keep vaseline, bandages, things of that nature, in the same room.

Obviously, what they were referring to here, in my view, was the matter of the syringes themselves, which were used for the purpose of injecting drugs.

Reconstruction of the Toronto jail hospital and medical section was started some time ago—I think about three months ago—and when completed will separate the pharmacy from the examination room. This means that the doctor will keep in his examination room only such supplies necessary for him to carry out his examination.

As I say, certainly the broad recommendation that all medical supplies not be kept in the doctor's office is impractical. That would mean, of course, if the doctor has an inmate in his office, he would have to leave that inmate alone while he goes next door to get his supplies and come back in again. This would be highly impractical.

The jury also recommended that a complete inventory control be kept over the medical supplies. We have a complete inventory

tory of controlled and narcotic drugs. As I said earlier, this man certainly did not obtain supplies of morphine or heroin from the jail medical section, inasmuch as we do not have supplies of either of these two drugs in the jail. Obviously, it is not necessary to keep a detailed inventory of all medical supplies, such as tongue depressors, bandages, vaseline and other minor items.

**Mr. Nixon:** Can I just ask the minister a supplementary question, before he continues? I think the jury found that it may have been a drug called Darvon that was used, and which is kept in the jail.

**Hon. Mr. Grossman:** Darvon, of course, is one of the drugs which is considered a control drug, and it is all kept under lock and key. I was there this morning and it is kept under double lock and key. You open the cupboard with a lock, and there is another cupboard door with another lock on it.

**Mr. Nixon:** If you can get the first one open you can probably get the second as well.

**Hon. Mr. Grossman:** Of course, it would have to be done in the presence of the medical men who are in the room at the time. Because if there is no medical staff in there, the medical room is locked up.

**Mr. MacDonald:** Order! This is a rambling ministerial statement, not an answer.

**Hon. Mr. Grossman:** How else could I answer that?

**Mr. MacDonald:** Many ways, but not the way the minister is doing it.

**Hon. Mr. Grossman:** When the hon. member is asked a question he can answer it in his own way.

**Mr. MacDonald:** Order! The minister is wandering on.

**An hon. member:** Hear, hear.

**Another hon. member:** And he never will be.

**Hon. Mr. Grossman:** Mr. Speaker, a drug inspector from the division of narcotic control, Department of National Health and Welfare, inspects the drug procedures of the jail regularly. I have read his reports and he has expressed satisfaction with our procedures, without recommendation for change.

The jury also recommended closer supervision of known and suspected drug users. At

any one time there are 200 known, or expected, drug users in the jail. Obviously jail staff try to keep as close supervision as humanly possible on each one of these.

This particular inmate, for instance, under supervision three times in a 20-minute period. Even this is not an absolute guard that nothing untoward can occur. Except individual 24-hour confinement in doored cells, there is no 100-per-cent guarantee.

The fourth recommendation was for periodic education of the jail staff to identify symptoms, reactions and problems in connection with drug use.

Sir, the new staff are given basic class instruction on problems connected with drug symptoms and procedures, as part of the service training programmes at the jail. The superintendent issues memoranda to staff on these problems, the latest of which concern the behaviour of drug users and steps which should be taken to deal with unusual behaviour patterns.

Constant exposure to a variety of problems in this area gives most officers added experience in this field. Medical officers and nurses, when dealing with problems that arise, invariably indicate to the staff members warning signs and treatment procedures.

Mr. Speaker, as I say, I was there this morning and I went into it thoroughly with my staff. I cannot possibly see how they could do anything other than what they do by way of protecting any drug users against the possibility of getting hold of drugs.

And I do not think they said Darvon. I do not think they said Darvon at all. Yes, as a matter of fact, they did not say Darvon.

I have a copy of the verdict of the coroner's jury. The cause of death was a suspected overdose of drugs, probably administered heroin or morphine, in the Don Jail. As I say, there is no heroin or morphine kept in the Don Jail.

**Mr. Speaker:** It would appear to me, Mr. Speaker, of course, has no control over the answers—but it would appear to me that the hon. minister was not answering the question asked by the Leader of the Opposition, but had to do with what the coroner said, and not what the coroner's jury said.

It would be my opinion that a state such as the minister gave, might well have been given under statements from the Ministry, rather than occupying five minutes of the question time.

**Hon. Mr. Grossman:** If I may, Mr. Speaker, with all due respect, I do not get the comments of anyone at the inquest. All I have to deal with, and all my department has to deal with, is the official report of the inquest. This was the official report of the inquest, and not to answer it fully would leave some concern in the mind of the public, because of the matters which were in the newspaper reports.

Interjection by an hon. member.

**Hon. Mr. Grossman:** I know the member would like to leave the impression we are lax.

**Mr. Speaker:** Order! Order! The ministry has been very good since the new proceedings came in in making statements. I have really no fault to find, but there are occasions when it would appear to me—has the Leader of the Opposition a supplementary question?

**Mr. Nixon:** Yes, Mr. Speaker—no, I have not.

**Mr. Speaker:** Any supplementary question? The member for York South.

**Mr. MacDonald:** Mr. Speaker, I have a question either of the Minister of Financial and Commercial Affairs or of the Attorney General. I do not know in whose jurisdiction it falls.

In view of the consensus that emerged yesterday in the debate on the bill with regard to prohibiting invasion of privacy, would the minister comment on the propriety, or the legality, of an ad carried in the telephone directory yellow pages, at page 550, for Gizmo MK Company, The Wireless Transmitter, which advertises its services, one of which is frankly described as "privacy invasion?"

**Hon. A. B. R. Lawrence** (Minister of Financial and Commercial Affairs): Mr. Speaker, I have not assessed the question of jurisdiction as between the Attorney General and myself, but I would think that The Department of Financial and Commercial Affairs should limit itself to those matters directly involving credit and commerce itself, and stay out of the much broader field relating to human rights, civil rights, and the right to privacy.

On that basis I would think that this question reaches into the right of privacy field—

Interjections by hon. members.

**Hon. A. A. Wishart** (Minister of Justice): Mr. Speaker, I have spoken on this matter

generally and in answer to questions in House on a number of occasions—some of them quite recent, at least within the year. I think hon. members are aware legislation is coming forward at the federal level, in the Parliament of Canada, respect to the whole matter of the invasion of privacy. It has been my view, and I think this is a view that should be accepted, that this is a matter which should be national in scope, that the legislation dealing with it should be passed across Canada. Certainly, where it touches on the use of eavesdropping or invasion of privacy for criminal investigation, there is no question that it is within the criminal field and, therefore, a federal subject.

I understand that the federal Minister of Justice is going beyond that and that his bill will contain provisions dealing with the whole field of the invasion of privacy. The commission which was set up in Ottawa to study this matter sat for some time; we made representation there; we had done a study through a law reform commission on this whole question of the invasion of privacy and a report has been made available to this House. We made public the content of that report and presented it to the federal commission with our own representation.

I anticipate that within this session at Ottawa there will be legislation which will not only into the criminal investigation area but into the whole field of the invasion of privacy. I feel that is where it should be done. I have said before and I will say again that if that federal legislation leaves, in my view, and the view of this government, a field that is not dealt with or not covered, we feel it should be, we will have jurisdiction as a province to deal with the field of private investigators.

**Mr. MacDonald:** By way of supplementary question, do I conclude correctly that this legislation as the minister has referred to has passed at Ottawa, such a blatant commercial offer of services to invade privacy completely legal, not subject even, say, to advertising restrictions?

**Hon. Mr. Wishart:** There is no law. You think that is fair to say.

**Mr. MacDonald:** I have a question of the Minister of Lands and Forests: Is the minister aware that a proposal is now before the Amabel township council to close off access to Sauble beach and charge a fee for its use? If so, in view of the minister's efforts elsewhere to restore public access to beaches, will he take the necessary steps



forestall this alienation and commercialization of public property?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, this is the first I have heard of this. I certainly will take notice and will look into it and inform the member.

**Mr. MacDonald**: By way of a further point that I would like clarification on, would the minister inquire as to whether or not the involvement of the reeve and deputy reeve in a business venture which is part and parcel of this whole proposed cutting off of the beach, represents a conflict of interest?

**Hon. Mr. Brunelle**: Again, Mr. Speaker, I will take that second part into consideration.

**Mr. MacDonald**: I have a question of the provincial Treasurer (Mr. MacNaughton). Can the provincial Treasurer intimate—

**Mr. Speaker**: If the provincial Treasurer were here.

**Mr. MacDonald**: I am sorry, the provincial Secretary. He was sitting contemplating and I did not even wish to wake him from his reveries. Is the provincial Secretary in a position to indicate what distribution he has made of moneys available, seed moneys available, for the development of citizenship groups? Specifically, what response has he made to Mr. George Wilkes, the president of the "Action in Sandy Hill" group for its very worthy programme in that portion of Ottawa?

**Hon. R. S. Welch** (Provincial Secretary): There are many requests, that come in, Mr. Speaker. I will take the question as notice. We have not got any detailed report to give as yet but I will be very glad to provide the member with those details once we have completed the examination of the many requests which we have.

**Mr. H. Peacock** (Windsor West): The minister is having difficulty sorting them out, eh?

**Mr. S. Lewis** (Scarborough West): Well, with \$31,000 you would have to sort them out.

**Mr. MacDonald**: I have a final question of the Minister of Transport. Is the minister in a position to report, and if not, when can he report, on his personal investigations into the monopoly position in transportation in Cornwall which is creating a great inhibition to the development of new industry?

**Hon. I. Haskett** (Minister of Transport): I came forward about a week ago prepared

to reply to the question that had been raised by the member who raised it was not present and I thought it would be a courtesy to wait until he returned. I will have to do that tomorrow.

**Mr. MacDonald**: That is not the point, Mr. Speaker, on a point of order. I happened to be away last Thursday and Friday, and today.

**Mr. Speaker**: Of course, that is not a point of order. Has the member for York South completed his questions?

**Hon. Mr. Roberts**: That is all right. I am absent too.

**Mr. MacDonald**: The Premier was not present to speak at all.

**Mr. Speaker**: The Minister of Lands and Forests has a reply to a question from the member for Grey-Bruce, which I think he should have.

**Hon. Mr. Brunelle**: Mr. Speaker, the member for Grey-Bruce asked me a question on Friday with reference to—

**An hon. member**: There are a lot of fish in the backs.

**Mr. Speaker**: Order.

**Hon. Mr. Brunelle**:—rainbow trout in the county. The rainbow trout season in western Ontario, which includes the south shore of Georgian Bay and the Bruce Peninsula, has been set to open on the last Saturday in April, and this year it happened to be on April 25. This means that the earliest it can be opened is seven days before May 1.

Rainbow trout spawning in that area begins early in December and continues to a date in May 1, and a selection of an opening date for the rainbow has to be related to the average date when most of the spawning is complete, also when fish are still available to the anglers. May 1 used to be the traditional opening date, but was always unsatisfactory to most fishermen when May 1 fell on any other day than a Saturday, and that is why the last Saturday in April has been selected as the best alternative date.

In reply to the second part of his question, as to the use of eggs as bait, I may say that the rainbow trout are not easy to catch, nor are they available for very long periods to our angling public, and since we see no decline in their numbers, we can see no reason for prohibiting what many anglers consider to be the most effective bait.

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

**Mr. T. Reid (Scarborough East):** I have a question of the Prime Minister. With summer employment prospects bad, and worse for the long-haired type of kids, who are today suspect in many places of business, and with the added chances of delinquency and drug use—

**Mr. Speaker:** Perhaps the hon. member would just ask his question.

**Mr. T. Reid:**—particularly in Scarborough, is there not room in this province and in this government for an agency with public funds that can direct many of the young into areas where their volunteer services would be valuable—areas where they would not be paid, but where the more idealistic of the young could be kept busy and away from the various sources of trouble, particularly those sources that the Prime Minister himself has noted, for the summer months?

**Mr. Peacock:** Tell them to stay away from the member for Scarborough East.

**Hon. Mr. Robarts:** Yes, Mr. Speaker, there might be room in the government. We have not gone after a programme such as that.

I do not really accept the inference that there is discrimination against any young person who has long hair or against any adult male who has long hair, as far as that is concerned; that particular inference in the member's question I completely reject.

We have no programmes to keep young people busy on an idealistic basis or a recreational basis or any other basis. There are programmes of this type run at the local level. What we are attempting to do is to provide meaningful employment for the young people of the province who want it. Last year the programme was quite successful, and this year we do not yet know how it will work out, although we do know that there will be more young people available this year and perhaps economic conditions are not as buoyant as previously. But at the moment we have no programme such as the member suggests.

**Mr. T. Reid:** Would the Prime Minister look into various programmes that have been run by other provinces, particularly Alberta?

**Hon. Mr. Robarts:** We will see what they do in Alberta, yes.

**Mr. T. Reid:** I think there is a crisis, sir.

**Mr. Speaker:** The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Speaker, I have a question of the Minister of Lands and Forests. Is the Minister of Lands and Forests aware of the samples that are being taken by OWRC with regard to water quality at Marathon, Terrace Bay and Rock, where effluent is being dumped by paper companies into Lake Superior, and he prepared to assure the people of that area and the House that there is no crisis with regard to the danger to aquatic life along the north shore of Lake Superior such as has happened in other areas of the province?

**Hon. Mr. Brunelle:** Mr. Speaker, I have received this information from OWRC, but certainly will look into it.

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

**Mr. Paterson:** A question of the Minister of Lands and Forests. Is the minister aware of the annual fish kill in the Trent system between Healey Falls, and if so, is it possible for his department, directly, or through the auspices of The Department of Northern Affairs, government of Canada, to install a fish ladder at that particular site?

**Hon. Mr. Brunelle:** Good question, Mr. Speaker. I was just reading this article which it says that this matter was brought to the attention of the federal Department of Transport in 1959 and apparently they have had successful results. My department will take it up with the federal department.

**Mr. Speaker:** The member for Huron-Brockton. A supplementary?

**Mr. Pitman:** Could the minister tell us whether there is any continuing structure for co-operation between his department and the federal Department of Transport, because the problem of fish dying on the Trent River on the Trent Canal System comes up every spring. Is there any continuing programme of co-operation and interchange of information?

**Hon. Mr. Brunelle:** I would say, generally speaking, Mr. Speaker, that in the past we have had very good co-operation with the federal Departments of Transport and Public Works on the matters relating to fisheries. I would hope that in matters, such as this, that is raised in the House, in the future the departments will look into it closely and it will not be necessary to bring it to the attention of this House.

**Mr. Speaker:** The member for Huron—

**Mr. Pitman:** Well, Mr. Speaker, might

**Mr. Speaker:** The hon. member is really not asking a question supplementary to the original question. It had nothing to do with the particular area.

Does the member for Rainy River have a question supplementary to the original one?

**Mr. Peacock:** I have a new question, Mr. Speaker.

**Mr. Speaker:** The hon. member for Huron-Bruce has the floor.

**Mr. Peacock:** He was not even on his feet.

**Mr. Speaker:** The hon. member for Huron-Bruce has been on his feet several times. It is his turn to have the floor.

Interjections by hon. members.

**Mr. Gaunt:** I have a question of the Attorney General, Mr. Speaker. Does the Attorney General favour the unwritten regulation requiring an OPP officer to lay 15 or 20 charges for every fatal or personal injury accident? Is this in the public interest?

**Hon. Mr. Wishart:** The answer is no, Mr. Speaker.

**Mr. Gaunt:** In that event, would the Attorney General communicate with the commissioner of the OPP and indicate to him that he wants this practice stopped forthwith?

**Hon. Mr. Wishart:** I shall look into it, Mr. Speaker.

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

**Mr. Peacock:** I thought I would remain in my seat until you recognized me, Mr. Speaker.

I have a question of the Attorney General. Has the Attorney General considered the opinion of Judge Macdonell given last week that The Landlord and Tenant Act makes no provision for the return of a security deposit once the landlord has applied to the courts to withhold it?

**Mr. Nixon:** That is the second time the question was asked.

**Hon. Mr. Wishart:** I think it is the second time it was asked. The answer is no, Mr. Speaker.

**Mr. Nixon:** I am glad we got that in.

**Mr. J. E. Bullbrook (Sarnia):** That is the same answer as last week.

**Hon. Mr. Wishart:** The same question, the same answer.

**Mr. Peacock:** I have a supplementary question. The answer last week, of course, given by the Prime Minister. Would the Attorney General go beyond the answer the Prime Minister gave and inquire whether he will amend the Act to provide for the return of a security deposit where the landowner applies to withhold it?

**Mr. Nixon:** I wish I had thought of that.

**Hon. Mr. Wishart:** Mr. Speaker, that will be a matter of policy and I can only deal with legislation when policy approves.

**Mr. Speaker:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** I have a question of the Premier. What action would the government be prepared to take to prevent large numbers of unemployed students in small municipalities where there are few universities, from applying for welfare assistance during their unemployed summer months, as could happen, or is happening in the city of Waterloo?

**Hon. Mr. Robarts:** Mr. Speaker, I assume if they meet the requirements of welfare assistance they are entitled to it, as is any other citizen. But I do not know how many students would meet those requirements.

**Mr. Good:** By way of supplementary question, would the Premier aware that all university students are eligible to apply for welfare assistance in the municipality in which they are attending school and not their home municipality?

**Hon. Mr. Robarts:** I am not aware of that, no. On the other hand what I am saying is that I do not know how many of them will qualify. They might be eligible to apply, but do they qualify? That is the point.

**Mr. Speaker:** Did the member for Sudbury East (Mr. Martel) have a question? He has been on his feet. If not, the member for High Park has the floor.

**Mr. M. Shulman (High Park):** I have a question of the Attorney General, Mr. Speaker. Would the Attorney General be willing to make amendable the private regulations which have been passed by the Metropolitan Toronto Police Commission concerning uniforms and identification numbers as passed under section 15 of The Police Act?

**Hon. Mr. Wishart:** Mr. Speaker, the member seems to be aware of them. I

not have those regulations. We deal with regulations passed by this government, not with local police forces.

**Mr. Shulman:** No, I do not have them. Mr. Speaker, as a supplementary, inasmuch as we are unable to get them, could the Attorney General get them so that we can become aware of what the regulations are? Would he table them here in the House after obtaining them?

**Hon. Mr. Wishart:** Mr. Speaker, I will give no undertaking to table them, of course.

**Mr. Shulman:** What does he mean, "of course"?

**Hon. Mr. Wishart:** If we adopted this policy I could be asked to table the regulations of every police force in this province.

**Mr. Shulman:** So why should they be secret?

**Hon. Mr. Wishart:** That is not the way that the autonomy of the police force is carried out.

**Mr. Lewis:** Why? What should be secret about that?

**Hon. Mr. Wishart:** I would give no such undertaking.

**Mr. Shulman:** As a supplementary, Mr. Speaker. Will the Attorney General explain why the regulations of any police force in this province should be secret?

**Hon. Mr. Wishart:** I do not know that they are secret.

**Mr. Shulman:** The Attorney General said they are.

**Hon. Mr. Wishart:** No, I did not. I did not say they were secret.

**Mr. Shulman:** Will he table them?

**Hon. Mr. Wishart:** I do not have them.

**Mr. Shulman:** Will he get them?

**Mr. Speaker:** The hon. member for Rainy River.

**Mr. T. P. Reid:** Mr. Speaker, a question of the Attorney General. Can the Attorney General indicate whether the province of Ontario is moving toward a municipal police force system on the basis of the borough police in the city of London, England?

**Hon. Mr. Wishart:** Mr. Speaker, we have municipal police forces in all municipalities of a certain size in this province. These requirements as to the responsibility for establishing municipal police forces are set out in The Police Act.

In addition to that, in those areas which are not necessarily organized but which are of a lesser population density, such as townships, we have the Ontario Provincial Police and with the advent of regional government we are establishing regional police forces. We have, therefore, the towns and cities which have their police forces. We have the Ontario Provincial Police and now, as I say, we have what is really a municipal force but on the basis of a regional municipality. I do not know that we would go to the London, Ontario, land, situation. I would rather think that the Metropolitan Toronto police force somewhat approaches it in its composition and its administration.

**Mr. T. P. Reid:** Perhaps by way of supplementary, to clarify it. Does the Attorney General visualize a municipal police force complementary to the Ontario Provincial Police under the Ontario Police Commission?

**Hon. Mr. Wishart:** Mr. Speaker, no, we do not consider a municipal force complementary to the Ontario Provincial Police, nor do we consider the Ontario Provincial Police complementary to the municipal force. Under the Police Act, as I say, municipalities are required to accept the responsibility of police and part of the duty of the Ontario Police Commission is to see that that responsibility is carried out.

If a municipal police force is unable to deal with a situation, we assist with provincial police and there is the utmost co-operation and understanding there. But we are a very different country from England, the province being several times larger and geographically widely spread and thinly populated, in particular in the northern area. I do not think what works for Britain, or what works for England particularly, would work for us. We have designed our own Police Act, and to approach a metropolitan situation I do not think would fit our situation.

**Mr. T. P. Reid:** I understand they have been over there studying it.

**Hon. Mr. Wishart:** Well, we are studying it. We looked at police forces particularly from the point of view of administration and any good ideas that we can find we study very carefully. If we can implement them and think they will work, we use them.

**Mr. Speaker:** The oral question period has now expired.

Petitions.

Presenting reports.

Motions.

**Mr. Carruthers** moves, seconded by **Mr. Farquhar**, that the estimates of expenditures for the fiscal year ending March 31, 1971, of the five departments named, be referred to standing committees as follows:

Department of Justice to legal and municipal committee;

Department of Health to health committee;

Department of Social and Family Services to social, family and correctional services committee;

Department of Trade and Development to estimates committee;

Department of Treasury and Economics to estimates committee.

Also, that the above committees, when considering such estimates, be authorized to sit concurrently with the House and have authority to permit substitution of members, not to exceed the number of each party's representation in each committee, provided that notice in writing is given to the chairman prior to the start of any meeting at which substitution is to be made.

Motion agreed to.

**Mr. Carruthers** moves, seconded by **Mr. Farquhar**, that, for the balance of this session, substitution of members be allowed at meetings of the standing government commissions committee up to the total membership of each party on the committee, provided that notice be given to the chairman in writing prior to any meeting at which substitution is to be made.

Motion agreed to.

**Mr. Speaker:** Introduction of bills.

#### THE SCHOOLS ADMINISTRATION ACT

**Mr. T. Reid** moves first reading of bill intituled, An Act to amend The Schools Administration Act.

Motion agreed to; first reading of the bill.

**Mr. T. Reid:** **Mr. Speaker**, the bill would permit school boards in a municipality, including separate and public school boards, to

enter into agreement for the joint use of school facilities.

#### THE EXPLOITATION OF VIOLENCE DETERRENT ACT, 1970

**Mr. Ben** moves first reading of bill intituled The Exploitation of Violence Deterrent Act, 1970.

**Mr. G. Ben (Humber):** Notice was given at the beginning of the session.

**Mr. Speaker:** I would point out to the member for Humber that the new standing orders provide for no notice to be given, normally the member gives the page boy the bill to be brought to the Speaker with motion.

**Mr. P. D. Lawlor (Lakeshore):** I trust this bill does not contain any expenditure of public funds, **Mr. Speaker**.

**Mr. Speaker:** That is a good point, and will have it examined before it is—

**Mr. Ben:** I am sorry, I did not hear.

**Mr. Speaker:** The hon. member for Lakeshore is hopeful that it does not contain any provision for the expenditure of public money because, as the hon. member knows, if it does so it will not be proper to be introduced by a member not of the Treasury benches.

Is it the pleasure of the House that the motion carry, subject to determination of the validity of the bill?

Motion agreed to.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 15th order. Hon. member in committee of supply; **Mr. R. D. Row** takes the chair.

#### ESTIMATES, DEPARTMENT OF HIGHWAYS

(continued)

On vote 802:

**Mr. Chairman:** Does this vote carry? **Mr. member for Sudbury East.**

**Mr. E. W. Martel (Sudbury East):** **Chairman**, I would like to ask the minister if there is not some way that could be arranged or some piece of equipment developed so that, when the potholes in high-

are being tarred, the asphalt would not come out so readily from the potholes. There does not seem to be enough—

**Hon. G. E. Gomme (Minister of Highways):** Mr. Chairman, I cannot hear the hon. member. I wonder if he would speak into the mike, please.

**An hon. member:** It is last night's speech.

**Mr. Martel:** No, it is not last night's speech.

I want to ask the minister if they could not develop some piece of equipment wherein, when his crews are on the highways patching potholes, there could not be more compaction, you might call it, so that the asphalt that is being used would not come up so readily. It does not seem to me that there is perhaps enough pressure being applied when you are packing these potholes to keep the asphalt in the potholes; it comes out very readily. I am just wondering whether there could not be developed a piece of weight and so on as when you are initially putting down pavement, so that the potholes could be patched and the asphalt would stay in on a more permanent basis.

**Hon. Mr. Gomme:** Mr. Chairman, I think the hon. member may be talking about our system of putting cold patches in small holes; which is used early in the spring more or less as a temporary measure to try to fix the road up so that people can drive over it.

**Mr. Chairman:** The member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, with respect to the patch resurfacing that is done from time to time by the department, I am wondering why the department insists on doing it in a patchwork fashion, instead of taking a stretch of a road and resurfacing the road as a continuous strip, rather than putting a patch here, and skipping, and putting another patch somewhere else. In the final analysis, as I see it, it just means that the next year after this is done, a contractor is going to have to come along and fill in the gaps. It would seem to me from the standpoint of the travelling public and from the standpoint of the durability of the road, it would be much better to resurface the road completely, rather than undertaking, what I like to term, "patch resurfacing".

**Hon. Mr. Gomme:** It is simply a case of economics in those cases, Mr. Chairman. We just do those parts that are really bad to make the road better for the people.

**Mr. Gaunt:** I am interested in that, Chairman, because I would have thought that in the long haul it would have been more economical to do it continuously rather than to have this intermittent patching the department engages in. I have no way of proving that; I have no way of doing a analysis on it. But it seems to me that, naturally, when one takes it over the long haul, it would be more economical to do on a complete resurfacing basis rather than on a patchwork basis.

I mean if it is a question of economics you cut your cloth accordingly. If you do have the money that you would like to have for the particular job, you simply do not do as much as perhaps should be done in a given year. I am just trying to get across to the minister that it seems to me that this type of activity is not really the most efficient way to do it. If it is, I can be persuaded.

**Hon. Mr. Gomme:** Mr. Chairman, this is based on a cost analysis by the department. I would point out to the hon. member that a good many of the roads on which we do this type of work are probably slated for complete reconstruction, maybe within a year period. So, this is done to make them serviceable for that length of time. That is when the whole road is done, of course, do the resurfacing, as you state.

**Mr. Chairman:** Vote 802. The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Chairman, recently in a local newspaper about a month or so ago, there was an article telling of the virtues of the patching being done in one of the suburban communities. I believe it may have been Etobicoke. They were using hot asphalt instead of cold, and they were apparently very pleased with it. Is this not the answer to your problem?

**Hon. Mr. Gomme:** This hot asphalt, Mr. Chairman, is only cold patching. It is just a mix that we use to fill potholes early in the spring. It is not a paving procedure.

**Mr. Burr:** Is it not possible to use it in the spring?

**Hon. Mr. Gomme:** No, not hot mix in the early spring.

**Mr. Burr:** Then what was this article about? What was so wonderful about it?

**Hon. Mr. Gomme:** I am not familiar with the article, Mr. Chairman. If the hon. member

would like to send it to us, we would be glad to get an answer for him.

**Mr. Burr:** I will see if I can trace it.

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

**Mr. B. Newman (Windsor-Walkerville):** Yes, Mr. Chairman. Would I be on the right vote to discuss railway crossings, level crossings—especially those referring to municipalities?

**Hon. Mr. Gomme:** It would be under 803, Mr. Chairman.

**Mr. B. Newman:** All right. I will take it up then.

**Mr. Chairman:** Vote 802 carried?

**Mr. J. P. Spence (Kent):** Under this heading, does the white line on the highways—

**Mr. Chairman:** That is 802.

**An hon. member:** It was discussed here yesterday afternoon; it has been discussed. It is over with.

**Mr. Chairman:** Vote 802 then carried? Someone was asking for 803. The member for Windsor-Walkerville.

**Mr. B. Newman:** We have not completed 802. My colleague was on it.

**Mr. Chairman:** He received his answer.

**Mr. Spence:** He said that they discussed it most of the afternoon.

**Mr. B. Newman:** I am ready to go on 803.

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

**Mr. B. Newman:** No, I will concede to my leader, Mr. Chairman.

**Mr. Chairman:** He wants to ask a question on 802. All right. The member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** About three or four times a week I drive on Highway 10. I came down just now, and that is called a King's Highway.

**An hon. member:** It would be the Queen's Highway today.

**Mr. Sargent:** I wonder what you are going to do with regard to fulfilling the maintenance programme on that right away. We are getting fed up with the runaround we are getting on that highway.

**Hon. Mr. Gomme:** Mr. Chairman, could you ask if we are on 803?

**Mr. Chairman:** We are on 802.

**Mr. Sargent:** I did not get a chance to speak on 802.

**Mr. Chairman:** We will allow you to ask a question.

**Mr. Sargent:** I am talking about road maintenance of Highway 10.

**Hon. Mr. Gomme:** I thought the hon. member was talking about construction, which is 803.

**Mr. Sargent:** I will start again. On Highway 10, which runs north to Owen Sound to Orangeville, there are probably 40 or 50 turns in the road; it is full of potholes, full of dips and dives; it is a hazard to drive at more than 40 miles an hour. We are getting fed up to the teeth with you looking out the window. We want to know what you are going to do about maintenance and repair of Highway 10. Right away, I want to know.

**Hon. Mr. Gomme:** I still think, Mr. Chairman, the hon. member is talking about construction.

**Mr. Sargent:** I am talking about road maintenance. The detours you have down here are better than our highways up there. I am talking about road maintenance of Highway 10. What are you going to do to fix up the potholes, the dips and the dives and the curves there?

**An hon. member:** That is a Robarts Highway.

**Mr. Sargent:** That is a Robarts highway that is right.

**Mr. Chairman:** Vote 802.

**Mr. Sargent:** I will stand here all day if I find out what is going to happen.

**Mr. Chairman:** Are you talking about building it?

**Mr. Sargent:** Maintenance, fixing it. King's Highway maintenance.

**Mr. Chairman:** Does the minister have an answer for this?

**Hon. Mr. Gomme:** Mr. Chairman, that would be continued maintenance to keep the road in proper condition, but I still think the member is talking about construction.

**Mr. Sargent:** I am not. You said you were not going to give us any construction on Highway 10. So what are you going to do for maintenance on it?

**Hon. Mr. Gomme:** We are going to maintain it at a proper level.

**Mr. Sargent:** When?

**Hon. Mr. Gomme:** We are doing it all the time.

**Mr. Sargent:** That is the biggest joke in history. That highway is the worst mess. I told you I would pay \$1,000 to your favourite charity if you could show me a worse highway in Ontario and you give me that double talk. You hedged on that bet. You will not even look at the highway. It is a serious thing. We cannot drive over 40 miles an hour on that highway. It is a King's Highway. It serves a great peninsula and the whole north country there, all that resort area, and you do nothing about it because it is in a Liberal riding.

Interjection by an hon. member.

**Mr. Sargent:** He says he is going to do a continual maintenance programme. What is going to be done with fixing it as of today, not next year, right away? How much money are you going to spend on it? It is not a laughing matter at all. It is very important.

**Hon. Mr. Gomme:** Mr. Chairman, I am not taking it as a laughing matter but we will maintain the road in the proper condition. We do not set out to say that we are going to spend so much on maintenance on each road. The maintenance budget is taken overall and we do all the work that is necessary to maintain each road.

**Mr. Sargent:** Will you do me a favour and drive up that highway and have a look at it?

**Mr. Gomme:** I have driven it.

**Mr. Sargent:** And what do you think of it?

**Hon. Mr. Gomme:** I thought it was better than some of the highways in my own riding.

**Mr. Sargent:** Oh, my God! I give up.

Vote 802 agreed to.

On vote 803:

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

**Mr. V. M. Singer (Downsview):** Mr. Chairman, I want to ask the minister if he can tell us anything about Highway 407. We had heard a great deal about 407 in the light of

the Metro-Goldwyn-Mayer production announcement of "Design for Development Toronto-Centred Region" and the unveiling of the new plan for a metropolitan government in York county.

One very important part of this development has to be the construction of Highway 407. All it is at the moment is a series of vague lines on a map, which do not give anybody any indication of where it is going to be built, and certainly no indication of what it is going to be built. There is nothing in any of the material that the minister has supplied to us that indicates he is even aware that his cabinet colleagues have decided to construct a brand new superhighway north of Metropolitan Toronto to be called Highway 407.

I think the time has come, Mr. Chairman, when the minister should indicate that he is part of the cabinet team and tell us what the Department of Highways is going to do about Highway 407, where it is going to be, when the construction is going to start, how much it is going to cost, how wide it is going to be, and when we can anticipate that vehicles will be going to be able to use the new highway.

**Hon. Mr. Gomme:** I am advised, Mr. Chairman, that the line is designated. Some of the property has been purchased, but we certainly have not started any construction yet.

**Mr. Singer:** Is that the only answer the minister can give? Where is the line designated? The whole future of Metropolitan Toronto, its future development, its planning and so on, depends to a large extent on what that designated line is going to be. Is it designated in such a manner that the minister would dare tell the members of the Legislature what the designation is? Let us start that.

**Hon. Mr. Gomme:** Yes, of course. The route is designated in the registry office now.

**Mr. Singer:** The route of the highway designated in the registry office?

**Hon. Mr. Gomme:** Yes.

**Mr. Singer:** Is it? And what is the number of the registered instrument? Could the minister tell me that, and which registry office it is in?

**Hon. Mr. Gomme:** I would not have the number here.

**Mr. Singer:** I would imagine that all the route in the register, or whatever document might be registered in the registry office.



would indicate only that The Department of Highways has acquired certain lands somewhere north of Metropolitan Toronto. That scarcely is an accurate designation of the route of the new magnificent highway that the Premier and his colleagues have been telling us about. Has the minister got a plan which will show in detail the designation of that route, and could he make it available to the members of the Legislature, who would be very interested in finding out where that highway is going to be?

**Hon. Mr. Gomme:** Yes, Mr. Chairman, I will make that available, but the plan and the route are in the registry office.

**Mr. Singer:** When will the minister make it available? While this vote is up? Surely we are entitled to discuss as important a new development in the county of York as this one with some intelligence! If you do not give us the necessary information we cannot possibly discuss it.

**Hon. Mr. Gomme:** I am informed this is in our office at Downsview. We will phone up now and see if we can get a copy down for you right away. If not, I will have it for you tomorrow.

**Mr. Singer:** All right. That is number one. Now, number two is, how wide is that highway going to be?

**Hon. Mr. Gomme:** An average of 300 feet.

**Mr. Singer:** How many lanes?

**Hon. Mr. Gomme:** Six lanes.

**Mr. Singer:** Six lanes each way, or six lanes one way?

**Hon. Mr. Gomme:** Six lanes, two ways.

**Mr. Singer:** It is a total of six lanes?

**Hon. Mr. Gomme:** Yes.

**Mr. Singer:** Will there be a median strip?

**Hon. Mr. Gomme:** Yes.

**Mr. Singer:** Separated highway?

**Hon. Mr. Gomme:** Yes.

**Mr. Singer:** I see. When will construction start on this highway?

**Hon. Mr. Gomme:** I am told that Highway 7 is presently being built as a four-lane, which will carry us through until the other one is started. We have not got a date for construction of 407.

**Mr. Singer:** Oh, you have not got a date for construction, so obviously you would have a date for completion?

**Hon. Mr. Gomme:** No.

**Mr. Singer:** From the date it is started, how long do you think it would take to complete it?

**Hon. Mr. Gomme:** I would think four or five years.

**Mr. Singer:** If the minister is satisfied with the route of the highway is so clearly designated, how is it that his colleague, the Minister of Municipal Affairs (Mr. McKeown) was unable to reveal to the people of York County the other evening, when he made his presentation, exactly where that highway was going to be? Do you and he not talk together or did not the Minister of Municipal Affairs know the designated route of the highway?

**Hon. Mr. Gomme:** Of course we talk together. I do not recall him asking me about that, but our plan was laid out before the plan for development, I understand, was started.

**Mr. Singer:** Now that is a very important thing. It is likely then that the laid-out route which the minister is sending down for approval he is going to show us, is going to change in the light of what the Minister of Municipal Affairs talked about insofar as this plan for regional development is concerned?

**Hon. Mr. Gomme:** I am advised if there are changes at all, it would be a very minor modification.

**Mr. Singer:** I see. Well, then, is the Minister of Highways prepared to say to Metropolitan Toronto that the route is fixed so that Metropolitan Toronto can now expand northerly as far as the southerly limit of Highway 407, as the Minister of Municipal Affairs in fact indicated the other evening?

**Hon. Mr. Gomme:** I do not think it is for the Minister of Highways to tell Metropolitan Toronto about it.

**Mr. Singer:** Mr. Chairman, the obvious difficulty is that, notwithstanding all the grandiose statements we get from the Premier, the Minister (Mr. Robarts), the Treasurer (Mr. MacNaughton) and the Minister of Municipal Affairs as to how co-ordinated their plans are, and how well the left hand knows what the right hand is doing, the various ministries continue to go off on their separate frolics all by themselves.

It was very important, both in announcing the Toronto area plan of the design for development and in announcing the plan for the development of a new form of government in York county, that the line be delineated; otherwise, the vagueness about the continuance and the expansion of municipal government in this area must of course continue.

It would seem to me that when the government went to all the trouble of making that elaborate production—and I know the Minister of Highways was not there; he should have been there to see that theatre production, with the lights going out and then the spotlights coming on in the corner, and in trots the Premier assisted by the Treasurer and followed by the Minister of Municipal Affairs. Picture the dark theatre with 1,000 people watching, spotlights playing in the corner—all these new things that are going to happen in the Toronto area, and they relate to a substantial extent to the new boundaries of Highway 407.

Surely, Mr. Chairman, one would have thought that somebody could have whispered in the ear of the Minister of Highways, "What are the limits of Highway 407?" We might even have had the Minister of Highways join that procession. We could have had another spotlight, and he could have come in and said, "There is Highway 407."

I am suggesting, Mr. Chairman, that this is all a bunch of nonsense: there is no definitive route yet for Highway 407; the Minister of Highways really has no plans for it. He does not know where it is going to start, when it is going to start, how much it is going to cost, or really where it is going to be. He has got some kind of a plan in the registry office. That is as far as we go. That does not commit the department to building Highway 407 in any particular place.

Surely the time has come, if the government is going to announce what it says are new and co-ordinated planning developments in the heartland of Ontario, that it at least go so far as to co-ordinate its plans in a meaningful way. A substantial part of this development depends on the location of the new Highway 407 and I think that presently the answers the minister has given to these questions—and these are logical and sensible questions and important questions—completely indicate that there is no co-ordination between the various departments of government.

**Hon. Mr. Gomme:** Mr. Chairman, that certainly is not so and the member is trying to say some things which he knows are not so.

My deputy minister happens to be co-ordinating committee of civil servants. They have been in constant touch, and the plans for Highway 407 are completely compatible with the designs which you've shown the other day. As I say, there is no secrecy about it. We have already purchased some property there and I cannot see for any reason why we are not committed to it. It will get you the plan.

**Mr. Singer:** If there is no secrecy about it, one would have thought that either the Premier, or the Treasurer, or the Minister of Municipal Affairs—the deities at the Queen Elizabeth Building—or the Minister of Municipal Affairs, when he had the stage all his own, himself up in Richmond Hill, would have said, "These are the boundaries of Highway 407."

Have you seen his plan for York county, the new York county? Have you seen it? Have his officials carefully outlined it? They show how large the town of Richmond Hill is going to be. They chop up Vaughan and Markham. They have rearranged the whole municipal structure in the county of York.

Surely, Mr. Chairman, it is an important part of that kind of government action that the southerly boundary of that new municipality be clearly delineated? And if the minister looks at his colleague's presentation, will he see that there is no such delineation? When he reads the text of his colleague's presentation, he will see that the Minister of Municipal Affairs says, when it has been determined where the 407 is going to be, that the southerly boundary of York will change and the northerly boundary of Metro will change.

If there has been such great co-ordination, why was the Minister of Municipal Affairs so vague?

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman—did the minister want to refer to that? I am sorry.

**Hon. Mr. Gomme:** No, I have replied to that.

**Mr. Chairman:** The hon. Leader of the Opposition.

**Mr. Nixon:** This vote, under item 4, contains \$97.6 million for municipal subsidies which are giving the minister and the municipal officials who actually set the plans the money he is financing—in most cases at least 50 cent—some considerable problem.

Most well known, of course, is the controversy over the location, or the extent, of the Spadina expressway, or the William

Allen expressway, in this city. The minister is also aware that a number of centres across the province have plans on the drawing boards, decisions already made, or at least in the process of moving up to a final decision, for similar construction which will move through the hearts of several well-established urban centres to provide access, either to the downtown area, or sometimes simply right through the city from one side to the other.

The minister, for a good long time, has accepted the advice from his research and planning people, that as long as money can be found to extend this sort of expressway construction, it should be spent. The competition for priorities really has not come home, either to him, or to his advisers, as to just what share of it should be allocated for other sorts of public transportation. His commitment to automobile transportation, of course, is inherent in the name of his department.

For this reason, there have been some misgivings, even from the beginning, that the Minister of Highways should have the oversight of the development of GO Transit, which is the next vote, I grant you, but that the main decisions on what essentially is public transportation in large urban centres is located in item 4, municipal subsidies, which go to the financing of these large expressways.

The feeling has been put forward by many very thoughtful citizens that the department, while it could take on to itself the right of veto, and has decided not to do so, must undertake very deep and considered studies of the influence and effect of its 50 per cent contribution in the development of the urban centres. I know that you are concerned about the autonomy of local councils and local planning boards, but certainly your colleague, the Minister of Municipal Affairs, overrides his counterparts whenever he sees fit, particularly when he brings down, in conjunction with the Treasurer and the Premier, the design for the Toronto-centred region.

In that case, the province has taken the overriding responsibility to set the major goals and the general outlines of the structure and plan of the community in the broad sense.

I know the minister would agree that his decision to maintain or to inaugurate, in the first case, the 50 per cent subsidy and to maintain it, leaving the final responsibility to the municipalities, is consistent with other statements. But it is not consistent with the statement made by his colleagues—not necessarily his senior colleagues, but the Minister

of Municipal Affairs, who has taken unto himself primacy in setting the overall structure of forward planning in the municipalities in the broader sense; or, let us say, in the community of Ontario, in the broader sense.

I want to put this to the minister. Can he justify the expenditure this year—almost \$100 million which is going to substantially support decisions taken by municipal planners and municipal councils which are going to change the face of the province in a very dramatic degree, and which perhaps have not taken into consideration priorities and justification for alternative public transit? Does he accept the responsibility for basic research in the movement of large numbers of people, particularly relating to the large urban centres?

Is he prepared to move in the direction involving the members of this Legislature—representatives of these centres, in the local policy decisions through a select committee which could very well examine the alternatives in conjunction with the minister's professional advisers and researchers? How do he feel he can cope with the strong growing view of many people involved in the community, professionally and otherwise, that the present government policy is anything in the best interests of a modern plan which is generally conceived?

How does he counteract the criticisms which he is simply extending policies that may have been valid 10 years ago into a community where the priorities have changed in every respect but at the ministerial level?

**Hon. Mr. Gomme:** Mr. Chairman, and the hon. Leader of the Opposition refer to \$97 million and relates it to expressways. I think we should get this broken down into other figures. For instance, of this subsidy \$22.5 million goes to counties; \$30 million goes to townships; \$23.6 million goes to cities, towns and villages; then we have to mention Toronto, \$14 million. This is the very point that he is referring to; for the Yonge Street subway, we are setting up \$7.5 million, which is exactly the type of thing by which we are encouraging other types of ground transportation. Then, of course, when we come to the GO system vote it will be extended a little further to see what we are doing in other areas.

**Mr. Nixon:** I do not mean to imply that you have done nothing; you obviously have.

**Hon. Mr. Gomme:** But even in this—for instance the subsidy to Metro Toronto at \$14 million; over half of this is being

for other forms of ground transportation, namely, the subway system.

**Mr. Nixon:** Right. Since the minister is about to resume his seat and is not prepared to say more about it at this time, at least in response to my questions, can he tell the House what sort of investigations he has undertaken into the continuation of his policy to meet half the costs of the expressway systems in Toronto, mainly, but also in Ottawa; the new access in Brantford; the bypass in Kitchener? I think there are probably seven city centres where the department is substantially funding new bypasses, new accesses, to the downtown urban centres.

What sort of new thinking is available in his department, particularly as it might relate to the very strong argument put forward by those opposing the Spadina expressway? I cannot for a moment say that the access roads in the other centres present the same problem, but it is the same kind of problem. The department is substantially supporting local planners and the local council in their purchase of land, sometimes the expropriation of land, to run an expressway through an established part of the city.

Does the minister see in the future, as it is now, that this is going to be an expanding problem for the local politicians and for the Minister of Highways? What has he undertaken to get new thoughts on this, to perhaps see what the experiences are in other jurisdictions as they are going to apply to our own as we continue at the rate of growth that we have been experiencing recently?

**Hon. Mr. Gomme:** Mr. Chairman, in the first place I would like to tell the hon. Leader of the Opposition that in the Spadina expressway there is a component for mass transportation other than automobiles. It is part of it and we have always considered that. We have been very concerned with the question of balanced transportation and everything possible should be done to encourage the use of modes of transportation other than the automobile. Of course, I refer to the examples that we have so far used. While we have many ideas within our own staff, we felt that it was necessary to discuss this with other authorities concerned and we have gone to many other jurisdictions to learn this very thing.

**Mr. Chairman:** The member for York South.

**Mr. D. C. MacDonald (York South):** Mr. Chairman, I want to pursue the general topic that the Leader of the Opposition has

just raised and perhaps focus our attention for a moment, if I can generate a dialogue with the minister, on the underlying problem.

I was very interested in the minister's reply. He will forgive me for describing it so—red herring a moment ago when he said we were very interested in every other possible mode of transportation other than the automobile. You may be very interested, but the grant structure is such that you are encouraging the kind of unbalanced transportation system which you, at least verbally, deplore but in action you are promoting still more.

This is the point I want to get at. I want to document the situation for a month or two—to try to clarify what the minister means when he says he is going to try to encourage other modes of transportation, what he means in terms of grant structures, so that the city fathers in the urban areas across the province of Ontario will know what they are entitled to and will, in their planning stages, be willing to envisage and encourage all of the other modes of transportation.

I submit, Mr. Chairman, that we are looking into an unbalanced transportation system. It is unbalanced in that it is giving great emphasis to that kind of road construction which is going to encourage cars, and it is discouraging all of other kinds of mass transit that can carry far more people. The results today are that we are driving expressways into the heart of cities, and in the view of many experts we are not taking a layman's point of view—adding to the congestion of traffic, creating great disruption of community life, certainly adding to the pollution at a time when the whole society has become exercised at the level of pollution now, and we must reverse the whole process.

Every time we have raised this, Mr. Chairman, we have got into what I would describe as a sort of a jurisdictional quagmire, because the minister says, "We do not make the decisions; the city fathers make the decisions." The Spadina expressway, for example; Mr. Nixon made it; the province will not challenge it. In a strictly legal sense, that is true. In a more realistic sense, you certainly share in the decision. You have got to accept the decision that is made before you agree to any grant and if you do not agree to put in the grant obviously the original decision to the city fathers is not going to go ahead.

I am unimpressed with the habit of the government to blow hot and cold on the concept of municipal autonomy. One day you are preaching municipal autonomy and the next day you are violating it. As a matter

fact, you violate it in action as much as you sort of canonize it in words.

I think we have got to the stage now where we have got to take a basic look at this, because laymen and experts have been deploring the unbalanced nature of our transportation system; they have been calling for some sort of independent study—whether it be a select committee of the Legislature as has been suggested by the Leader of the Opposition or some other independent body, I do not care. What I want is some kind of independent assessment.

I want to throw this into a bit of a historical context for a moment. About 15 years ago, most jurisdictions in the North American continent became obsessed with toll roads as being the answer to growing traffic congestion, and the simple solution was that you set up some sort of an independent agency that floated bonds, with or without the backing of the jurisdiction, and they built these toll roads which balanced the whole road system; really, they were reverting to a feudal concept of public roads where every now and then you came to another toll gate and had to dip into your pocket to be able to proceed. Toll roads were the obsession, and this government came to the conclusion that we should take a good fundamental look at the proposition of toll roads and it set up a select committee. It was chaired by the Premier, and its secretary was Don Collins, now chairman of the OWRC, and a number of members of the House—many of whom are still around, including myself—were members of that committee.

It was very interesting, as I recall the operation of that committee, because there were some people on that committee who were sympathetic to toll roads from the outset. Here was the wave of the future. Here was the panacea that was going to solve our ills. There were other people who, quite frankly, had a philosophical opposition to toll roads from the outset, and I was one of them because I do not like this balkanization. There were others, like Art Reaume, who flip-flopped back and forth so often I did not know which side he was on.

**Mr. Nixon:** He is on the sidelines now.

**Mr. MacDonald:** Right! The more important thing is that the committee, after serious consideration, came down with guidelines and those guidelines were that the province of Ontario was not going to get caught into the proposition of toll roads; that generally speaking we are committed to freeways. Quite frankly, I do not know of any committee that

did a greater service to the province of Ontario in avoiding getting caught into the passing fad of toll roads. Otherwise, Highway 401, and perhaps Highway 400, would have been another toll structure such as we have at least in small pockets.

As a result of that decision, we have mapped out in the province of Ontario a major expressway or highway system based on the freeway concept. I think it is fundamentally sound and my proposition is that we have to examine the fundamentals of the transportation policies, particularly insofar as they affect the urban areas and the inner core of the urban areas, and come up with some set of new policy guidelines.

If I may take the Spadina expressway to beat it into the ground, as the thing has been beaten relentlessly, but as an example of an unbelievable example of planlessness—back in the 1960s, there was a decision made, in my opinion, by many people regard to be pretty close to a conspiracy between Fred Gardiner and certain commercial interests up near the Yorkville Plaza, and so on, out of which emerged an agreement by this government that it would build the cloverleaf into the Yorkdale area as part of the 401 bypass.

Because you built a cloverleaf—and that is the point, Mr. Chairman; this is what becomes a bit terrifying—we got locked into a situation something more. So we built it down Lawrence Avenue. Because we built it down Lawrence Avenue, we got locked into a situation something more. So we built it down Eglinton, through the Cedarvale ravine, under St. Clair and now we are devastated by the Nordheimer ravine. Because we built that far, we are now locked into some situation going still farther south. But some people are saying, “Just a minute. Maybe we have spent a few million dollars. Maybe we have a problem of how to halt now and deal with the kind of construction, or at least the kind of work of construction, that has been done up to now. But are we going to compound the difficulty by continuing it?”, because it does not even end there.

In all of the plans it is being suggested that if you pour traffic down the Spadina expressway you are going to need a certain amount of town expressway to be able to cope with the overflow. Now some of the promoters are washing out the crosstown, saving it is not necessary. I think that is simply a propaganda ploy for the moment.

If 10 years from now, or five years from now, we discover that because we have the Spadina expressway to south of B

or at least south of the escarpment, Dupont and the railway, then we are going to get locked into a crosstown expressway. You see, we are all so helpless. It is almost an unbelievable case of planlessness. Nobody knew exactly what the next plans were, because each step we took we were locked into taking the next step.

Do we want to continue that? Does the minister want to continue it? Do not, for a moment, interject by saying you are coming up with a balanced system. Give me about two or three minutes and I will prove to you just how incredibly unbalanced your system is. I want to point out, before I do that, that in most of the jurisdictions on the North American continent they have come to the conclusion that they want to make a fundamental change.

For example, before the United States Senate today there is a bill calling for 50 per cent of the multi-billion-dollar highway trust fund to be diverted from road construction into mass transit facilities. I think it is as well to pause and grasp the significance of that. As we in Canada are all aware, the American federal government plays a much more major role in road construction than the Canadian federal government has, with the great exception of the Trans-Canada Highway.

In the United States, sometimes another cent or two tax is put on gasoline, and literally billions of dollars come pouring into what they call a central highway trust fund for building highways. But what are they considering in Washington now? The proposition that 50 per cent of that multi-billion-dollar highway trust fund will be diverted from the construction of highways to mass transit facilities.

Move to New York state. In New York state there is a joint resolution calling for a:

Moratorium on all new road, bridge and auxiliary airport construction in the counties, including New York City, of Nassau, Suffolk, Westchester, Dockland, Putnam, Albany, Erie, Monroe, and Onondaga until a full study is made of the transportation system that will service the state's major urban areas in the future.

In short, once again they have called a halt until they find out whether this is the direction they want to go.

But, maybe, the best one of all, Mr. Chairman, is Massachusetts, because in Massachusetts you have a man who until three or four years ago was responsible for that state's highway and expressway programme. He has now become the governor, and he, in effect,

has reversed the whole programme that had responsibility for implementing bef

He has done it, not because he is a vacillating man who does not know where he stands, he has done it because he recognizes the change in approach, the change in concepts that have emerged in the last 10 years. He has had the courage to face the facts and make some fundamental changes.

I wonder whether there is anybody in the Metropolitan Toronto area—to talk about municipal policymakers to begin with—maybe, this government itself—with the courage to face the facts of the changes in the last 10 years and not permit himself to be helplessly locked into a decision that was made some 10 years ago.

**Mr. Sargent:** They still are. They are locked in.

**Mr. MacDonald:** Sure they are locked in at the moment. Great representations have been made to the government. Great representations have been made to the transportation committee of Metro, but from the outside and this is the point I want to come to—concluding my introductory remarks before I can get some questions to the minister—first of all, the city of Toronto has been committed to a very heavy balance of expressways and it has never given any serious consideration to a mass-transit oriented system.

In fact, Hans Blumenfeld is, maybe, a classic example that people should take a second look at in terms of whether you stick to the old pattern or whether you move to at least some re-assessment, some restudying the situation. Hans Blumenfeld has revealed in recent months the fact that there was really no consideration of alternatives in the 1964 plan. What the city fathers opted for was an expressway system, by way of presenting a so-called alternative, they have what is referred to as a computer simulation of a mass transportation system. That is an interesting kind of fiction—a computer simulation alternative. There was no real alternative considered.

That brings the responsibility, I submit, Mr. Chairman, right back to the doorstep of the minister and this government. If there was an alternative considered in 1964 when they were considering the expressway—if, in an unplanned fashion, in accordance with the concepts of that day, we got locked into a system which we are now living with, surely now is the time for some sort of restudy?

I want to underline why that is the case, Mr. Chairman. I want to give you some figures; and I recognize that it is pretty difficult for hon. members to grasp the full significance of these figures. I have them in a tabular fashion but unfortunately not all of you have copies. However, I think the essence of it can be grasped.

The total transportation system in the metropolitan area is made up of 40 miles of rapid transit and 108 miles of expressway. Now, Mr. Chairman, I ask you to note the imbalance right there—40 miles of rapid transit and 108 miles of expressway. There, without going any further, is proof conclusive of an unbalanced transportation policy—

**Mr. G. Ben (Humber):** That is garbage.

**Mr. MacDonald:** —with an emphasis on expressways—

**Mr. Ben:** That is nonsense.

**Mr. MacDonald:** —oriented to the use of cars, instead of a mass transit system which will carry many thousands more of people.

If the hon. gentleman thinks it is nonsense he will have an opportunity to add his bit of nonsense a little later.

**Mr. Ben:** I do not add nonsense.

Interjections by hon. members.

**Mr. MacDonald:** Coming to the expressway mileage, which I said was 108; it breaks down into 54 miles, exactly half, which are Metro highways, and 54 miles which are part of provincial highways and therefore completely the responsibility of this government. Consider the estimated costs and the proportion that is going to be borne by this government. First, the total cost of the 40 miles of rapid transit, according to the Wronski report estimate, is going to be \$393 million. If that amount, about 27.5 per cent will be shared cost with the provincial government for the right of way. Incidentally, that is an estimate that emerges in the Bremner report in reference to Spadina, but I think it is generally applicable to expressways. So the cost amounts to \$108 million, 27.5 per cent of the \$393 million—\$108 million for the 40 miles of which the provincial government pays 50 per cent; or \$54 million. That is the provincial government's contribution to the rapid transit programme.

Let us turn to the expressways. For the 54 miles of expressway—half of the total that is part of the Metro road system—the Wronski

report's estimate is \$624 million, of which the provincial government is going to pay 50 per cent, which amounts to \$312 million. Now we move on to the next 54 miles of expressway, that which is part of the provincial system. The conservative estimate of cost is \$10 million a mile. Many experts would put it higher, but let us keep it conservative. There is a total of \$540 million that is going to come completely out of the provincial treasury. Adding up the province's share of the expressways, plus the—

**Mr. P. D. Lawlor (Lakeshore):** That is a large portion.

**Mr. MacDonald:** —plus the Metro portion—I am sorry, I am getting mixed up in the moment here. For expressway totals, it amounts up to \$852 million, for the provincial share. Along with the \$54 million for rapid transit, a total of \$906 million is going to come out of the provincial treasury for the Metro transportation system. Do you know how that breaks down? That breaks down into 90 per cent going into the expressway, and 10 per cent of it going into rapid transit.

**Mr. Sargent:** And nothing going to the north.

**Mr. MacDonald:** Now let me go back to a moment to that nice little red herring that the minister drew in, where he took a look at some figures in this year's estimates and said, "See, we are making it available for other systems, such as the extension of the Yonge Street subway." Let us not get misled or tracked by that little reference to a portion of this year's estimates. The overall picture in terms of the system we are now operating means that of the money this government is putting in, 94 per cent of it is going to be for expressways, and only six per cent of it is going to be for rapid transit.

How can the minister contend that this is encouraging the development of a balanced transportation system in Metro? It is a mockery of your contention, and it undercuts conclusively the necessity of making a change of it.

This is an appeal which surely has gone to the stage where it is above politics for party in both of the opposition parties are demanding it. Indeed, people in your own party, for instance, the hon. member for Forest Hill (Mr. Dunlop), on a panel discussion at the St. Lawrence Centre acknowledged that we had reached the point where a change has got to be a restudy. This is a

politics, and why are you helplessly going to permit yourself to be locked into an out-moded transportation system when you are spending hundreds of millions of dollars and sort of walking away from the responsibility and the obligation for that decision, by saying that it was originally made by the municipality and therefore they are responsible?

Indeed, one final figure. The minister tried to undercut the case that the Leader of the Opposition has advanced, by reminding him that the Spadina project is partly rapid transit and partly expressway. He is right. But what are the figures going to be? CORRA calculations indicate that the total provincial support will be \$13 million, or only 16 per cent, for the rapid transit portion and \$71 million, or 84 per cent, for the expressway. How can the minister get up and say that is a balanced approach, if you are putting in 16 per cent for rapid transit and 84 per cent for an expressway in a combined rapid transit-expressway project?

One can blame the city fathers of Metro for not having the courage to take a second look at the picture, the way Governor Sargent is doing in Massachusetts, in view of the changed times and the different needs of the changed times. But what I want to emphasize here this afternoon, Mr. Chairman, is that the fundamental responsibility rests with this government, because this government has a grant structure, which entices, encourages—indeed, one could almost say that a municipal father would be a fool not to take the greater advantages he has got in expressway grants, as opposed to rapid transit—so the basic responsibility, the fundamental responsibility, for our unbalanced transportation system lies here right with this minister.

I do not want to pin this, in a personal sense, on the minister. I go back to what we did 15 years ago, when we wondered, "Well, is everybody right on the North American continent—is the panacea to solve our problems toll roads?" We studied it, and we said no, and the experience has proved us to be right.

Surely the time has come for a study here, initiated by this government, because you are putting up all this money and it is your money which is encouraging us into the expressway-oriented kind of approach to transportation. And it is not going to stop there.

For example, I do not happen to know the details—I may get some more tonight, because I have got to go out to a panel in Brantford—but in Brantford they are now proposing, and I would like the minister to tell me, how

far they have gone in the proposal, expressway which is going to cut through the heart of Brantford. A little on the end of the project, as I understand is that there is going to be another bridge over the Grand. I can quite understand people in the community wanting another bridge over the Grand River.

But the proposition is, do we want to de-gut, do we want to tear the heart out of our urban areas, by building expressways, tear down precious housing, that split communities, that pour traffic into streets were never built for the amount of traffic they have got now let alone more, and add to the pollution? Is that what the minister wants to do? I would think surely, if he is a rational person, this is not what he wants to do.

I submit there is an obligation on this minister and this government to make the study of study that will rescue us from the approach and give the guideline for the of balanced transportation approach, which we certainly have not got at the present time. But please, Mr. Minister, do not get up and say that you are in favour of a balanced system, because those are only words and actions in terms of grants are creating an increasingly unbalanced system all the time.

So by way of recapitulation, I sum up the questions. Would the minister try to tell why the government so stubbornly refuses to reassess this whole situation for its own sake—not just for the good of Spadina and Metropolitan Toronto, but for the good of Brantford and all the other urban communities are going to have these problems? Cannot we come up with some guidelines as to what all modes of transportation in a general balanced transportation system? Why not a kind of a study?

And by way of illustration—to keep a finger for a moment from the Spadina—is the government really planning to drive an expressway right through the heart of Brantford after the battle that has emerged here in Toronto and urban centres all across the North American continent? Is that its intention?

**Hon. Mr. Gomme:** Mr. Chairman, I am certainly glad of the comments of the hon. member, and I mean that sincerely, and what he thinks it or not, I certainly am in favour of a balanced system of transportation.

I might point out some of the figures that has used as to the costs of these highways go back 20 years. I mean the money has been



spent and we have probably received the revenue back in gasoline tax from them, because it does repay itself very quickly. I would point out that every transportation study for the past few years that we have undertaken with municipalities has taken this very thing into account.

To show a little bit of the department's concern about a balanced transportation system, I am hearing all the things that had been taking place in other jurisdictions. I sent some of my senior staff down to various places in the United States to find out what had been done. I think this is a similar system that the select committee did. We want to gain by the example of other people.

I would like to just give you a very short report on some of the things that they found out. I am sorry I cannot give it more fully, because they just returned as of Friday night last, so we have not had time to get everything from their minds down on paper, but only to point out some of the things.

While we had many ideas and thoughts within our own staff, we felt that it was necessary to discuss this matter with other authorities concerned with the same problems. To that end, we recently had two of our senior staff attend upon the numerous knowledgeable people in this field in the United States to discuss this mutual problem.

These are the authorities that were visited: Metropolitan Washington Council of Governments Transportation Planning Board, Washington, D.C., Mr. George Wickstrom, director of planning; U.S. Department of Transportation, Federal Highway Administration, Mr. E. H. Olmes, chief officer of policy planning, and Mr. G. Markle, director of the office of planning; the U.S. Department of Transportation, Urban Mass Transit Administration, Mr. R. McManus, director; the American Transit Association, Mr. H. Hewer; District of Columbia Department of Highways and Traffic, Mr. T. Ariss, director; the Urban Institute, Dr. M. Wall; New York City Department of Transportation, Mr. J. Madinoff, assistant commissioner for planning and development; the Tri-State Transportation Planning Study of New York City, Mr. J. D. Carroll, director; Massachusetts Department of Public Works, Mr. E. J. Ridge, commissioner of public works, and Mr. D. F. Organ, chief engineer; the city of Boston, Mr. W. R. McGrath, the traffic engineer.

I read these names to point out that I think they are tops in their field down there. It was ascertained that there was really no general moratorium on the construction of

expressways in the urban areas of the United States. There are, of course, specific sections of the expressway systems in certain areas that are being reviewed with respect to impact on the general community through which they pass.

For example, the governor of Massachusetts has ordered the stoppage of two specific sections of freeway in the greater Boston area. One of these was known as the south corridor, which is the northerly extension of Interstate 95 north of the outer belt known as Interstate 495.

This is a section of road, approximately eight miles in length, which has been designed for both expressway and rapid transit in the median. As a matter of fact, 75 per cent of the property has already been acquired with some of the buildings on the property demolished.

While the governor has halted this temporarily there is still no question as to the fact that this will be a transportation corridor. A special task force has been appointed by the governor to study this corridor, the purpose of which would be to determine the mode of transport would be the most appropriate. It may well be that this task force will substantiate the original proposal, which was for both an expressway and rapid transit.

The second specific three-mile section was halted temporarily by the governor is the further extension of Interstate 95 through the city of Cambridge, which is on the north side of the Charles River adjacent to the city of Boston. It was argued that this section of freeway would affect the Massachusetts Institute of Technology and also a substantial lower income neighbourhood.

In order to study the matter of the three-mile section further, it was the intent to form a multi-disciplinary design team, composed of engineers, architects, sociologists, and so forth, to attempt to come up with a design concept which would minimize these effects. At the present time, the agreement for the work has not been signed and is being held in abeyance.

As I have previously stated, other sections of freeway in various cities in the United States are being proceeded with as the design and general concept of these freeways have been accepted by the community as proper and necessary. In all the conversations we had with various authorities, including ones like the American Transit Association, there is no doubt that the construction of expressways will have to be continued.

However, there is also no doubt that in the conceptual design of these facilities, the entire social phenomena will have to be taken into account. In other words, the multi-disciplinary team approach will have to be mandatory in order to minimize some of the harmful effects of these facilities. In other words, the total problem must be considered, such as the sociological impact on the community, the economic effect on the community, the aesthetic effect on the community. These are important factors to be considered, along with the engineering aspect. In addition, the possibility of introducing other modes of transport, such as rapid transit, along with the freeway and transportation corridor, must be seriously considered.

In attempting to define what a balanced transportation is, we realize that this is an impossible task, as each urban area has different characteristics, and a transportation system must be designed to fit the circumstances. There is no such thing as either expressway systems solving the transportation problem alone, or public transit systems solving the transportation problem.

**Mr. J. B. Trotter (Parkdale):** Nobody is saying that, you know.

**Hon. Mr. Gomme:** It must be a mix of modes of travel. For example, work trips originating in a densely populated corridor bound for an area of high density of employment opportunities, obviously, should be accommodated by transit. However, on the other hand, social, recreational and shopping trips originating from the densely populated urban areas have different characteristics, in that these people do own automobiles, and in the off-peak hours desire the comfort and convenience of this mode of transport. These are the same people who for their work trips use public transit.

Suburban areas pose a different problem in that a scattering of people from residential locations bound for a variety of employment destinations cannot reasonably be served by transit. So it can be seen that a mix of transportation facilities is required. In our conversation with our neighbours to the south, we found that Toronto is the envy of the rest of the continent with respect to the question of balanced transportation. It has been stated and restated in all our conversations that the proportion of people using transit in Metropolitan Toronto is a goal which most cities in the United States hope to emulate.

We also confirm that, where freeways must be constructed for definite transportation re-

quirements, maximum utilization of this facility should be made use of by the transportation system wherever applicable. For example, use of express buses on, perhaps exclusive lanes, is a goal which must be pursued, to as much as possible to reduce the number of private automobiles on our transportation facilities.

**Mr. Sargent:** A point of order, Mr. Chairman!

I would like to ask the minister who was that report?

**Hon. Mr. Gomme:** It was one of the members of my staff who had been down to study these—

**Mr. Sargent:** That is why there are all the flowers in it.

**Mr. Chairman:** That is no point of order, good question, though.

**Mr. MacDonald:** Mr. Chairman, if I recall the minister's reply was in response to my question. I will not take a great deal more time but I want to respond briefly to it.

The minister is characteristic of this government—so very disarming. He has a preliminary report, the crux of which is to tell all the people that were visited down in the states looked to Toronto with envy. So all the problems just sort of vanish into thin air, a morning fog; we do not need to worry about them, let us not study them.

I do not want to be misled by that and do not want the House to be misled by it and I hope the minister is not going to be misled. What, in effect, he has said is that he has set up his own mode of study. He has sent a group of civil servants, competent experts, down to the United States to take a look at what is happening. Fine. When they got down there, what did they find was happening? They found that in a number of jurisdictions they visited the authorities had called a halt to the construction program.

The report argues that it is only a temporary halt and they will go ahead with the original plan. Maybe. But they may throw the original plan out and, in any case, the minister agrees that they recognize that it has got to be a team approach. You have to have a total environmental approach, instead of just an engineering approach. It carves this expressway through the heart of the city and to heck with all of the consequences that may flow from it in terms of the environment in the community.

My question is this—

**Mr. Chairman:** Order! The member for Grey-Bruce gained the floor from the minister on a point of order. I eventually ruled him out of order. Now the minister actually still has the floor.

**Mr. MacDonald:** The minister said he was finished.

**Mr. Chairman:** I do not think he had finished.

**Hon. Mr. Gomme:** Yes, I had finished.

**Mr. Chairman:** Then I will revert. I was under the impression that he had not finished.

**Mr. MacDonald:** The only reason I got up was because he said he was finished, Mr. Chairman.

Now, if I can pick up on where I was before I was interrupted. My point, Mr. Chairman, is this. The point of the report that the minister has is that there are studies being made in the United States to assess each project, involving a halting of work, involving possibly the discarding of that project, perhaps a continuation of it with a broader consideration of the total environmental factors that are in each project.

Who is doing the study back here? Who is doing the studies back here? Is Metropolitan Toronto doing the study? No.

**Mr. Sargent:** They have got \$6 million.

**Mr. MacDonald:** They are going ahead with the plan that they were committed to back in the early 1960s and back in 1964.

Are you going to move? Are your officials going to move in and do a sort of clandestine, subterranean study and suddenly present it?

You see, the whole thrust of that report is that they have paused and studied. They may continue on with the previous programme, they may change it. My question to the minister is, who is doing that study here? And the answer is obviously that nobody is doing it. Therefore, will you accept your responsibility to see that it is done?

**Hon. Mr. Gomme:** Mr. Chairman, I think the hon. member is trying to cover the general problem and, in between it all, the Spadina problem. I think the Spadina problem is halted at the present time, with all the presentations that are going on in the city. I read in the press today where the city of Toronto works committee was going to ask for a stoppage on it. Maybe this thing will

come about in a way that I could not give you the answer to now.

The only thing that I say—and for good sake do not tell me I am trying to slash anything off, because I am not—is that I realize that we have got to have a balanced transportation system and our transportation studies now are done that way. The thing that I have said about this is that I had an agreement with them and I think I have to honour the agreement if they want to go ahead. But as to the future, I am sure it will be handled in an entirely different way.

**Mr. Chairman:** The member for Grey-Bruce has the floor.

**Mr. Sargent:** Mr. Chairman, I have a series of questions which I hope will pinpoint the lack of concentration of spending in this area as against the need for development in the north country. We have in vote 803, capital outlay for road construction of \$342 million, roughly about \$1 million a day in capital programmes for the province of Ontario, the major portion—

**Hon. Mr. Gomme:** Might I ask the member where he gets that figure?

**Mr. Sargent:** On page 76—\$342 million for total road construction. I guess that is not exactly \$1 million a day, but it is pretty damn close to it.

**Mr. MacDonald:** What is \$200,000/\$300,000?

**Mr. Sargent:** What is \$1 million?

I would like to ask the minister, first of all, if he would agree on the catalyst of all the expressway problems in Toronto, because I am a taxpayer from northwestern Ontario, I have a stake in this whether I like it or not. Would the minister agree that if you have high-rise apartments built in the downtown area, you would not have strangulation of Toronto? Would you not have the need for these expressways as you have them now? Does the minister agree with that?

**Hon. Mr. Gomme:** I would suppose, Mr. Chairman, that they generate traffic.

**Mr. Sargent:** You are saying the very opposite of what I want to find out.

**Hon. Mr. Gomme:** What is the answer you want me to give?

**Mr. Sargent:** You say the very fact that we do not have the highrises in downtown Toronto is because they generate traffic, and

is ridiculous. I am trying to make out that you have no liaison in the whole bit between the Ontario Municipal Board and the OHC; in the whole composite programme there is no co-ordination, no liaison. That is why you have the fringe development of highrises in the outlying parts of the city and hundreds of thousands of people are flooding downtown, causing your glut.

If you had the proper planning, you would have your highrises downtown. But that you cannot control. Mr. Kennedy of the OMB forbids the building of highrises downtown, so they are built up there and I, as a taxpayer in the north, have to pay for expressways and I do not like it. So I say you have a lack of liaison, lack of co-ordination, lack of planning. You talk about planning; you do not know where in the hell you are going.

We have these plans—we get books like this; we get boxes and crates of them like this from all across the province telling them what is needed to open up this province and the outlying parts of it. Where I come from we are the lowest in the economy; we are the 53rd in all the province of Ontario in our economy, in every report. They come in here year after year to your department, saying that we need highways up there to open up the Bruce Peninsula and the great area of Georgian Bay. The latest report says that we are the most needful in terms of fundamental changes, and it says—God knows what this report cost—that it requires a major redevelopment of existing facilities and a reorientation to new demands, a greatly improved road network, a good four-lane route from Barrie to Owen Sound. And it says further, “a four-lane highway from Hamilton to Owen Sound”.

Well what long-range plans do you have for a four-lane highway from Barrie to Owen Sound or from Hamilton to Owen Sound? What plans do you have? I pick up this report, and I take a big circle about two inches in diameter and I find nothing going on in my area, insofar as capital programmes are concerned. So they are spending \$1 million a day on charity, which we are paying for in gasoline tax and all the hidden factors, and what are we getting out of it? So what are your long-range plans for a four-lane highway from Barrie to Owen Sound or from Hamilton to Owen Sound? Or are these people who write these reports crazy too?

**Hon. Mr. Gomme:** Would the hon. member tell me whose report that is?

**Mr. Sargent:** The Georgian Bay Regional Development Council regional plan for 1968

to 1972, covering the period from September 1968. Do you ever read these things? The last time our county council gave you a major programme from this county, you say you had never received it; I have a copy in my office. Does the minister have any long-range plans for the development of Georgian Bay and the Georgian Bay area?

**Hon. Mr. Gomme:** Well, with regard to Highway 10, which the hon. member refers to, we are going to do some work on it, not necessarily all in his riding, but it will be a help to have this much done. We are going to do the Orangeville diversion this year and we are going to—

**Mr. Sargent:** That riding is held by a Tory.

**Hon. Mr. Gomme:** I know, but it is on the way.

**Mr. Sargent:** Mr. Minister, when you are planning your capital programmes, do you take a map and put blue stars over the ridings and link up the blue stars, the Tories? Do you have a red star once in a while? I say, “We will leave that one there; we will forget about that one”? For goodness sake we are people, too.

**Hon. Mr. Gomme:** Mr. Chairman, I know the member does not believe it when I make an accusation like that. There is no such way that that thing is done. What was going to point out is we are going to do some work. What about north of Shelburne? We are going to start to do some clearing there which will be the first start of a contract. Then we will move the utilities there—

**Mr. Sargent:** That is another blue star.

**Hon. Mr. Gomme:** Pardon?

**Hon. J. R. Simonett (Minister of Public Works):** Is that not on the way to Owen Sound?

**Mr. Sargent:** Yes, but—

**Hon. Mr. Gomme:** It is on the way to Owen Sound.

**Mr. Sargent:** That is in another blue star area.

**Mr. E. A. Winkler (Grey South):** It is his time, too.

**Mr. Sargent:** Cut down some trees; that would be great.

**Hon. Mr. Gomme:** But we have to start there.

Then we have got another one, a county road to Dundalk northerly. Is that in your area?

**Mr. Sargent:** No, that is in another blue star area.

**Mr. Winkler:** Is it on the way to Owen Sound?

**Mr. Sargent:** It is a long way from Owen Sound.

**Mr. Winkler:** No, but it is on the way.

**Hon. Mr. Gomme:** I mean we have the plans for doing that.

**An hon. member:** Another blue star.

**Mr. Sargent:** I am not through yet.

**Mr. Winkler:** Mr. Chairman, if I might intervene, he will find that there is a considerable additional number of roads in the hon. member's riding, and I am glad to see that this development is taking place in my own constituency.

**Mr. Sargent:** Thank you very much.

**Mr. Winkler:** Okay.

**Mr. Sargent:** Mr. Chairman, you have here, as I said, \$1 million a day in construction in Ontario, and a report says that with all the highway accident victims you could fill a sizeable town. The majority of road deaths in Canada have occurred on your highways. Do you know which is the 12th largest city in Canada?

The report says:

If all the accident victims on Canadian highways during 1969 were laid out in mortuaries, in hospitals, in a specific traffic-tragedy town, that community would be the 12th largest in Canada. Although containing only 1969 highway victims, this traffic-tragedy town would rank just behind Windsor and London, Ontario, in population.

You have a lot to do about the deaths on our highways. And as far as the deaths in the Algoma district are concerned two of the major accidents in Canada were on those roads.

One of the people of Little Current who writes me wants me to ask you, on all the hills and curves on our highways that you are building, do they have a 2,000-foot line of sight distance as a matter of course? When

you are constructing highways, do you have 2,000-foot line of sight for curves and hills?

**Hon. Mr. Gomme:** No, Mr. Chairman, have not.

**Mr. Sargent:** All right. What are you doing about correcting those that have not?

**Hon. Mr. Gomme:** Well, 2,000 feet so far to me almost half a mile. It seems a considerable distance. Is that the right figure that you want?

**Mr. Sargent:** That is the recommendation.

**Hon. Mr. Gomme:** The hon. member has spoken about an accident, and I am sure you are aware that there are other factors that have caused it. We are rehabilitating that highway as fast as we can get funds available. I believe I am correct in saying that we are going to call a contract on that particular piece of road.

**Mr. Sargent:** You are spending in this partment \$4 million, \$4.25 million, on consultant fees, and \$1.3 million on traffic functional planning studies.

Your programme has been for a cutback in highway spending, is that correct?

**Hon. Mr. Gomme:** No, Mr. Chairman.

**Mr. Sargent:** You have not had a cutback in highway spending? A few months ago when the nightmare came along, one of the things you were going to cut back on was highway spending.

**Hon. Mr. Gomme:** I was not aware of that, Mr. Chairman.

**Mr. Sargent:** What did your budget show for last year?

**Hon. Mr. Gomme:** I think the figure is close to \$20 million more than last year.

**Mr. Sargent:** So you have \$20 million more than last year, only \$20 million more. How much are you spending, for ongoing studies, for consultant fees and studies. Is that correct?

**Hon. Mr. Gomme:** Yes, that is right, Mr. Chairman. It is broken down into various parts, such as, planning consultants, design consultants, bridge design, road design, engineering surveys, regional traffic studies, that type of thing. It is \$170,000 more than last year.

Mr. Sargent: Is there no time when you catch up on your costs for planning and consulting? Is that an ongoing continuing cost?

Hon. Mr. Gomme: Yes, Mr. Chairman, it would be.

Mr. Sargent: Thank you.

Mr. Chairman: The hon. member for Parkdale.

Mr. Trotter: Mr. Chairman, I would like to make a few remarks pertaining to this matter of whether or not we have a balanced programme insofar as planning the roadways in the province of Ontario and in using a rapid transit system are concerned.

If the minister thinks that he has any balanced approach, or if he calls it a programme of a balanced approach, I would say it is an utter farce. I am even more concerned when I know that he sent somebody down to talk to various people in the United States, and would then stand up in this House and read the report that he read here today.

Some time ago—I guess about six weeks ago—some of us on this side of the House advocated that we should have a complete investigation of how we spend our money insofar as expressways are concerned. The more I hear this minister, the more I am concerned and the more I realize that it is absolutely necessary that we do have a complete investigation of how we plan the roadway system, the complete transportation system, in the province of Ontario.

I do not think it is good enough at all, just to send down somebody in the civil service and come back with a report. In a way, we do not know who went down—at least the public does not know—and we do not know really whom they talked to.

The minister mentioned some names. He mentioned Mr. McGrath, the traffic engineer from Boston, whom I talked to as well, among a group of people. There is no question that a man like Mr. McGrath tries to do his best, but he is certainly not the ideal man around the Boston area or in that state. He is one of them. He may help, but he is more or less of the old school; so if that is who guided you in Boston, you certainly are not listening to enough people. That is why any feeling that we have should be out in the open.

We have advocated on this side of the House that a select committee should hold hearings. It should be a select committee because the members of the Legislature should

be involved in planning a transportation system in this province, a system which is very important in so many facets in the development of the province of Ontario.

I do not think you can plan housing even start to plant a proper housing programme, unless you know how you are going to transport people. I do not think this government has got a clue how it is going to transport people in the province of Ontario particularly in the large, growing areas.

We, as politicians, are involved. There are public feelings that a select committee made and the public has an opportunity to participate. We, as politicians, also are able to contact people, to hear what they have to say and get the various points of view. There is no question that if it were given a limited time to come up with some firm decision, a select committee of this Legislature could be of real service in solving the transportation problems that are facing the province of Ontario.

We had a taxation committee about five years ago and we were given a dead end. There were no sweetheart trips; all of them really had to work. They came up with a lot of detailed facts and figures and they came to decisions and I think that this could be done in the matter of transportation.

I am quite convinced that, no matter where you go, in any community, be it Boston, New York, or Washington or Los Angeles, you can get people with completely diverse views. I, as a person from Ontario, do not for one moment begin to say: "Well, we have done this thing in Boston, we will do it this way." Or: "They made this mistake in Boston, therefore it is all completely wrong."

I do not think there is a black or white answer to any of these problems. But they do know, that so many people—the individuals who seem to be involved in the communities are greatly concerned that the quality of living in the great cities of the United States is in a mess.

It is not completely the fault of transportation. I am not saying that expressways are all at fault, because you do need expressways. But there is no question that the way many of the expressways have been planned has caused a great deal of harm to communities such as Boston. In fact, they call them "China walls," because they completely block up the area which they go through.

The minister, when he was reading the report, said, "Well, in the state of Massachusetts

chusetts, they called a halt, but now look as if they are going to start up again." I have actually been over where these highways have been stopped and have seen where they go through. Certainly, if they are ever stupid enough to put an expressway through Cambridge, then I would hope that we, in this province, would look upon that as a horrible example. It literally rips out the guts of a community like Cambridge; it rips out 6,000 houses.

You know, there are many people there who show you that there are alternatives. It is true that the alternatives mean that sometimes it takes 10 minutes longer on your trip through from Canada to Florida. It takes about 10 minutes, when they have to change the route.

I think we should bear in mind that 16 cities on the eastern coast of the United States stopped Highway 95. It was not just Governor Sargent in Massachusetts; there were at least 16 cities. They just wanted to know why should their communities be desecrated, in many cases simply because someone else wishes to build a road from A to B. What happens to the environment in which these people live?

And you know, Mr. Chairman, it was not the government, it was not Governor Sargent in Massachusetts, nor was it the city government at Boston that was the real cause of stopping the building of expressways. It was the fact that 10,000 individuals gathered themselves together to try to put a stop to it as quickly as they saw what was going to happen. It was the pressure from the grass roots that finally woke the politicians up.

What concerns me is that in Massachusetts they are at least opening one eye; but here they are just dozing, they are asleep. There is no question in my mind that you really have not thought the problem through. The problem of expressways, of highways, is not only a problem of Metropolitan Toronto. It is a problem of Metropolitan Toronto, but it is of major concern throughout the entire province of Ontario.

I just want to give you an example of the neglect, and an example of why you have no plan—and I do not think you have any intention of having any plan, or have really given this any thought. I want to give you an example of what the province of Ontario permitted to happen to King City.

You know, we in Metropolitan Toronto say we have a housing problem, and we talk, and there are plans, you want satellite towns in

and around a growing area. Places like Marketville, Richmond Hill, King City, Mississauga are obvious places where people who live in a large metropolitan area can go.

There are many people, thousands of them who would love to get out of the big city and many of them have. So they move to these pleasant Ontario towns, with a high quality background. They may have older buildings, but they are well kept. They have far more pleasant surroundings in which to live, than some of the great concrete shells that we build. Yet, what do we do?

Well we find a place like King City growing. It has increased, maybe, from 1,000 to about 2,000 people. Maybe the majority of those people, the working people, actually work in the city of Toronto, or at least, in the metropolitan area.

But the Toronto and York road commissioners decide that there should be a four lane highway through the main drag of King City. They really want to turn it into a strip instead of a main street. I know what the minister may say to me: "That is the business of the Toronto and York road commissioners, we will not interfere with local autonomy." Well, of course, I think the grants in such areas come up to 75 per cent. If you sit back and say we would never interfere with the business of the local road commissioners, it means that they are hardly going to interfere in many areas throughout all of Ontario.

But what happened in King City was that certain people who lived there and who were concerned, wanted the roadway stopped, because they said two miles to the east is Highway 400, and about four miles to the east is Yonge Street. Despite the protests and despite a delay of a year and despite little co-operation from this government, the four lane concrete went in, the trees were ripped down and the community has really lost the significance it had as what it can rightly be, a small town in Ontario. There is nothing wrong with being a small town in Ontario; in fact, in our day and age, at the speed of life at which we live, people may be far smarter to see that they locate in a small town in Ontario.

But what is the purpose of trying to develop any type of community life if we have a highway system that simply destroys the community in which it lives? The people of King City—and I am going to send the minister, or he may have seen a copy of the pamphlet that was prepared afterward in King City, they had a "Save King City" group, which lost the battle that started





I do not pretend to be an expert; I am just a layman looking at this problem. But I am a man in public life, and also a taxpayer, who realizes we are going to have tremendous financial problems because we do not think ahead, because we lack imagination. One of the whole keys to the building of our society is with this department, and I will tell this minister—and I regret to have to say it—but insofar as the environment of this province is concerned, and as long as you are in public office, you are one of the most dangerous men alive in this province. You are the second. The worst one is your leader, the Premier of this province, because he has sat for years permitting this to go on and he has had the opportunity to know better.

There is no question in my mind that one of the strongest lobbies in all of Canada is the concrete industry—anyone in connection with highways—it is big business. Look what you spend. It is very easy to get money for highways, because the public, who are often intelligent, who want instant service, demand their highways, and often it is done without thinking ahead.

It has been estimated that in the United States about one person out of every seven is either directly, or indirectly, dependent upon those people that construct highways, the lobby is so strong. I do not know if it is that strong up here, there are no figures and that is an estimate, but there is no doubt that you will be under tremendous pressure to build roads.

Yes, we have to have roads, we must have expressways. I admit you could not develop the province without them. But there comes a time when you can destroy communities and you can destroy the life of a province unless they are built properly.

Assume you built the Spadina expressway—and it may come; there are many suggestions. I heard in Massachusetts, for example, that people favoured expressways—some of them did. But where you make changes, where you can go underground and actually save money and use the real estate; in the long run, if you plan, you can make money, even though at the very beginning it may cost more as a capital investment. Over a period of time you can actually make money.

I do not think you have looked at the alternatives. You give a report to me like that and name those people; I can tell you, they can argue both sides of it. There are individuals who actually favour expressways, but not necessarily the way we do it.

I would agree with the minister that Toronto is admired by many people down in the United States. One man, in fact, told me would like to see New York City with a 10 or 12 Torontos in the area of New York as satellite cities. But that same man, Keith, who is head of the regional plan for New York City, said: "Look out what you are doing, because you have not advanced as far as we have; you could easily make the very same mistakes." Again, immediately admitting that in certain instances you must use expressways, there are great dangers. In fact, he was so well acquainted with Toronto that he went into detail of what a crosstown expressway would do to the city of Toronto.

Many Americans, I find, do not know much about Toronto, or about Canada. I am amazed at the detailed knowledge that some of these men had, regardless of which side of the argument they took as to whether to use expressways or transit. Some were strong for expressways, and others said that transit had been neglected in Boston and in New York and in so many places, and that here in Toronto were doing the very best thing.

I am not going into the figures again. The hon. leader of the NDP has given the figures about what Toronto has spent on expressways but it is typical that 95 per cent of the money goes into expressways rather than transit, and basically it is because your government has encouraged that policy.

The federal government in the United States has a highway trust fund which lets the American states build expressway roadways. They have found that was a mistake, because they encouraged the states to build expressways and did not have the money for rapid transit. You are doing the same thing here; you do not encourage transit.

They talk about the Spadina expressway and they say, "We are going to have a transit system alongside of it." Good. I am glad to see that they plan the transit system, but when is that going through? They do not have the money to put that through immediately—at least, that is the latest word I have had.

So the emphasis, time and time again, is on expressways and away from rapid transit. We are going to create as serious a mess as they have in some of the larger American cities unless we plan our cities as we should and as we should, if we use all the capabilities that are available to us.

Even worse, we are going to destroy smaller communities unless the government

has some overall plan. The answers you have given us in the House this afternoon are simply not good enough.

I would plead that the minister would in some way say, "Let us throw this into the hands of a select committee; let us tell the select committee to bring back a report by October 15 of this year."

What should the government do? After all, you are spending hundreds of millions of dollars and action is long overdue. As I repeat again, one of the major things in building a decent environment, a decent quality of living, is your transportation policy. I cannot understand individuals, such as the present minister, who have a tremendous opportunity to do something for this province, literally for North America or wherever there are large transportation problems, which is the world in general. If you want to make a name for yourself, it is on this very subject, and yet you just sit more or less like a bump on a log and read a report.

Really, if I had half an hour to go over that report you read with two or three people I know, it could be just torn to shreds; just as I catch the odd name, that is a farce and a shame to bring in here. It shows you, though, that if members of this House do not realize what a farce that report is, how much we really need an opportunity to go into detail to study how these changes are really needed. I say in conclusion there is no black and white answer. I would be the first to admit it. There is no panacea. But I can tell you that there is also in this province no real policy and no view to the future, and that is what you are going to require. Otherwise, mistakes you are making now are going to be more and more costly as the years go by, and I think it is time we had some strong action from this government.

I am not too optimistic, but I remind the minister that as an individual, he has a tremendous opportunity to make a personal contribution that very few men have had; unfortunately, at this moment, he is just blowing it.

**Hon. Mr. Gomme:** Mr. Chairman, I am very interested in the member's comments. I realize, too, that there is no black and white in this, but I might point out to him the reason that we had some of our staff look into the problems in other areas and what they were trying to do about it was the very thing, the hope that we could improve anything that we would do so that we would not make mistakes that had been made in other places.

As I pointed out earlier, every transportation study that is being done now has to take into account all modes of transportation, one in particular—in London—the committee studying the freeway is, in fact, a multi-purpose team, and in future all such committees will be set up that way. We realize it is a very thing that you talk about, and we are moving in that direction, I think as quickly as any other jurisdiction in the world. I know you say that is no defence, and I know why we are not going faster.

**Mr. Trotter:** No defence at all; none!

**Hon. Mr. Gomme:** But we are moving in that way. I think another thing that you have to do to realize the government has done is to get GO Transit and its extension. I mean it is a long way in helping to solve mass transportation problems. I do not say it is enough but it is one of the areas in which we have worked. It is all right to say we can take all the figures we want, but I will just point out what we are spending this year. The subsidy on Metro roads is \$14 million and 50 per cent in assistance on the roadway of a rapid transit system they are building, we have—

**Mr. Trotter:** That is the roadbed.

**Hon. Mr. Gomme:** Yes.

**Mr. Trotter:** You are talking about a roadbed on a subway.

**Hon. Mr. Gomme:** Yes.

**Mr. Trotter:** That is why these figures are so phony, because there are so many costs to the subway. You are just talking about the roadbeds. That is 50 per cent. It is a phony figure to give to a taxpayer.

**Mr. MacDonald:** It is 50 per cent of the cost per cent.

**Mr. Trotter:** Why sure, that is nonsense.

**Hon. Mr. Gomme:** I do not like to see a member get exercised.

**Mr. Trotter:** I should be, because I am fed up. I get fed up listening to you talk about 50 per cent.

He sat down. He should have. The figures are always sound in the papers as if you are paying 50 per cent of the cost of subway. It is 50 per cent of the roadbeds.

**Hon. Mr. Gomme:** I said that.

**Mr. Trotter:** Yes, but when they get into politicking, it does not sound like that.

many of these costs, you know, are buried with the homeowners who have to pay for it, and this government goes around looking good.

When you give grants like that you are not facing up to the rapid transit problems. This is the whole thing I am getting at. When you give me a phony—to me a phony figure—you simply do not come to grips with the problem in the metropolitan area. You should be ashamed of yourself trying to kid us along like that.

**Hon. Mr. Gomme:** Mr. Chairman, I am sorry the hon. member could not contain himself. I was at least polite to listen to him all through his speech.

**Mr. Winkler:** He does not know what the word means; that is the trouble.

**Hon. Mr. Gomme:** Regardless of what he called me, and everything else, it does not matter. I can stand that. But all I was trying to point out is that in the estimates of this year, I mentioned roadbed. I am not trying to hide anything. I would not think of doing that. I am trying to point out that we are moving that way, because in the estimates of the money that we are asking for this year, Metropolitan Toronto gets \$14 million for roadways and \$7.5 million for assistance on rapid transit.

**Mr. MacDonald:** What study have you done on the Brantford expressway?

**Hon. Mr. Gomme:** I do not have that before me at the moment. I did have it; I will get that in just a moment.

But the only thing I am trying to point out is that there is a definite move in the very way that you are talking about. Never mind the explanation of the other—

**Mr. Trotter:** Such a mincing step.

**Hon. Mr. Gomme:** —but about 50 per cent of the money that is going for subsidy to Metropolitan Toronto this year is for rapid transit. This is all I am trying to point out. I mean we are moving that way. I would be the first to admit that it is not enough, but it is getting there.

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

**Mr. Martel:** Thank you Mr. Chairman.

I was interested in listening to the last speaker when he mentioned that the people in King City could not stop the highway from

going through. I had an interesting discussion last week with a consultant from a consulting firm. He indicated to me that there was a woman living on a highway, and he pointed it out to me on the map, in the Sharbot Lake area, who was influential in having a realignment made before The Department of Highways finalized its plans. It would seem strange that one woman would have enough influence to have a highway, which was lined up in one area, realigned so that it would not affect the garage business she was in.

This planning consultant told me this is a curred. It is unfortunate the people in King City did not have such a champion on the other side at that time, because they might have been successful enough to prevent the highway going through King City. I just thought that in.

**Hon. Mr. Gomme:** Mr. Chairman, on the subject of order, if I might just straighten out the hon. member out.

In the first place—and I do not say I am getting out of our responsibility at all—the highway through King City was a suburban road that was set up by other authorities and I do not like you to make remarks about people in that attitude you have.

The other thing that you are talking about in Sharbot Lake, was just a shift over a couple of feet to take a little more out of the hill rather than destroy a property. I can see anything wrong with that. It was done for any person; it was done because it was going to be more sensible to do that.

**Mr. Martel:** Right. But you do not think that saving a whole city, or a whole town, is very sensible? Whether it—

**Hon. Mr. Gomme:** I started to point out to you that we had complete control of the village. With the other we had to deal with the trustees of the village.

**Mr. Martel:** Right, I can respect that position.

You may recall, Mr. Minister, the other night I made the point that where The Department of Highways were going to contribute large sums of money they, in the financial analysis, should be able to say, "We do not recognize it as being a sound plan." I further suggested that in any place where large expenditures were going to be undertaken the Department of Highways certainly should have a role, probably not of veto power, but certainly a role in determining if the route or the best method of transportation was being considered.

I made the point the other night, when I dealt with Spadina very briefly, that you have a responsibility when doling out money from the public purse to ensure that the moneys are being spent in the best possible method. If it was a municipal decision, in the final analysis, if they did not have the money you gave them, they would not have undertaken such a project and destroyed a town.

That is another reason that I recommended the other night that you get a few more sociologists on your staff. I still do not think one is going to be sufficient to determine all of the effect—

**Hon. Mr. Gomme:** Mr. Chairman, the hon. member must realize that we have the benefit of those in The Department of Treasury and Economics—

**Mr. Martel:** Mr. Chairman, through you to the minister; I think if you are going to determine the effects of a major undertaking on the residents, it is going to take more than one sociologist. I think he would have to be directly involved with The Department of Highways because there are enough major undertakings every year to keep him and several more busy on a permanent basis. These are just comments. I had not intended to discuss this, Mr. Minister; they are just comments I threw in.

There are several things I want to discuss—the lack of planning, and we are going to bring that out in a few minutes; the reason for poor roads in northern Ontario which I alluded to briefly last night, and—I lost my paper again; well, we will do without it.

It is quite obvious, Mr. Minister, that northern Ontario gets the short end of the stick all the time. In your estimates for this year, you have the grandiose total of \$950,000 for new roads in the unincorporated townships in northern Ontario. That is going to do a great deal to open up certain parts of northern Ontario, a whole \$950,000.

I compare that with what the leader of this party said this afternoon: It is costing you roughly \$10 million a mile in Toronto and you are expending the sum of \$906 million in transportation for Toronto. You consider the 5,000 miles of roads we discussed last night and the maintenance of that 5,000 miles and you are expending \$1.4 million. And you are going to spend \$950,000 for other roads in unorganized townships in northern Ontario. It certainly shows where your generosity is.

I guess, Mr. Minister, this is one of the reasons why the road between Noelville and

St. Charles will not be built again this year. You just have not designated the necessary funds to do it. I imagine there are some unorganized townships in there.

It is unfortunate, Mr. Minister, that I have not seen fit to undertake to do that because it, like so many other roads in northern Ontario, has been promised over the years. One is somewhat pressing, as I have written to you, in that 18 students will not enter the new composite high school in Noelville because their parents refuse to allow them to go across Highway 535, because of the quality of road. All of which you have got—and I am not going to go into it in too much detail—all of which you have before you.

But it has been put off. It is part of a year plan—from 1962, I guess. It is interesting that of a distance of 17 miles, the reconstruction started in 1962 and you have now managed to do 10 miles. It seems to take an awfully long time to build roads in northern Ontario. This is eight years. Since 1962 we are averaging about one mile and a quarter a year. That is not bad!

It would not be so hard to take, Mr. Chairman, except that the other day I had a phone call from a man by the name of Mr. Martel, a camp owner. He lives in Toronto and his camp is in the Port Severn area; and at Mile Lake they decided that there should be a road built in there, a distance of six to eight miles.

The residents met there and 60 of the residents, or homeowners, or camp owners, voted at a public meeting to oppose the road. Only five wanted it out of the 65. I am advised that construction has started, despite the fact that there has been representation made asking that this six to eight miles not be undertaken.

**Hon. Mr. Gomme:** May I ask the hon. member, is this a highway you are speaking of?

**Mr. Martel:** Yes.

**Hon. Mr. Gomme:** What is the number of the road?

**Mr. Martel:** This is being done by a local roads group with the assistance of The Department of Highways.

**Hon. Mr. Gomme:** Could you give me the number of the road?

**Mr. Martel:** No, I can only give you the name of the lake, Mr. Minister.

**Hon. Mr. Gomme:** Six Mile Lake?

**Mr. Martel:** Six Mile Lake, yes.

**Hon. Mr. Gomme:** Well, it is not a highway.

**Mr. Martel:** It is a road.

**Hon. Mr. Gomme:** But is it being built by us?

**Mr. Martel:** You are going to pay for it, are you not, Mr. Minister?

**Hon. Mr. Gomme:** I do not know what road you are talking about. Can you tell me the road?

**Mr. Martel:** No, I am telling you the name of the lake. It is in the Port Severn area.

Interjection by an hon. member.

**Mr. Martel:** I would not talk too much if I were you, sitting in that second row.

**Hon. Mr. Gomme:** I am not going to argue with the hon. member, but it is very difficult for me to get any information on it when I cannot find out where the road is and what is the number of it.

**Mr. Martel:** I have just finished telling you; they are calling it Six Mile Lake Road.

**Hon. Mr. Gomme:** Well, I might inform you that we do not have any highways called that.

**Mr. Martel:** Mr. Minister, are you going to listen? I am suggesting that you are going to pay part of the cost, in the form of grants, to whoever is building it, right?

**Hon. Mr. Gomme:** Who is paying the rest of it? Who owns the road?

**Mr. Martel:** This is the question; the people do not know.

**Mr. B. Gilbertson (Algoma):** Is it in Ontario?

Interjections by hon. members.

**Mr. Martel:** They are having a meeting, Mr. Minister; maybe you would attend—

**Hon. Mr. Gomme:** Could you tell me who is having the meeting?

**Mr. E. R. Good (Waterloo North):** I will enlighten you as to what is going on. The township of Baxter statute labour board is having its annual meeting on May 30. I asked the Minister of Municipal Affairs the other day a question about this road and he did not

seem to know any more about it than member for Sudbury East.

This is the situation. There is a development company which proposes to put a road into the Big Chute, which is on area on the Severn River in the district of Muskoka, Baxter township. This road is being opposed by some people and is being promoted by others. I understand the statute labour board looks after the roads in Baxter township, which is an unorganized area. Now, the question is many peoples' minds—and it seems to be hard to find out—is how much of the cost of this road is The Department of Highways paying?

**Hon. Mr. Gomme:** If it is a local road board, it is two for one by us; if it is a statute labour board, it is one for one.

**Mr. Good:** It is a statute labour board.

**Hon. Mr. Gomme:** Well, that would be two for one.

**Mr. Good:** It is one of the boards that should have been done away with years ago, in my opinion.

**Hon. Mr. Gomme:** Mr. Chairman, they do not have the opportunity to change into the other board if they wish and they could come under the two for one system.

**Mr. Good:** Now that the member for Sudbury East has brought this question up, I have been asking questions about this statute labour board for over a year, directing them to your department, and The Department of Municipal Affairs. This particular statute labour board has been operating in such a manner that many of the local people feel the operation is questionable, and I have always been given the runaround up to now that the particular department is responsible for the operation. Is, in fact, The Department of Highways responsible?

**Mr. Chairman:** Order please!

The hon. member for Sudbury East had the floor, and with respect to the member for Waterloo North, I must point out that—

**Mr. R. F. Ruston (Essex-Kent):** He has lightened everybody.

**Mr. Chairman:** All right; but he does not have the floor for the purpose of continuing the debate unless the member for Sudbury yields it.

**Mr. Martel:** Well, I want to continue this. I thank the member for his assistance.

The point is, and the point I was trying to make, was that you are matching the money one for one. A dollar that they will spend, you will spend—and the residents do not want it.

At a public meeting, 60 out of the 65 camp owners and homeowners voted against the construction of this road. They have been trying desperately to get it stopped. They are under the impression that the real estate people are pushing to have this road built. They do not want it.

The comparison I am making, Mr. Minister, is that we need a road in the St. Charles area, where the parents refuse to allow the students to be transported by school bus to the composite high school because of the conditions of the road. Your department does not see fit to move ahead with it; as I say, they do a mile and a quarter every year. Yet in another part of the province, where people are opposed to a highway, or a road—we will not call it a highway—

**Hon. Mr. Gomme:** Mr. Chairman, on a point of order, I do not think the member has any right to make statements like that unless he can tell me where the road is or who owns it so we can establish what is going on.

**Mr. Trotter:** He has been trying to tell you.

**Mr. Good:** Baxter township.

**Hon. Mr. Simonett:** Where is that?

**An hon. member:** Near Six Mile Lake.

**Hon. Mr. Gomme:** May I ask, is that the road the hon. member is talking about? I thank you for the information.

**Mr. Martel:** Mr. Minister, one would have to be pretty simple if he could not find out, by using a map and with the staff he has got available, what the name of the lake is rather quickly. I did, and I did not have his staff.

**Mr. Ruston:** One of our members told you.

**Mr. Martel:** If you were interested, it is the Port Severn area. I am sure there are a few Tories who know the area.

**An hon. member:** That is the one that goes up to Squaw Chute, is it not?

**Mr. Martel:** I think the member is right. No one really wants to hear about the problem there. I am hopeful that that can be investigated.

But my main interest in talking about simply to make a comparison. Where are necessary and where people are asking them, you cannot get them. But there roads being built, whether they be statute labour board or otherwise, and are contributing to them, where the p are opposed to them being built.

It relates, in a way, to what the me for Parkdale alluded to, and which the of this party alluded to. The Departme Highways really does not know what is on. It seems to me a little bit of dire might help.

Just to back this up, maybe we ca on, Mr. Minister, and you can advise just to show you how much planning is. Last year, Mr. Minister, I obtained material from your staff. It took some to do. It took a good long time—it have been about four or five mont obtain.

It was on highways which you p had announced in a series of large plans for the province of Ontario. It w staged in five years—five years here, and years there—in four parts of the provin have about 55 jobs here, Mr. Minister wonder if we can go through these o a time because these were all suppose have been finished by now. The first sta these various four plans got a great de publicity and so on.

We might even look into the next years, which are 1970-1974, to find out of the next plans have been undertaken this five-year plan—the second stage o five-year plan. I am wondering, Mr. ister, about the best way we could a this sort of thing. Do you want to deal them one at a time, or do you have staff in front of you who can answer the quickly as I can read them off as to wh they are started and completed or still five-year stage.

**Hon. Mr. Gomme:** I think, Mr. C man, if the hon. member reads them of will then proceed to get the answers.

**Mr. Martel:** All right, fine.

1. The first one was to be completed 1966 to 1970. It is on the Ottawa-Mor freeway. A clearing contract, from Ra ville easterly 4.6 miles, and was award December. Now the followup grading just recently been awarded and another miles of grading easterly to Vars is prop for award in the near future.

2. Extension of the Stormont county road; this road will be connected to Highway 417. Is that one started?

3. Highway 16 reconstruction; bypassing Kemptville.

4. The Winchester bypass.

5. Highway 2 reconstruction; the work between Brockville and Prescott.

6. The Brockville-Ottawa freeway; subsequent planning showed that the purpose of the proposed new freeway could very well include accommodation of north-south traffic generated by the international bridge at Johnstown.

7. The Kemptville bypass; it is related to items three and six in the letter sent to me.

8. Stormont county road; says it is related to item two. This road will eventually connect Cornwall and Ottawa via Highway 417. It will be known throughout its length as Highway 138. At present the road has been assumed and designated King's Highway northerly to Highway 43. Reconstruction between St. Andrews and Highway 43 was awarded last summer and should be completed in the coming fall. The road north of Highway 43 will be assumed, designated and rebuilt to King's Highway standards.

9. The Brockville-Ottawa Freeway; item 6—

Mr. Chairman: Order! Did the member say there were 55 of these?

Mr. Martel: Right.

Mr. Chairman: Do you not think a better way to get this information would be to sit down with The Department of Highways, rather than impose that on the rest of the 100 members of the House?

Mr. J. E. Stokes (Thunder Bay): No, no!

Mr. Martel: Mr. Chairman, these are—I had better advise the chairman—

Hon. Mr. Gomme: I wonder, Mr. Chairman, if the hon. member could give me a copy of that list.

Mr. Martel: The point is, Mr. Chairman, the department is always talking about planning. I had occasion to read the minister's speech that he made to the Good Roads Association. It was announced at the Good Roads meeting that there were two plans. One was the county road plans for 1970-1974, which I attempted to obtain and I found out was nonexistent. It was an intergovernment plan. They talked about the improvement in Ontario

county and the city of Oshawa and a new type of maintenance.

Hon. Mr. Gomme: Might I correct the hon. member; the county needs study is not printed yet. He will have access to that. The studies were only completed at the end of the year. We could not have them printed by now.

Mr. Martel: Mr. Chairman, they were announced at the Good Roads and I attempted to obtain a copy. It made good publicity and you are right on the point I am talking about.

Then I tried to get the Ontario county Oshawa study and the maintenance improvements which had saved the department seven per cent. I attempted to obtain that—and that was announced—and it is not available either.

The point I am making, Mr. Chairman, these were presented to the public with great fanfare. It was stated that this is what would be done by 1970. Do you know, when I looked the list, Mr. Chairman—and that was last year—there were not five of those jobs started. We will find out five years from now that we were lucky if half of them are done.

The government has a great faculty of putting out press releases and more press releases to publicize not what it is really doing but what it is saying it is doing and this is just part of it. They keep misleading the public into believing great things are being done.

They dominate the press with that kind of nonsense and, when you start to check into the staging, the actual work is never being done. And you get up here and say, "We will find out via a letter."

I am saying that the government has a tendency to tell us why very few of these jobs are done and I am sure they received great fanfare when they were announced—am I right, Mr. Minister, there would be a press conference called in each area as these were released?

Hon. Mr. Gomme: Well I would not agree entirely, Mr. Chairman; but I have asked the hon. member if he could give me a copy of the list of jobs. I do not mind getting the answers. If there has not been anything started, of course, I will admit this, but I would like to have a copy of them.

Mr. Martel: Yes, you will get a copy, Mr. Gomme. I just want to make sure that we get an answer before the estimates are completed so that—

Hon. Mr. Gomme: If I had a copy, I could start to get the answers ready.

Mr. Martel: You will get a copy, Mr. Minister—I might sound like the minister—"in due course."

Mr. Chairman, maybe you could give me some guidance then as to how these questions could be put into *Hansard* and then answered accordingly in the same way?

Mr. Chairman: How they could be put in *Hansard*, did you say?

Mr. Martel: Right! Could I submit a copy to *Hansard* and have each of these jobs entered into *Hansard*?

Mr. Chairman: Yes, you could.

Mr. Bullbrook: "Enquiry of the minister."

Mr. Chairman: You could table the questions, or you could give notice to the minister in the normal way through the Clerk and he would give you the answers promptly.

Mr. Martel: I would like to get them into the record without going through them all in what most people consider a tedious fashion, which I do, too—I just do not appreciate standing up here and reading a bunch of junk—I would just like to—

Mr. E. Dunlop (York-Forest Hill): Put them on the order paper.

Mr. Trotter: You said it, now; we did not!

Mr. Martel: This is not my own material, I received this from The Department of Highways.

Mr. J. E. Bullbrook (Sarnia): Who writes your material?

Mr. Martel: The Department of Highways wrote this.

Mr. Chairman: Order, please!

Mr. Martel: I would just like to know from the Chairman—

Mr. Chairman: Order, please!

I think the most expeditious way would be to give the minister a copy of your list and let him work on them. Perhaps he would have them in the morning.

Mr. Martel: Right! But all I want to know is if I could submit a copy of this as well to *Hansard* and have them just type it up in *Hansard*?

Mr. Chairman: Order please!

Any questions submitted to the ministry for that purpose will appear in *Hansard*, if they are put on the notice paper.

Mr. Martel: No, no! I do not want on the notice paper; I want them in *Hansard* today's *Hansard*, rather than read all of them. You have got a choice: I can read them or we can just submit them to *Hansard* and await the replies.

Mr. Chairman: Just a moment please!

Mr. Minister, which would be the expeditious way for your department to handle these?

Hon. Mr. Gomme: Mr. Chairman, I do not want to advise the hon. member what he should do; I am here to try to get him the information he wants. All I have to say to him is, if he could provide me with a list of these, we can get the answers. He can go ahead and ask the questions and they will all be recorded in *Hansard*, and the answers will be recorded. But it is very difficult for me to do this just on hearing them come out the way they are. I have only asked for a copy.

Mr. Martel: Well all I have asked is, rather than go through them, if the Chairman would agree that I could present a copy to the *Hansard* people and let them type it in.

Hon. Mr. Gomme: Mr. Chairman, if I might offer a word of advice, I think it would be a very dangerous practice for me to start.

Mr. Martel: Fine, then I will go ahead.

Mr. Chairman: Could you not take a few samples and ask the minister, so you could get the questions going?

Mr. Martel: I only want 55 answers and they will go down—I think it is number 9; not number 6—

Hon. Mr. Gomme: Well Mr. Chairman, I think it is obvious I or any of my staff will not be able to give any answers in half an hour. Would it be all right if we left until he was reading these? Could we get them into *Hansard* tomorrow?

Mr. Martel: Sure, you can leave!

Number 9 — Brockville-Ottawa reconstruction item 3 above consists of proposed construction data between Highway 401 and Highway 43 near Kemptville and Highway widening. It says, "see item 5. It cannot be ascertained precisely how long the proposed two-lane reconstruction—"

Mr. Chairman: Order please!

It seems to me that this is far too long to be taking up the time of the House.



Chair would suggest that the member submit the questions to the minister for reply in the most expeditious way possible. A few sample questions would be all right; it is an imposition on the rest of the House to go through too much detail.

**Mr. Martel:** What are you trying to do, Mr. Chairman?

**Mr. Chairman:** We are trying to expedite the business of the House.

**Mr. Martel:** I sat here for three and a half hours today and listened to only three speakers.

**An hon. member:** How long do you think we have been waiting?

**Mr. Martel:** Well I am ahead of you. I have been waiting since 3 o'clock.

**Mr. Chairman:** Order, please!

**Mr. Martel:** Since 3 o'clock, and I never said anything.

**Mr. Chairman:** Order, please!

Interjection by an hon. member.

**Mr. Martel:** Well you would not know the difference.

**Mr. Chairman:** Order, please!

It would be too great an imposition to read the 55 different work jobs and expect the minister to have any sort of orderly reply.

**Mr. Martel:** Well, he is not going to have the orderly reply today; I can appreciate that. But he could have it by tomorrow.

**Mr. Chairman:** I am sure if you submitted the questions to the minister, he would get the answers to you very quickly.

**Hon. Mr. Gomme:** But, Mr. Chairman, you missed the whole point. If I had a copy of the list and the member read the list, I might be able to have the answers for each one as he goes down, so that we do not have to start and go through the questions and answers again tomorrow. I do not want to hold up information. I am glad to give it.

**Mr. Martel:** Fine then, Mr. Chairman, what I will do, on one condition, I guess, that we do not close out this vote—even if we have to hold it in abeyance until tomorrow until I can get a reply for each of these—if we go ahead with the vote, then how do I get back to it if the vote is carried?

**Mr. Chairman:** I think there will be enough discussion to take up the next 25 minutes on other matters on this same vote. I would suggest that you submit the list for preparation of the answers. The minister will give them very expeditiously when he comes back.

**Mr. Martel:** Well, fine then. I just have a couple of more points that I want to make. I would like to ask the minister if they could take another look at the highway between St. Charles and Noelville and at the same time—

**Hon. Mr. Gomme:** Mr. Chairman, I would be glad to do that if I could get through these estimates. It would probably be the first thing I would do.

**Mr. Martel:** Fine! The second one I would ask that something be done with respect to an investigation into why the construction is going ahead on that road which we had so much difficulty and had to rely on the member for Waterloo North to provide a little—

**Hon. Mr. Gomme:** If you give me the name of the road—

**Mr. Martel:** I would give you the name of the lake again if you want, but it is all in the records. I ask that you have a look at it.

**Hon. Mr. Gomme:** If you give me the location, I will be able to find the road.

**Mr. Martel:** It is in the Port Severn area. It should not be too difficult.

I would like to ask one final question. Minister, you and I discussed this last year standard widths—and I suggested to you that time that the Timmins highway being built and some of the curves were only 19, not 20 feet, and you disagreed with me. I have had the police report to me that it is in fact the case. I want to know if you could have that investigated to determine who was right you or the provincial police. Someone is right and someone is wrong and I would like to know who it is, Mr. Minister.

**Hon. Mr. Gomme:** Twenty feet is the pavement width. Is this what you were talking about?

**Mr. Martel:** Yes.

**Hon. Mr. Gomme:** I find it very difficult to get all the questions. I do not think you should be speaking into the mike some of the time.

**Mr. Martel:** Last year, I said, you and I had some discussion as to the width of pavement on Highway 144 to Timmins. I told you that some of the police had indicated to me that some of the curves in the pavement were only 19 feet wide. You disagreed and said no, they were 20; and I suggested that they were more likely 19 and you were going to have it investigated. I also complained last year that I did not think 20 feet, should that be the case, is wide enough anyway, because it really does not allow enough room for a bus and a transport to pass on the curves—that again I got from the police in the area.

I am willing to wager with the minister that within five years you will be expanding that highway to 24 feet or 22 feet, but probably 24. You know, the people will pay twice. **Rather than do a first-rate job the first time around, you will do it in such poor fashion that within five years the construction companies will be out having another field day as far as profits are concerned. I think that the standards on that highway should have been certainly the minimum width which I understand is 24 feet. Maybe the minister would comment.**

**Hon. Mr. Gomme:** Yes. We still feel that is satisfactory for the traffic that will be on that road for many years to come. We do not know of any place that has been looked into where the curves are less than 20 feet of paved surface.

**Mr. W. Ferrier (Cochrane South):** The minister does not seem to believe in northern development at all.

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

**Mr. B. Newman:** Thank you very much, Mr. Chairman. The member for Parkdale certainly put on the record the need for an overall transportation policy on the part of this government. We on this side of the House have been emphasizing that. We did that in the estimates of The Department of Transport and we continue by maintaining that it is absolutely essential that all modes of transport be integrated to frame one overall policy regarding transportation.

My own community is hamstrung in exactly the same way as many of the larger communities in the province of Ontario and that is the difficulty in travelling from one side to the other. In my instance, it happens to be a road known as the E. C. Rowe ring road—

**Hon. Mr. Gomme:** Ring road, Rowe?

**Mr. B. Newman:**—and I would like to know of the minister at this time if he has any new cost projections concerning the construction of the road? Any projections as to timetabling for the whole project? When can we expect construction to start in this area? What portion of the road do you intend to start at first, knowing that there is a substantial development taking place on the Howard Avenue portion of the E. C. Rowe ring road? That is the Devonshire road which will be opening in August of next year and it would have a fairly important bearing on the construction in Howard Avenue to across the Dougall overpass.

I would first prefer the minister to answer the few questions that I have asked concerning timetabling and concerning cost projections.

**Hon. Mr. Gomme:** We have no new cost projections on it, Mr. Chairman, and my understanding is that the city asked for a delay for a year. There were some problems over the purchasing of property. They understand, is being proceeded with now. I cannot give you a date for construction.

**Mr. B. Newman:** Then, Mr. Minister, to assume that the original 20-year projection now will be 20 years as of the date that you start on the project? So that it may be in the next century actually, before we have completed E. C. Rowe ring road?

**Hon. Mr. Gomme:** I would think that would necessarily follow that way. It is a joint project and the city have to provide their share of the money. I think whatever amount of the contract they can do, we get our share of the money to get on with it.

**Mr. B. Newman:** Mr. Minister, thank you, Mr. Chairman, you know the difficulties municipalities have to raising funds and the demand for various types of services. As a result, there may be years where the municipality would see that their funds could be spent to better use in some other real municipal need, rather than in the E. C. Rowe ring road.

The thing that does disturb me is that going to be done in such pieces that it will not be useable at all. You are going to have concrete put up and maybe not used, but possibly for 20 years by the time you complete the whole project.

If this is so—if my assumption is right—portion that you will have completed maybe have deteriorated to the point that they will have to be replaced within the 20-

period, simply from not having been put into any type of use. Am I right in that assumption, Mr. Chairman?

**Hon. Mr. Gomme:** No, my understanding is that each project that will be done will be open for use when it is completed. It will be done in that way.

**Mr. B. Newman:** May I then ask the minister to provide me, if it is possible, with diagrams or maps of the area, so that I could inform myself as to the contemplated plans on the part of both the department and the city of Windsor?

As the minister has made mention—and I would like to clarify this for myself—is it the city that is holding up the project for the time being?

**Hon. Mr. Gomme:** It is at the moment, yes.

**Mr. B. Newman:** It is the city, all right. Is it because of some change in plans with the Lauzan Road overpass or interchange?

**Hon. Mr. Gomme:** I understand it is entirely over property.

You have referred to a certain location; I would not know that.

**Mr. B. Newman:** All right, I understand that the minister could not be so familiar with the whole thing and I do not under any circumstances intend to criticize him for that. He has enough of other things to familiarize himself with.

Now, it is going to have quite an important bearing on the movement of traffic, or the movement of individuals and materials from one part of the community to the other. May I ask of the minister, because this is part of the transportation policy of a given community, why does the department not consider making transportation grant allowances to the community so that they can overcome some of their problems by provision of, or by the expansion of, bus services in the community?

As I am sure the minister is aware, the bus company is going to revert to the municipality, I think it is, in June of this year. It has been operated by the province under an authority for some 20 years now, and it will become municipal property in June, if I am not mistaken, and then it will be entirely up to the city as to whether they wish to operate the bus transportation system or lease it out or whatever they do to private enterprise to operate it for the city. But one of

the big difficulties, if you do come upon a community like that, is that the areas that develop beyond the core city do not have transportation, or if they do have transportation provided by a bus system, it is very limited. And as a result of the fact that bus service is not as good as the residents would like it to be, they resort to the use of their cars.

So we continuously clog our highways on our thoroughfares in the community, where if The Department of Highways made a substantial grant to a transportation authority in the community, it would alleviate all of the pressures on the use of the highways. It might overcome some of the problems that the development of the construction of the E. C. Rowe would solve; it might come along and take off the pressures caused by the construction of the E. C. Rowe at the present time. It would provide transportation for the residents from one part of the community, the downtown area or to the other parts, would eliminate a lot of the pollution problems, because fewer vehicles would be used in the community. But the municipality cannot do this unless it gets some type of financial assistance from the province.

I would ask the minister why he would not consider a pilot project in a given community. I have made mention of this for some four or five years now: Take a given community and I am going to very parochial in this, and say to take the city of Windsor, now that the city is going to take over the bus transportation system—and see if, by the provision of a transportation allowance or a transportation grant, you could not overcome the need for a lot of these major highway developments by a better bus system in the community.

While I talk about the bus system, if you did have that type of a system in there, more than likely that transportation allowance grant given by the department would enable a municipality to lower bus fares for senior citizens, so that the senior citizen is not trapped in a given area; he can still commute into the downtown area at a reduced fare, even, if possible, at no fare whatsoever on the peak hours. But it all hinges on a transportation allowance, and a substantial transportation allowance on the part of The Department of Highways to the community to enable them to develop a good bus system. May I have the minister's comments, please?

**Hon. Mr. Gomme:** First of all, might I mention that Lauzon Road which you referred to. There is a restudy of the interchange

there; just the interchange only. But this is not affecting the holdup of the work. With the policy of transportation studies that we have, if Windsor wants to do a study of what to do with the bus system and how to work it out and everything else, we will pay 75 per cent of that study, which would be of a great help to them to plan this.

**Mr. B. Newman:** I do not deny that 75 per cent would be of substantial assistance to the community, but the community has already budgeted for the year. Even to find the 25 per cent is extremely difficult in many communities, and I would assume that it would be likewise as difficult in my own community. But it is not so much that, Mr. Minister. The bus system is going to be taken over by the municipality; they are going to be starting from scratch in the operation of the system. I think it would be a perfect pilot project for The Department of Highways to see if, by the development of a good bus system in a community—naturally, as I said, with financial assistance from the province—this could not be a partial answer to relieving a lot of the pressure on the need for highways in the community, and at the same time attempt to solve part of a pollution problem caused by vehicular traffic.

**Hon. Mr. Gomme:** Mr. Chairman, it has not been our policy to subsidize bus systems. It has been considered, and there would be a great many problems, not only with Windsor, but with all the cities that operate bus systems. It would be a very expensive programme and, frankly, under this year's estimates we have no place where we could subsidize these people for it.

**Mr. B. Newman:** Mr. Minister, I agree with you that it is not your policy and there is a little hesitancy on your part. But for the sake of experimentation and for the sake of a pilot project, it would still be worth your while to turn around and attempt to see if a project like this would actually work in a given community.

There is no other community in the province of Ontario that is having the municipality take over a bus system at the present time. As I said earlier, the SW&A is going to be taken over by the city—it reverts to the city—some time in June this year. It is just a perfect chance for you people in The Department of Highways to see if this is an answer for the problem that we are confronted with.

I think, Mr. Minister, even though it may not be policy on the part of the government

to subsidize bus systems, it could be a experimental project by the government to see if this is an answer we are seeking to a problem. My community is only one of the municipalities throughout the length and breadth of Ontario that are suffering that same problem. There is the opportunity to try answers to a problem, especially in the case of my own community.

Could I ask the minister if his department has considered asking the Transportation Board for rebates on fuel taxes to provide for municipalities to develop their transportation systems? As the bus system is going to be owned and operated by the city, I understand there will be well over \$0.5 million in gasoline taxes and miscellaneous other taxes paid to the province of Ontario. A grant in lieu of their paying these taxes could be a substantial assistance in an attempt to provide better bus transportation, take care of the roads, ease the traffic and the parking problem in the downtown areas, and reduce air pollution. It may be an answer to many of the problems as far as highway transportation are concerned.

**Mr. Bullbrook:** Quite right! Did you have a reply to that?

**Mr. Chairman:** Does the minister wish to reply?

**Mr. Bullbrook:** Do you want to reply?

**Hon. Mr. Gomme:** All I can say is that the member has made a great appeal but it is not a project, you know, eventually has to be a policy, because you could hardly back up a thing like this. I think we have to take into account all the municipalities, and this is a lot of money.

**Mr. B. Newman:** Mr. Minister, what I say is good but, you see, you took on a project when you went into GO Transit. What is the difference whether you take over the railroads and use the rails to provide transportation, or you use the highways in a given community? It is exactly the same idea. I think that the minister should give it a little more consideration, because it could be a partial answer and it could be saving hundreds of millions of dollars for the citizenry of Ontario.

**Mr. Chairman:** The hon. member from Sarnia.

**Mr. Bullbrook:** First, I want to congratulate the minister in his setting aside these estimates—I think that is in order—\$1 million for the beginning of the five million

grading east of Sarnia in connection with Highway 402. Am I correct in that, Mr. Minister?

**Mr. Stokes:** It is maintenance.

**Mr. Bullbrook:** No, I do not think it is maintenance. It is the beginning of 402. It has got to be construction first before it is maintenance.

**Mr. I. Deans (Wentworth):** You are right on the point.

**Hon. Mr. Gomme:** It is 402.

**Mr. Bullbrook:** Does the member for Grey-Bruce know that that is in my riding?

**Hon. Mr. Gomme:** No, but I wish you would tell him.

**Mr. Bullbrook:** You had better send him a message and tell him about this. But, in any event, I wanted to, just for a moment, Mr. Chairman, support the proposition put forward by my colleague from Parkdale, and the leader of the New Democratic Party, in connection with the need for studies in the transportation field relative to inter-urban transportation necessities. But I want to go a little further if I might.

Something came to my knowledge last year in connection with the utilization of the seaway by our industries in the Sarnia area. The Minister of Highways might be aware of it, I brought it to the attention of the Minister of Transport (Mr. Haskett). They have now put out some type of quota system, at least a minimum carriage system, whereby they will not make pickups any longer—I believe it is under 20 tons.

What has happened as a result of this, Mr. Minister, is the fact that those products that previously had been shipped through from Sarnia to the European market are now being transported by trucks over highways to Toronto for pickup. I think it supports the proposition put forward on a province-wide basis by members previously, of the immediate need for a total study, if not implemented by yourself, implemented by your colleague, the Minister of Transport, in connection with both the intra-urban and inter-urban needs of transporting both the people and their property throughout this province.

It goes without saying—I think you will agree with this—that the elevation of the utilization of the highways by the trucking industry has been significant over the last few years. It does not require anyone to read the statistical evaluation put forward in the

Smith committee report in connection with road use by that industry to recognize that. All that one has to do is do what I do, that is drive weekly from Sarnia to Toronto, and see not only the volume of trucks but the wear and tear that they put on the road.

Frankly, I am concerned as to whether we are really taking the right approach in connection with the costs of our roads. I have heard people more knowledgeable than I debate this question of road user taxes and have attempted to become more knowledgeable myself by reading the positions taken by the ATA as far back as 1962, when they reported to the minister. I find these things very self-serving, frankly. If you recall, at that time, recommendation number five of the ATA was that no change be made in the taxes levied on heavy trucks and trailers. Let us prove beyond doubt, as a result of a thoroughly scientific study, that they are paying either too much or too little for the use of the highway.

From what I read, I just cannot evaluate whether they are paying too much or too little. As I say, if you read the railway association's brief to you, you will come to the conclusion that the trucking industry is not participating adequately in connection with the capital costs and in connection with the maintenance and the ancillary services that are necessary relative to the utilization of our highways by the public, the OPP and the administration of The Department of Transport itself.

The point I want to make to you—and have made it briefly, I hope, although perhaps not as vigorously as I am sometimes accustomed to do, but with no less sincerity—is that I really wish to bring to your attention my feeling, and the feeling I know from private discussion that is expressed by your colleagues on the government side, that there needs to be a total evaluation now of transportation needs, the cost concurrent therewith, and upon whom the burden of the costs should be put. I invite your consideration of that.

**Hon. Mr. Gomme:** We have not done any research on the tax proposition which you talk about. Our research has been on the weights of the trucks using the road, but I am not sure whether The Department of Transport would have done the other from the income base or not.

**Mr. Bullbrook:** I would like to bring to the attention of the minister an example from chapter 30 of the Ontario select committee

report. Under the formula which is now generally accepted—if I can just get the page for a moment; I am sorry to take unduly of your time—under the earning credit method with which you are familiar, apparently 68 per cent of the costs of highways are now borne by the users themselves. These are the figures that were accepted by Smith, as published by The Department of Transport back in 1967, or at the time that he evaluated this particular paragraph of his report.

I recognize that the financial impact is not the burden of your department. I realize that. The regressivity of part of our tax system, the true responsibility, whether it be out of the total public purse or the users—that simplistic evaluation—of course, must be made, though, by others than you, namely the Treasurer, I would take it, and the Treasury board, *per se*.

I invite your consideration, as one who has the direct responsibility in connection with one form of transportation, and one very expensive form of transportation, I would invite you to bring to the attention of your colleagues that we must look at the total question of transportation and those other ramifications—the cost and who should bear those costs.

**Mr. Chairman:** The member for York North has a brief question?

**Mr. W. Hodgson (York North):** Through you, Mr. Chairman, I would like to ask the minister what his immediate plans are for the proposed Highway 404 and what is the reason for the long delay?

**Hon. Mr. Gomme:** This is the extension of the Don Valley Parkway I believe the hon. member is talking about. This part of the road is the responsibility of Metro and as yet we have not yet been able to get any agreement with them to build their part of it. But we

are getting our engineering ready for the north of Metro and we hope that we reach an agreement shortly, so that it can start.

**Mr. Singer:** North of Metro's present boundaries, or its new boundaries?

**Mr. S. Apps (Kingston and the Islands):** Mr. Chairman, I thought the members of the Legislature would be interested to learn that the city of Montreal has just been awarded the summer Olympics in 1976. This is not only to mean a great deal, not only to Montreal but to Ontario and the rest of Canada.

I think that we should certainly extend congratulations to Mayor Jean Drapeau for his efforts to bring this tremendous international athletic event to this country.

**Hon. Mr. Welch** moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report it has come up with a certain resolution and asks for leave to sit again.

Report agreed to.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, tomorrow we will continue the consideration of these estimates in committee of supply, and once they are completed we will turn to the estimates of The Department of Lands and Forests.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6 o'clock, p.m.



# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Wednesday, May 13, 1970

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 13, 19

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our guests this afternoon in the east gallery are students from Bradford Public School in Bradford, Our Lady of Sorrows Separate School in Islington, and from New Toronto Secondary School in New Toronto; in the west gallery, students from Dalewood Senior Public School in St. Catharines and later today there will be students from Forest Heights Collegiate Institute in Kitchener and from Muskoka Lakes College in Bracebridge and from Colchester North Junior High School in Essex.

Statements by the ministry.

Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, a question of the Minister of Trade and Development: Has he any report now from Ontario Housing Corporation as to the request from the residents of Ontario Housing Corporation homes and apartments in Thunder Bay as to the availability of recreation lands in that city?

**Hon. S. J. Randall (Minister of Trade and Development):** I am not familiar with that at the present time, Mr. Speaker, but I will look it up for the hon. member and get him the information.

**Mr. Speaker:** Has the member for York South any questions—or any targets, as he calls them?

**Mr. D. C. MacDonald (York South):** Yes, I have a question of the Minister of Financial and Commercial Affairs. What action does the minister intend to take in view of the revelation in today's front-page *Telegram* story that bank managers have been giving kickbacks to used car dealers in return for entering credit business?

**Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs):** Mr. Speaker, I have not read that particular article, but I will certainly investigate it because I would think, superficially, we are probably dealing with something that raises the question of

ethics within the used car industry itself apart from the ethics—

**Mr. MacDonald:** I think it was reported that the register of used car dealers made the comment.

**Mr. A. B. R. Lawrence:** When I have reported it I will look into it. I think that would be where it would be relevant, in relation to their ethics.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, by way of a supplementary, is it not unusual that one of the minister's officials should suggest that there is new legislation needed in this particular affair, without consulting the minister before he makes such a statement?

**Hon. A. B. R. Lawrence:** Yes, Mr. Speaker, that is unusual.

**Mr. Singer:** That is all.

**Mr. MacDonald:** The frankness is so refreshing in this House. I have a question of the Minister of Trade and Development. In view of the comment of Don Grant, the deputy managing director of ODC, on a CI programme last May 6, to the effect that the definition of healthy interprovincial competition in development grants is that Ontario would never try to entice a company away from another province, and would never give money to a company which was closing down operations in another province, can the minister inform us, without further delay, as to what is his view of the EIO loan to Olympic and York for that plant in Ontario, at Prescott, to replace a plant being closed down in Montreal?

**Hon. Mr. Randall:** Mr. Speaker, I am very glad the hon. member asked the question because, of course, the facts again are very badly distorted.

The EIO grant was made to the Olympic and York company to open up a plant at Prescott to take care of a Canadian market that amounts to \$6 million in which \$2 million can be produced out of their plant at Quebec. They cannot expand that plant because of residential accommodation around

it, so it is difficult to build a new plant to replace the \$4 million worth of products that they are now importing from Japan. Thus the grant was given to them to start this new plant in Prescott, and I might assure the hon. member that under no circumstances would that grant go through if they were going to close the Quebec plant.

**Mr. MacDonald:** Are they not?

**Hon. Mr. Randall:** They are not going to close the Quebec plant. Every year they have given the same wage increase to the employees. This year they offered twice as much, the employees came back and asked for five times as much and that is where the difficulty is. I do not think they can have any intention of closing the plant if they offer that kind of wage increase.

It happens that as far as Olympia and York is concerned, they are not going to build their plant in Prescott, or perhaps make their decision about Prescott, until the end of the year, so the grant is being held in abeyance; but I am assured by Olympia and York they are not closing that plant and that information is entirely misleading.

**Mr. MacDonald:** I have a second question for the same minister. Has his department received an application for an EIO loan from Dorsan Developments Limited, which is about to take over the Erie Flooring plant in West Lorne?

**Hon. Mr. Randall:** All I can tell the hon. member, Mr. Speaker, is that I think early in 1969 the former president, who has since passed away, approached ODC for a loan. He was told to bring back his financial balance sheets and never showed up. Whether that was because he died I am not too sure; but in any event the new president took over and they have never approached us for any EIO grant. Whether they are back in again with a new group I could not tell the member. I will be glad to find out.

**Mr. MacDonald:** Mr. Speaker, by way of supplementary question, according to the London *Free Press* yesterday Dorsan Developments Limited are making an application, and nobody knows who the "mysterious backers" are of Dorsan. Is the minister in a position to indicate what company this is that is in effect taking over the Erie Flooring?

**Hon. Mr. Randall:** No, I have not heard of this second company, but I can assure the member it will be thoroughly investigated

before we make any loans, that we are going to be a party to anything that would be good for the community or the former company. I will be glad to check into the company that is making the application. I am not aware of it at the present time.

**Mr. S. Lewis (Scarborough West):** I want to be a multi-national corporation!

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

**Mr. MacDonald:** Not at the moment, Mr. Speaker.

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

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs. Has the minister under study the new procedure of doing business in the U.S. making its appearance in Canada now? Is the system of franchising? Does he intend to produce legislation to protect those who invest in this method of operating, that is to the method of franchising?

**Hon. A. B. R. Lawrence:** Yes, Mr. Speaker. To the first part of the question: I have had it under study for several months. It is a very nasty problem, one of the questions being whether or not we need legislation to catch these franchise deals, under our existing securities legislation for instance.

As I say, it is fairly technical and difficult; so I will not make any commitment as to whether or not I will be able to have legislation ready at an early date.

**Mr. B. Newman:** It is under active consideration?

**Hon. A. B. R. Lawrence:** Very active consideration!

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

**Mr. H. Peacock (Windsor West):** Mr. Speaker, I have a question of the Minister of Trade and Development. Is the minister going to give any details of the sale of the Ontario Housing units which he said on Friday would be announced this week?

**Hon. Mr. Randall:** The only information I can add to what I said last week, Mr. Speaker, is that we now have confirmation from Central Mortgage and Housing Corporation to go ahead and prepare the details of what the housing properties

worth after they have been fixed up for the purchasers, that is work which we think should be done. We should do the repairs necessary and then price them as we did up in Guelph.

I would presume that that will be under way within the next couple of weeks, as we now have confirmation from Central Mortgage and Housing that those properties can be sold. As quickly as we can get an estimate of the value of the 1,000 units that we are going to sell, we will get under way. I cannot tell you exactly when we will get under way, but the programme is now moving in that direction.

**Mr. Peacock:** Mr. Speaker, a supplementary question. Aside from the appraisal or evaluation of the units in question, will the terms of sale be similar to those of the Green Meadows project in Guelph?

**Hon. Mr. Randall:** Yes, there will be. As a matter of fact, we have tried—and I think it is accepted by Central Mortgage and Housing, depending on the income of the families in there—to get a fluctuating interest rate and, I think, perhaps we can. For instance, if a family is earning \$4,500 a year gross family income, perhaps the interest rate would be five per cent or 4.5 per cent. If they are at \$6,000 it would probably be 5.5 or six per cent.

We believe we can help these people acquire the properties, if we can get an agreement with Central Mortgage and Housing on how to finance the mortgages in the best interests of the tenants. That is now being evaluated by Central Mortgage and Housing. I am quite sure from my discussions with them—they were down here a week or so ago—that they would be agreeable to that kind of an arrangement.

**Mr. Speaker:** The member for Windsor-Walkerville, a supplementary?

**Mr. B. Newman:** Yes, Mr. Speaker, to the same minister. Would the minister consider—

**Mr. Speaker:** Is this a supplementary question?

**Mr. B. Newman:** Yes, to the same minister. Would the minister consider a two-price arrangement in the sales of these homes, so that the homes can be purchased by the individual as is, or with all of the improvements made by the department?

**Hon. Mr. Randall:** I do not think it makes much difference to us. The only thing is, if anybody purchases a home as is, and then

after he gets it he finds that something radically wrong with the furnace and he has a \$300 or \$400 expenditure and comes back to us, the housing corporation is in a rather difficult position. We would say, you bought it as is; you are stuck with it." We would sooner do the necessary repairs as recommended by the tenants themselves. They would know before we do it what the cost will be and, then, the price of the house is set. I think that is a far better way of handling matters than having people buy it on an as-is basis.

**Mr. Speaker:** The member for Sarnia, supplementary?

**Mr. J. E. Bullbrook (Sarnia):** No.

**Mr. Speaker:** The member for Sarnia, the floor.

**Mr. Bullbrook:** A question, Mr. Speaker, the Minister of Social and Family Services. Having regard to the fact that postal facilities in the city of Sarnia are now struck—a situation unique in the province of Ontario—would the minister make alternative delivery arrangements available in connection with assistance from his department to those people in need?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, I was unaware of the postal strike situation in Sarnia. I will have the matter the member raises checked into immediately.

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

**Mrs. M. Renwick (Scarborough Centre):** question of the Minister of Social and Family Services. Upon whose agreement does the minister allow full rent allowances under the Act to be paid to the Ontario Housing Corporation, rather than rent geared to income?

**Hon. Mr. Yaremko:** That is a government policy which is carried out. There is no question as—the hon. member keeps referring to it—"an agreement". It is government policy; this is the way administrative procedures are handled as between the two departments.

**Mrs. M. Renwick:** Mr. Speaker, a supplementary, please. Am I right in assuming that the minister is speaking of the Ontario government when he says "the government" and, so, is not the money that we are speaking about also being paid for by the municipality and by the federal body for anything the minister allows over the rent geared-to-income amount?

**Hon. Mr. Yaremko:** It depends what category the hon. member refers to. Under The Family Benefits Act, of course, that is a matter between the two senior levels of government. With respect to the General Welfare Assistance Act, the other format, of which the hon. member is aware, applies.

**Mr. Speaker:** The member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management. In view of the action taken by the Seven-Up Bottling Company and Vernor's Bottling Company of Windsor to increase the deposit from two to five cents, would the minister be prepared to meet with the other soft drink companies in order to persuade them to do the same thing?

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Yes, Mr. Speaker, I would be happy to meet with them.

**Mr. Gaunt:** A supplementary, Mr. Speaker: would the minister take the initiative to convene a meeting of the companies?

**Hon. Mr. Kerr:** Mr. Speaker, I have already met with a couple of bottling companies in Toronto. They are more or less in favour of this type of move. They are in favour basically, I think, of the hon. member's proposed legislation. I would be happy to meet with representatives of these companies and, if necessary, I would convene the meeting myself. Possibly, however, we could work together on this matter.

**Mr. Speaker:** A supplementary?

**Mr. T. P. Reid (Rainy River):** I have a supplementary, Mr. Speaker. In view of the minister's remarks and the widespread support for the hon. member's bill, does the government intend to introduce such legislation this session?

**Hon. Mr. Kerr:** This is being considered, Mr. Speaker.

**Mr. Speaker:** The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Are the results of samples taken (water and air samples) available to people in the province on request from the OWRC, and is it true that Pollution Probe has been denied access to the results of sampling—I refer specifically, in my own case, to samples taken of

Domtar, Kimberly Clark, and American along the north shore of Lake Superior assure people that the quality of water in such a state that it does not impair healthy aquatic life?

**Hon. Mr. Kerr:** Mr. Speaker, as the members knows, the OWRC is taking samples continuously. The data, statistics and information, as a result of the analysing, are tremendous. We are continuously compiling data from numerous companies all over the province.

I do not see any particular reason for dealing for example, with the companies the hon. member mentioned, people do not view the results of those samples. It is just really a matter of the mechanical physical operation of this whole process involves a number of people, particularly if you have a sampling in the hon. member's area.

As you know, the sampling probably was taken at the Thunder Bay Office. For that part, this would still come to Toronto for confirmation, particularly in the event the sampling showed high ratings of pollution.

So it is just a matter of physically being able to make this information available to the public. I can see no objection, certainly on behalf of the commission to make samples available from the point of view of efficiency from private companies or private plants.

**Mr. Speaker:** A supplementary?

**Mr. M. Shulman (High Park):** A supplementary, Mr. Speaker. Would the minister instruct the OWRC to allow individual members of this House to visit their office and see the results from the Muskoka Lakes, which up till now have not been made available?

**Hon. Mr. Kerr:** I see no objection to that, Mr. Speaker. I was under the impression that the Muskoka lakes sampling was available to the public.

**Mr. Shulman:** Could that be done in any way?

**Mr. Speaker:** The member for Peterborough has a supplementary?

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, the minister could explain why the litigation samples taken on April 8 at the Coburn sewage plant, which took only 24 hours in process, still have not been processed, and at least why the information has not been relayed back to Pollution Probe in regard to that particular situation?

**Hon. Mr. Kerr:** Mr. Speaker, I think the hon. member asked this question earlier this week.

I have asked OWRC for a report on that. I do not see any particular reason why that information cannot be made available. But I do not believe that the sampling was taken by the commission.

**An hon. member:** No.

**Mr. Speaker:** A supplementary?

The hon. Minister of Lands and Forests has answers to questions asked by the members for York South and Thunder Bay.

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, I have a reply for the hon. member for York South, with reference to Sauble Beach.

Several years ago the Indians, of the local band, who have title to the south two and a half miles of the beach, erected three modern comfort stations, controlled the traffic and parking on the beach and began to make vehicle entry charges to the area, just as the province does at Wasaga Beach. This has continued.

The township of Amabel now proposes to treat the north two and a half miles of beach in a similar manner. Access to this area by vehicle will be controlled by entrances where charges for entrance will be the same as at provincial parks.

The township plans this year to erect one major toilet facility, with some subsidiary temporary facilities. The township proposes that the area will be operative by June 30 as a township park—for the establishment of which, I should mention, no provincial grant has been made.

As to the second part of the question, the reeve has been selling cottage lots from his privately owned property and erecting cottages and other buildings as a contractor for many years. I am also informed that the deputy reeve is a farmer who may also have land for sale, although at some little distance from the beach.

**Mr. MacDonald:** Mr. Speaker, I would like to ask the minister a supplementary question. Is the minister aware of the fact that the re-routing of access to the beach is going to cut off a lot of existing businesses and, in effect, direct the flow of traffic through an area which is going to have new businesses and new cottages in which some of these top officials have a private interest?

**Hon. Mr. Brunelle:** Mr. Speaker, I would say that I am not aware of this. We will look into it to see if any of our provincial laws and regulations are being contravened. My understanding is that this is an organ of the township and they are acting under their own authorities.

**Mr. MacDonald:** Sure, like the townships around Sherkston Beach! Look at the problem they created for the minister.

**Mr. Speaker:** Has the minister a further answer?

**Hon. Mr. Brunelle:** Not on this question.

**Mr. Speaker:** The reply to the member for Thunder Bay.

**Hon. Mr. Brunelle:** With reference to the question from the member for Thunder Bay about pollution in the Marathon, Terrace and Red Rock areas, I have been assured by the Ontario Water Resources Commission that they are taking samples, and they have been taking samples for quite some time in this area. It is part of their regular monitoring system.

The only plant that might produce mercury effluent is a small chloralkali plant in the Marathon area. My department has collected samples of fish from this area. These samples were sent to Winnipeg, to the federal fishery laboratory, to be tested for mercury residue, but results have not yet been received. As far as the Thunder Bay and Red Rock areas are concerned, the OWRC monitoring indicates no danger of any crisis occurring there.

**Mr. Speaker:** Supplementary? The member for Grey-Bruce has the floor.

**Mr. E. Sargent (Grey-Bruce):** A question to the Minister of Correctional Services. In view of the many statements to the House that the minister cannot get social workers for his institutions, would the minister advise how many he has employed this year, because there are a great many of them on the market looking for jobs?

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, I do not recall saying that we cannot get social workers; that was what the hon. member said, as I recall; I do not recall saying that.

I think I have stated that it was not easy to get them, and it was not not easy for many of them to make up their minds to work in corrections.

I do not know whether there is a shortage of staff social workers at the present time.

there is, and if there are any available who are qualified, of course we would be glad to find out about them from the hon. member.

**Mr. Speaker:** Unless there is a supplementary, the member for Scarborough Centre has the floor.

**Mrs. M. Renwick:** A question of the Minister of Financial and Commercial Affairs: In your capacity as consumer protector would you—

**Mr. Speaker:** Perhaps the hon. member would address the minister through the chair.

**Mrs. M. Renwick:** Mr. Speaker, would the minister negotiate with his counterpart in Ottawa regarding the need for dating of frozen food packages and instituting some check on the transit time of shipments between points of origin and destination to ensure that they are shipped as required by law?

**Hon. A. B. R. Lawrence:** Mr. Speaker, as I have mentioned before in the House, I have been very interested in trying to separate and sort out and rationalize the jurisdiction of this department and that of my opposite number in Ottawa.

Again, on that particular question relating to products, I would hope that the federal government would assume the responsibility; but I might say I do believe the Minister of Agriculture and Food (Mr. Stewart), under some of his legislation and/or regulations, has a separate authority here that I am not familiar with. Presumably when he is in the House he might be able to amplify my answer.

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

**Mr. D. A. Paterson (Essex South):** A question of the Minister of Energy and Resources Management: Does the minister get reports from federal Department of Transport officials regarding the contents in the bilges of ships that are coming into the St. Lawrence Seaway? I understand they are inspected at the port of Montreal on entry into Canada and as they exit. Does he get any reports on the change in the nature of the contents of those holds?

**Hon. Mr. Kerr:** No, Mr. Speaker, my information is that this is entirely a federal matter, as the hon. member indicates, under The Department of Transport. There has been no arrangement whereby information on these ships and these inspections would be given to the commission.

**Mr. Paterson:** Might I ask a supplementary of the minister? Do any of the major Lakes ports or the canal systems have pump-out facilities for these Great Lakes ports?

**Hon. Mr. Kerr:** Not to my knowledge, Speaker. We have pump-out stations under our own legislation for craft under our jurisdiction, but I am not aware of where federal authorities may have these facilities.

**Mr. Paterson:** Could the minister undertake to provide the House with this information?

**Hon. Mr. Kerr:** Yes.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** I have a question of the Minister of Labour.

Is the Minister of Labour aware of the fact that Dorsan Developments Limited, a company which is in the process of takeover of the Erie Flooring plant at West L. is making an offer to the former workers which represents a reduction in almost every item in the collective bargaining package. For example, the paid holidays down from 10 to four; the company shares of \$100 in care from 75 to 50 per cent; rehiring on those they wish from the work force; a starting rate of \$1.50 below the former starting rate. Is this bargaining in good faith and are the minister and his department involved in and checking on this matter?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, when the matter of Erie Flooring first arose, I think about two weeks ago, I requested a report in reference to that at the beginning, we did not ascertain the nature of the purchasing company. That has been ascertained and we are trying to check whether there is a relationship between the company and the workers. I am sure that I was not aware of the figures that the hon. member has just given. I have no knowledge of them, but my investigation is continuing.

**Mr. MacDonald:** Mr. Speaker, by way of a supplementary question, would the minister regard it to be bargaining in good faith when you have a sharp reduction in every item in the collective bargaining unit by a takeover outfit?

**Hon. Mr. Bales:** Mr. Speaker, it all depends on whether this is a related company or an unrelated company. If there is a difference in the situation then it is a new round of bargaining.

**Mr. MacDonald:** If it is a new company, it can do that; is that the implication of the minister's reply?

**Hon. Mr. Bales:** Mr. Speaker, if it is a new company, they may well be employing new people. I do not know.

**Mr. MacDonald:** Mr. Speaker, by way of a supplementary question, in view of the fact they are picking and choosing from the work force and leaving out those they wish and offering a starting rate—

**Mr. Speaker:** The hon. member is now making statements, presumably of facts which are not part of a question. Under our rules he might rephrase his question.

**Mr. MacDonald:** On the premise of what I have already said—

**Mr. Speaker:** The hon. minister thinks he may assist the member.

**Hon. Mr. Bales:** It depends on the relationship or the particulars of the purchase as to whether the collective bargaining rights continue. Until we ascertain that, all these other questions are matters of supposition.

**Mr. Speaker:** The Minister of Transport has the reply to a question asked some days ago?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, two weeks ago the hon. member for York South put a question respecting truck transport rates in the Cornwall area. I replied that I had an inquiry of that nature and had asked the Ontario Highway Transport Board for some pertinent information.

I am informed, sir, that there are numerous trucking firms operating in the Cornwall area, including four major carriers licensed to transport general commodities under The PCV Act.

There are extensive lists of rates on file. These vary greatly depending on the volume of the goods to be carried, the distance to be travelled, the volume of freight available, the amount of transportation space required, the availability of back-haul, the nature of full or part load shipments, and so on.

As the hon. members know, in Ontario we have rate filing under which every licensee must file with the Ontario Highway Transport Board his rates for any goods or classes of goods. The rates are freely determined by himself, and remain in force and effect until they are changed after giving 30 days notice of any change.

Under the circumstances, I think the hon. member will see that the information he was working on was perhaps not quite accurate.

**Mr. MacDonald:** Mr. Speaker, would the minister inform the industrial commission, the chamber of commerce and everybody else in Cornwall that there is no validity in the proposition that monopoly pricing is keeping the industry out? Will he so inform them so that they can be brought up to date with the reality as the minister sees it?

**Hon. Mr. Haskett:** I have not had a request to that effect, sir, but I would not be adverse to dropping them a note along the lines you have given the House today, or even giving them a copy of the reply I have given to the hon. member.

**Mr. Speaker:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo):** Mr. Speaker, I have a question of the Minister of Transport and Development. Would the minister indicate whether or not it is true that Ontario Housing Corporation is planning to dispose of its land holdings in Waterloo county because of the fact that accelerated development in that area would not be compatible with the design for development of the Toronto-centred region?

**Hon. Mr. Randall:** Mr. Speaker, we have no intention of disposing of our property in Waterloo county at the present time. The independent report is being studied with reports of our own consultants; and then when we have a discussion with Municipal Affairs or The Department of Economics and Treasury, a decision will be made as to what we are going to do with the 3,000 acres.

**Mr. Good:** A supplementary question, Mr. Speaker: how much money will be wasted in the process of having to redefine their use of the land under your TRW system study in the light of the Toronto-centred region proposal released last week?

**Hon. Mr. Randall:** I do not think a great deal of money will be wasted. I think when you buy land today there is always appreciation. The land was ever to be disposed of, I am quite sure the taxpayers of Ontario would wind up with a healthy profit.

**Mr. Good:** Mr. Speaker, a supplementary question: I am talking about the money expended in the study, not in the land.

**Hon. Mr. Randall:** Any time we dispose of land, money expended in the study would

be tacked onto the price of the land and we would get our investment back.

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

**Mr. E. W. Sopha (Sudbury):** To the Minister of Lands and Forests: Has he any comment to make in reference to the paradox yesterday in the case of the two individuals charged with killing a wolf; that they were brought before the court and charged with doing it harm while he, the minister, is responsible for a statute that puts a price on the wolf's head and offers a reward for its death?

**Hon. A. F. Lawrence (Minister of Mines):** They were charged with cruelty.

**Hon. Mr. Brunelle:** Mr. Speaker, with reference to this matter, these hunters have met the requirements of The Wolf and Bear Bounty Act. There is a principle in law that no person shall benefit from his own wrongdoing, and had there been a conviction the bounty would not be paid. With an acquittal, the mandatory requirements of The Wolf and Bear Bounty Act must now be fulfilled.

The county has issued a cheque, as it is required to do. This had been held up until the results of the trial were known, and this cheque will now be released. The county will be reimbursed to the extent of 40 per cent as set out in the Act.

I may add, Mr. Speaker, that I do not condone the method used. As I indicated in this House on a previous occasion, I will be introducing in the near future, legislation whereby it will be an offence to harass, molest, chase or kill any wild animal or bird by means of a vehicle or a vessel. We hope that in the future such incidents will not happen, or if they do happen we will have legislation to deal with them.

**Mr. Sopha:** I have a supplementary question.

Interjection by an hon. member.

**Mr. Sopha:** Well, that is a belated claque!

Was any investigation carried out to ascertain if there was any evidence to support the story that they thought the wolf had rabies? Secondly, does the minister intend to institute an appeal against their acquittal as some might feel their explanation was rather thin?

**Hon. A. F. Lawrence:** Is the member suggesting that we should give them a saliva test?

**Hon. Mr. Brunelle:** With reference to the first part of the question, Mr. Speaker, I look into it, I am not aware of the probability of rabies.

On the second part, I have no interest of having an appeal.

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

**Mr. Lewis:** Mr. Speaker, through a supernatural occurrence, the Minister of Lands has again disappeared and I will desist.

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** A question of the Minister of Energy and Resources Management, Mr. Speaker. In view of the fact that the Texaco company has now put lead-free gas on sale at a number of stations in the United States, will the minister take action to encourage the sale of such gasoline in this province and will he take further action to hinder the sale of leaded gasoline?

**Hon. Mr. Kerr:** Mr. Speaker, we are encouraging the use, distribution and sale of lead-free gas in Ontario. We have indicated on a number of occasions that this type of fuel would greatly assist us in reducing pollution from motor vehicles and also in meeting our exhaust emission control regulations.

However, I do not think that at this stage I would want to go so far as the serious question of the hon. member, but we are encouraging the use of lead-free gas and its distribution in this country.

**Mr. Shulman:** A supplementary: Is the lead-free gas now available in Ontario; and if not, when will it be?

**Hon. Mr. Kerr:** As the hon. member indicates, this is now for sale in the United States, so I am assuming that it will be for sale all over this continent. But before I make any commitment as to legislation, I would want to know more about the sale of the particular jurisdiction of which the hon. member is talking.

**Mr. Shulman:** A further supplementary, Mr. Speaker: Would the minister contact the Texaco company and request them to allow the gas to be sold here, as they have already done in California and elsewhere?

**Mr. Speaker:** The member for Rainy River.

**Mr. T. P. Reid:** Thank you, Mr. Speaker. I have a question of the Minister of Lands and Forests. If he has had time now to s



the recommendations from the Attorney General (Mr. Wishart) with regard to the legal aspect of the mercury pollution by Dow Chemical at Sarnia, what decision has the minister arrived at concerning this matter? Will the government sue, or will it not?

**Hon. Mr. Brunelle:** I know the hon. member was not here last week, but if he will read *Hansard* he will read the opinion of the Attorney General on this matter.

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

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, a question of the hon. minister causing all the pollution in Ontario. Would the hon. minister indicate whether he will, as I have requested him to do, either attend personally or send a representative to the Etobicoke council chambers on May 25 next to discuss the vast new incinerator being erected in Etobicoke?

**Hon. Mr. Kerr:** Yes, Mr. Speaker. At the present time I am having the hon. member's open letter perused very carefully by the law officers of the Crown. However, it is my intention to—

**Mr. Lawlor:** Libel in mind?

**Hon. Mr. Kerr:** Yes, among other things! But I would expect that someone from my department will attend that meeting.

**Mr. MacDonald:** That is what I call libel with a smile.

**Mr. Speaker:** The member for Ottawa Centre.

**Mr. H. MacKenzie (Ottawa Centre):** A question of the Minister of Energy and Resources Management: Is the minister aware that Pollution Probe of Carleton University in Ottawa is holding a conference on June 12 and 13 for the express purpose of discussing the question of the extent of the pollution of the Ottawa River? Secondly, can the minister assure us yet that the Shirleys Bay sewage disposal plant will be phased out rather than extended?

**Hon. Mr. Kerr:** Mr. Speaker, I am aware of the first part of that question, yes. Secondly, I am not aware of the plant to which the hon. member refers, but I will get him that information.

**Mr. MacKenzie:** Mr. Speaker, on a supplementary, a week ago I gave the minister the figures of costs and the gallonage showing

the overload to be the difference between 1.5 million gallons per day and five million gallons per day, and the minister undertook to get that information for the House.

**Hon. Mr. Kerr:** Yes, I will get that information. Sometimes I need longer than a week.

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** Mr. Speaker, a question of the Minister of Financial and Commercial Affairs. Is there a policy in the minister's consumer affairs protection branch to prevent firms from taking a mechanic's lien on automobiles when a part, such as a tire, is purchased for those automobiles; as is now being done by the Canadian Tire Company?

**Hon. A. B. R. Lawrence:** I know of no such policy, Mr. Speaker.

**Mr. Shulman:** Would the minister agree with me then it is against the public interest to allow this to occur?

**Hon. A. B. R. Lawrence:** No, I cannot quickly agree or disagree. I will have to look into it and see what the matter revolves around.

**Mr. Speaker:** The member for Grey-Bruce.

**Mr. Sargent:** Mr. Speaker, a question of the Minister of Transport. If you were running as a Conservative candidate—

**Mr. Speaker:** Would the hon. member please direct his questions to the minister through the chair?

**Mr. Sargent:** Mr. Speaker, if the Minister of Transport were running as a Conservative candidate, and we were in power and he was a candidate, and over a period of several weeks he was stopped by the provincial police six times, would he ask for an investigation under the laws of this department? This member has been harassed in his own driveway by the police.

Interjections by hon. members.

**Mr. Sargent:** Mr. Minister, would you have an investigation of this charge if I sent you this letter?

**Hon. Mr. Haskett:** Mr. Speaker, it is a very intriguing question—

Interjections by hon. members.

**Mr. Speaker:** I think if the hon. member would send the minister the letter, the minister says he would like to look into it.

**Mr. Sargent:** Will you investigate this matter?

**Mr. Speaker:** The hon. minister has said that he would look into it.

**Mr. Sargent:** I did not ask him that. I asked him if he will investigate the matter?

**Mr. Speaker:** Of course, I would point out to the hon. member—

**Mr. Sargent:** I am not asking you, Mr. Speaker.

**Mr. Speaker:** Well, I am answering the hon. member that the minister to whom the provincial police report is not the Minister of Transport.

**Mr. Sargent:** That is about as clear as mud. Will the minister answer this or will I see the Attorney General about it?

**Hon. Mr. Grossman:** Up to now the Opposition have been good boys.

**Mr. Speaker:** The member for Huron-Bruce.

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of Transport. Does the ministry have any indication when the decision of the Canadian Transport Commission will come down with respect to the applications to discontinue the passenger service in our area of western Ontario?

**Hon. Mr. Haskett:** Mr. Speaker, I could not judge the timing of the Canadian Transport Commission in bringing in its decisions. I would point out that one of the points raised was that no decision should be made in advance of the completion of the hearings all over Ontario.

**Mr. Gaunt:** A supplementary: Has the minister had any indication that the commission agrees with that position?

**Hon. Mr. Haskett:** No, Mr. Speaker, I would not say we had any such indication.

**Mr. Speaker:** The member for Waterloo North.

**Mr. Good:** Mr. Speaker, I have a question of the Minister of Revenue. Would the minister consider changing the method of collecting gasoline tax, so that the huge sums of money paid by service station operators and independent wholesalers of gasoline cannot be retained by the major oil companies until the end of each month for their own use within their business?

**Hon. J. H. White (Minister of Revenue):** There is an implication in that that I cannot accept, Mr. Speaker.

We do pay a certain commission at the wholesale level to those companies named agents of the government for the collection of the tax. In this way we are able to avoid imposing the burden of collection on thousands of retail stations. We also have introduced a shrinkage factor, which I have formed the petroleum service station dealer that I am prepared to adjust upwards in a modest fashion, if they accept the principle which I have offered that it be on a long-term formula basis.

The implication that there are enormous sums of money being in some way misappropriated by the industry is not acceptable to me and I could not agree to make any change on that basis of what I consider to be an incorrect point of view.

**Mr. Good:** Mr. Speaker, by way of supplementary, two points. First of all, the magnitude of the shrinkage factor mentioned by you would this accrue to the benefit of the service station operator or to the gasoline company? Secondly, is the minister aware that I did say "misused" by the oil companies, I mean the moneys used by the oil companies until the end of the month, when they pay their taxes?

**Hon. Mr. White:** Mr. Speaker, the shrinkage accrues to the person who suffers the loss. If the gasoline is owned by the service station dealer, or if he is responsible for the loss of consignment gasoline, then the shrinkage goes to him. If the shrinkage loss goes to a wholesaler, or to a petroleum company as such, then of course the shrinkage allowance goes to that person.

In the collection of taxes, there is a time lag between the time of actual collection and the remittance—I am dealing with the other collection now. For instance, all of the 140,000 retail sales tax vendors in this province have to wait 23 days between the end of the month and the time of collection in which to remit to the government. And I have pointed out more than once in this House that this offsets, to a certain extent, the fact that they have to carry the cost of any accounts receivable they have.

I think that one can argue there are certain costs attached to the collection and the remittance of taxes and that this rather moderate time lag involved is just a minor offset against some of those costs.

**Mr. Good:** A further supplementary. Is the minister aware that there is, in fact,

little potential loss on the collection of gas tax by the oil company in light of the fact that the majority of accounts are cash on delivery by the oil company to the service station operator?

**Hon. Mr. White:** I am aware of that, Mr. Speaker, and as a matter of fact the arrangement we have with these major oil companies, which act as our agents, has been modified so that any loss of less than \$1,000 is borne by them. The amount of money involved in a particular year, I think, is something like \$10,000. It does not amount to anything at all.

**Mr. Speaker:** The oral question period is now over.

Petitions.

Presenting reports.

**Hon. A. B. R. Lawrence:** Mr. Speaker, subsection 2 of section 20 of The Securities Act, 1966, provides that all orders issued by the securities commission under section 20, subsection 1, be laid before the legislative assembly if it is in session.

An order was issued by the commission under section 20, subsection 1, of The Securities Act on May 7, 1970, and as required I now lay this order before the assembly. Mr. Speaker, the order relates to the matter of equity-based variable contracts issued by insurance companies under The Insurance Act.

**Mr. Speaker:** Motions.

Introduction of bills.

**Mr. MacDonald:** Mr. Speaker, on a question of—

**Mr. Speaker:** The minister has my eye.

**Hon. Mr. Grossman:** Mr. Speaker, I should like to draw the attention of the House to the death early this morning of Major A. A. "Lex" Mackenzie, MC, VD.

"Lex," as we all knew him, was one of the most popular members of this House, serving his constituents in North York for 22 years. In his early years as a member his constituency stretched all the way from Eglinton Avenue to the shores of Lake Simcoe.

He was born on his father's farm in Woodbridge in 1885. He served overseas with the Canadian Expeditionary Force and the 4th Canadian Mounted Rifles and returned to the trench during the Battle of the Somme on October 1, 1916. For holding a trench by himself and for bravery above and beyond

the call of duty, he was awarded the Military Cross by King George V. He was severely wounded at Vimy Ridge on April 9, 1917.

He served Woodbridge as both councillor and then reeve through the years 1922-1935.

He was first elected to the Ontario Legislature in the general election of 1945, but re-elected in 1948, 1951, 1955, 1959 and 1963. He retired from active politics in October, 1967, at the tender age of 82.

He is survived by his niece Jessie, Mrs. John Glen of Limehouse, Ontario; his nephew Mr. Donald Dellshill of St. Catharines, and his niece Jean, Mrs. Charles Agnew of Downsview.

He is resting at the W. R. Scott funeral home, 46-8th Avenue in Woodbridge, and will be buried from Woodbridge Presbyterian Church at 3 p.m. this Friday afternoon.

I am sure, Mr. Speaker, all hon. members join me in paying tribute to the memory of this gallant gentleman and in conveying to his family our deepest sympathy.

**Mr. Nixon:** Mr. Speaker, I am sure we are deeply saddened at the death of Major Mackenzie. He was a good and personal friend to all of us, without regard to political party, who had the honour and pleasure to sit with him in this House.

I believe I came to know him best during the trip through northern Ontario in 1951 when, by general agreement, it was decided that he was the member best suited to present the gifts to the Indian bands as we went from one community to another. You may remember, Mr. Speaker, that the gifts took the form of three flags—the Union Jack, the new flag of Canada and the new flag of the province. It was at that time that I heard him explain his philosophy of life on several occasions to the Indians and to those of us who were visitors.

Perhaps it should be recalled that he was a bit more enthusiastic in the presentation of the Union Jack, but I think that is easily understood when we hear the account of his great bravery and devotion to duty during the First World War, to his community and to this Legislature.

My colleague from Sudbury reminded me that Major Mackenzie was a great, great grandson of the Alexander Mackenzie well known in the exploration and development of the Arctic. I think it is characteristic of that heritage that he showed the initiative and strength in adversity, and certainly

good fellowship and understanding at all times, that we remember so much in Major Mackenzie as a public servant and good friend.

**Mr. MacDonald:** Mr. Speaker, I had not heard of Alex Mackenzie's death, and I must say that I, like everybody else in this House, particularly those who have been here down through the years, am saddened to hear it.

I think it could be said that he was one of the most endearing characters who ever graced this Legislature. I do not know how any man who evoked such an immediate response from all of those of the fairer sex escaped marriage, for 82 years.

I was on many a committee with "Lex"—at least it seemed many a committee—traveling around this province and in the United States, and he was a sheer delight, both in terms of personal relationships and in terms of the most incredibly detailed accounts of what went on in our history and sometimes what went on in the trenches during the First World War.

He was rather a rare human being and I am sure that all, particularly those of us who knew him well, will miss his appearances around this House, as indeed we have in the last few months.

I would join with others in expressing our sense of bereavement with the members of the family.

**Mr. Speaker:** Does the hon. member for York South wish the floor for a question?

**Mr. MacDonald:** Mr. Speaker, I rise on a question of privilege.

Yesterday I raised a question with regard to an advertisement in the telephone directory by Gizmo MK Company, making available privacy invasion—or equipment for privacy invasion.

I have been informed by Douglas Hopkinson, the general sales manager of that company that I, along with many other people, are misinterpreting the ad in the telephone directory. There are lines, one of which says "privacy invasion", and the next one says "protectors". They are all supposed to be one phrase.

In fact, Gizmo MK Company produces equipment to detect the bugs, not equipment to be engaged in privacy invasion. Therefore, I unwittingly have done Mr. Hopkinson and his company a very grave disservice. My only hope is that the advertising that he got will let the world know that there is at least one company detecting

the invaders, as well as a lot of invader government has not got time to catch up as yet.

**Hon. Mr. Randall:** There goes another for the hon. member for York South.

**Mr. MacDonald:** Well, I am not ce of that.

**Hon. Mr. Randall:** It is in the mem riding.

**Mr. MacDonald:** Is he an NDPer?

**Mr. Speaker:** Order!

Orders of the day.

**Clerk of the House:** The 15th order, F in committee of supply; Mr. A. E. R in the chair.

#### ESTIMATES, DEPARTMENT OF HIGHWAYS (concluded)

On vote 803:

**Mr. Chairman:** Page 75. I believe the member for York Centre was on his first.

**Mr. D. M. Deacon (York Centre):** Chairman, yesterday in the debate there some discussion about construction of passes and their importance. I wish to out the position with regard to a b around the town of Markham.

Highway 48, which runs through that was improved and widened to a four road some time ago. I asked the mi about this highway and what the arr ments were going to be for improving a for the traffic—very heavy variants of that pass through that town in the sun time particularly, and which cause ba of a mile or more on either side o Highway 7 intersection. I was told that way 404 was designed to relieve this, then I read—I was not here at the time o debate yesterday—that there are no de plans for proceeding with 404.

I also bring to the minister's attention Highway 404 is five and a half miles t west and is serving quite a different pa the city. What is the plan for even doing something to relieve the tremen congestion on Highway 48, particularly and south of the town of Markham?

**Hon. G. E. Gomme (Minister of Highw**  
**Mr. Chairman,** there is no bypass planne

Highway 48 at Markham, and our origin and destination surveys have shown that 404 will relieve this problem.

**Mr. Deacon:** Yesterday, Mr. Speaker, the minister stated that he is still having difficulties with the municipality of Metropolitan Toronto with regard to the construction and completion of the Don Valley Parkway north to Steeles Avenue. I cannot understand this statement, after he said some months ago, at least six months ago, that he felt that agreement was near and that this matter would be resolved.

The fact of the matter is that the municipality of Metropolitan Toronto has been upset for some time at the Toronto and York Roads Commission and its inability to have more control over the expenditures of that commission. Now with the new announcement that the Minister of Municipal Affairs (Mr. McKeough) made last week, the question of the Toronto and York Roads Commission has been resolved, surely the minister can tell us that there is no question that the parkway and Highway 404, which is an extension to the north, can now proceed? The Highways department has, I understand, purchased the land, and people in the town of Markham and in the areas around there, have been having to put up for too long with the tremendous inconvenience of the congestion in traffic that has not been alleviated; and there is no alleviation in sight.

Can we get any further explanation of what is going to happen? When are we going to get a date?

**Hon. Mr. Gomme:** Mr. Chairman, as I said yesterday, we are trying to renegotiate to see if we cannot work something out and there has been an exchange of correspondence between the government and the chairman of Metro just within the last week.

We are actively pursuing this, but as yet we have not got agreement.

**Mr. Deacon:** I wish then to go over the question of this role that was discussed yesterday—regarding the movement of people by automobile from the areas north of this city and by public transportation—the role that I feel the province must take, and is not taking, through The Department of Highways.

I think The Department of Highways is doing a fine job in trying to get these highways designed and built for one particular way of moving people. But we know that the key element in getting people to move out of their cars for commuting, is the matter

of the time it takes from when they leave their homes to when they get to their place of work.

They have to have a dependable—

**Hon. Mr. Gomme:** Mr. Chairman, I would think that would come under the next vote, 804.

**Mr. Deacon:** I am sorry, Mr. Chairman, but I have to do with grants to municipalities, and the whole question of integrating a public transportation system. I am not worried about whether it is going to go by GO Transit, TTC or Gray Coach or Trailways or whatever it is. It is a matter of the role The Department of Highways takes in encouraging and building the various facilities needed to move people, whether it is by automobile or by public means. I just want to go over the question of the matter of the time it takes to get to your place of work from your home and home again; and the dependability, cleanliness, the cost.

The department has lost, away back in the corner of its big operation, something—I cannot get the new name they have for this in the department—it is part of a new branch; I cannot see if I can find it in the book. I know when I was looking for the place it came in the big panel that shows the organization of the department I could not find it; somebody said that I should get spectacles, I thought I really should have a microscope or something in the way of a magnifying glass to find it. It is called the transportation systems office and it is under the planning branch.

It shows the degree of importance that is placed upon this means, this vital means of moving people. The most inexpensive, the most efficient, the most convenient way of moving people is relegated—I refer to commuting purposes, particularly—to a little corner of your department, both in your directory and actually physically, out there in Downsview.

It seems quite wrong that this should be relegated. You should have something that is equally important to the construction of roads and bridges right at the deputy minister level.

It is a question of a responsibility to coordinate the grants for the whole integration of public transportation, both at the municipal level and at the federal level. We have a case here where the federal government has really let us down, in an opportunity that it has to co-operate with the province. The province has jurisdiction, has granted powers to municipalities and it has c

nothing of any significance, other than the grant that was made to the Metropolitan Toronto subway systems, to build up a really integrated, a co-ordinated means whereby people can go from where they live to where they work. I suggest to the minister that he has put a completely wrong emphasis on his department. This is well illustrated by the fact that the organization has the transportation systems in the planning branch in a small corner at Downsview.

I suggest that he is losing, he is not putting the proper emphasis on what can be done to correct the situation. Mr. Wronski, the director of planning for Metropolitan Toronto, said people prefer their cars. It is no wonder people prefer their cars. When you take a car, you may sit in a traffic jam, but at least you can sit in the same vehicle.

But they would not prefer their cars if we would really approach this in a significant way. I suggest to the minister that he has lost an important opportunity that he should have seized upon to emphasize to municipalities another way of moving people than by the automobile.

On the economics of roads, the minister can easily show—he can say—that the gasoline taxes that are paid out by the motorists travelling on Highway 401 across the north of Toronto, this 16-lane highway, will pay for that highway, probably in under 10 years. That is the straight-line economics of the question, if you look at it in its narrowest sense. But that is not the real cost. It is interesting that some economic surveys that have been done in the city of New York estimate that every car that comes into the city of New York costs the ordinary taxpayer—and it is not just the motorist himself—but it costs the ordinary taxpayer, through taxation, \$3 in one form or another to subsidize that car being in downtown New York.

They point out that the police and all sorts of considerations come into the economics of that, and I have a hard time getting them to pin down where they get that figure. But there is certainly a cost far over and above the parking costs, and the costs of construction and maintenance of the streets that the automobile imposes on a city when it is operating.

So it is not enough for the minister to say that the highway is paid for in under 10 years from the gasoline taxes coming in from the gasoline consumed by the cars moving back and forth across that city on that highway. There is a very important other cost, a social cost, a quality of environment cost, that

we have to assess and which we do not look into it. I suggest to the minister he has to look into this further. I suggest that he has got to be more than just him looking into it.

The minister's representatives have come back from Boston and they discuss the situation there, and it is interesting that the expressway was stopped, right in the air, pending an examination of what they should do from here on. But it was interesting also to have the people in Boston point out that although they spent literally hundreds of millions of dollars in building expressways over the past 30 years in Boston there has been no increase in the number of people travelling in and out of the downtown part of Boston, and there has been no increase in the traffic—it is worse than ever.

You have to see what has happened: they have wrecked their public transportation system, it has gone into disrepute, and are now starting to spend money on it, but they do not seem nearly as attractive a system as we have in Toronto. Thanks to the fact that we have put a subway in, we have had an excellent public transportation operation in this city and it is no wonder that Toronto is looked upon with envy by many of these cities.

But that is not enough. We may be the best over on this side of the water but let us look for others who are doing it a little better and let us see how we can perhaps lead the way. We certainly can lead the way if we take this overall concept that the province has the power, because it is through the grant that decisions are made.

It is so interesting, in that announcement by the member for York South brought out yesterday and which we were made aware of through that CORRA study, that our dispersal would be such that 94 per cent of the money spent in the Toronto region would have gone to expressways and only six per cent to rapid transit. It was pointed out reasonably that half of the current grant for Metro is going into the rapid transit system this year.

That is just this year, but it is not enough. We have to go much further to make it quite apparent in some fashion that the province will give equal support to a public transit system—to its vehicles, to its equipment, to its maintenance—to the way it operates, as it will to highway systems. If we will not have people like Mr. Wronski saying people will not use it, that they prefer their cars, they will not use the public transportation and you cannot take public t

portation seriously. They will use it, and we will then find the economic advantage that we can move more people far faster, more pleasantly, more efficiently, with less pollution, via the public route.

I suggest the only way for us, really though, to come to a policy and to put the proper emphasis upon this programme is through the suggestion made by my colleague, the member for Parkdale (Mr. Trotter), and the Leader of the Opposition (Mr. Nixon) yesterday that a select committee be given a limited period of time to listen to all the various presentations and to recommend the sort of policy that this government should adopt to ensure that municipalities know they do not have to just go the route of highway construction, there are other ways of moving people and to have that flexibility to meet the need that is presented to them.

I was very impressed last year to know the deputy minister had been looking into these future concepts. There has been a lot of study. They went over to the other side and saw what they were doing. Some of us have been doing a lot of research and reading into these things. They are a few years away; but not many, perhaps five years away.

But this is something that really does require a great deal of study. It requires expenditure of our own funds to be sure we are right up on what is going on, what the alternatives are, that we are doing co-operative work with others on what would be the most efficient way of developing these new systems.

But what really bothers me is that there is really no expertise in the department on this question at this time. Not really—not when you see an announcement as we had last week, or whenever it was, on that GO Transit. There is really no expertise. Anybody who really knows what is going on would never listen solely to get ideas presented by a transportation system that wants to get rid of people, not to move people.

It wants to get rid of them. The only way it wants to use them is if it gets paid a good profit plus for anything it does. It certainly will not do it in a way that it has a real incentive to serve, because it is just looking for us as a Santa Claus to pay more subsidy to them to operate the system.

We need to have an organization developed here that is concerned about the people and the way we serve them—the way we are moving them. I suggest the only way to do it is by having the minister recommend to the Premier (Mr. Roberts) that a select committee be appointed to look into the future—not just

existing concepts, but future concepts—re-nizing the need for an overall approach to transportation being developed that will move our people most efficiently. And, of course, not just people, but also freight, but it seems to be a lot easier for us to look at that than the people.

A select committee would have many advantages. It would have available to it the expertise of such people as this department and other consultants could bring. You would have critical considerations of what is important, what motivates councils and autonomous bodies to move in one direction or another, what they need. It has that experience and that expertise.

I cannot help but feel if we have such a committee it will be a little more objective than the committee that has been mentioned down in city hall. That committee is composed of people who made up their minds because they had certain restrictions in what they had to consider the overall problem of public versus private transportation.

I think that select committee, if it is appointed right away, could come back with a report no later than the end of September or certainly the middle of October, which could be very valuable to this minister handling this whole question. I would appreciate the minister's reaction to this suggestion that has been made.

I did not read in yesterday's accounts any reaction from him at all, and I would like to hear what he has to say on this matter, the appointment of a select committee.

**Hon. Mr. Gomme:** Mr. Chairman, just answer to that direct question. Of course I will discuss it with the Prime Minister. It is not in my power to appoint a select committee, but I can discuss it with him.

**Mr. Deacon:** But are you in favour of that approach to this important question?

**Hon. Mr. Gomme:** I would want to discuss this with the Prime Minister. This is primarily the question you have asked and I have given an undertaking that I will do that.

In reply to some of your remarks, I would like if I might give you a statement of what reorganization we have made in the department to look after this. I had been going to use it in 804 but it really does not matter. I feel it would be of interest and I trust assistance to the hon. members to express very briefly how The Department of Highways has been reorganized to cope with

added emphasis and modes of travel other than roads, and in particular commuter and mass transit.

While conventional modes of transit should not be overlooked for at least a partial solution to our problems, particularly in the urban areas, new modes such as the air cushion trains, exclusive bus lanes, and a number of others, show great promise and are actively being researched.

In connection with the research, my deputy minister has had recent discussions with his counterpart in the federal government, Mr. Stoner, deputy Minister of Transport, with the result that we are jointly researching equipment and systems so that both jurisdictions can take advantage of each other's research and study. This should result in reduction if not the elimination of duplication of effort.

While the department in the past has been largely associated with planning, design and maintenance of highways and roads, we have for some time been directing ourselves to the broader responsibilities assigned to us which are briefly:

1. Planning all surface transportation for the movement of goods and people.

2. Research and planning to ensure a properly integrated surface transportation network. Research in other modes, both from the standpoint of systems and of hardware, and to represent the province in joint research and study in these fields with the federal government, municipalities, and transportation entities throughout the province.

3. Responsibility for the operation of GO Transit and the government's involvement in transit operations soon to be introduced, and to give leadership to municipalities and transit entities in the development of other modes to ensure an integrated system throughout the province.

4. To continue to represent the government in matters dealing with inland ferry services, both present and planned, and particularly in dealing with the federal government where they presently have an interest.

To centralize our involvement in modes and planning in this broader field of transportation, we rearranged our organization whereby a branch has been formed which is responsible for:

1. The operation of the GO Transit systems.

2. The planning and studies for other modes so that systems other than highways can be

given consideration in the overall planning of our transportation network.

We are currently working on the preparation of a concept to be compatible with proposals in the Toronto-centred-region recently presented by the Prime Minister. This report, which will be completed within a month, or a month and a half at the latest, places the heavy emphasis on modes of transportation as well as the need for a road network in this vast area.

3. Research of hardware and systems involved in other modes of transit. While the organization of this branch is relatively small, it is supported by all the several branches of the department and its efforts will be co-ordinated with those of the municipalities throughout the province by municipal engineers and regional directors. In these studies we have involved ourselves and will continue to do so, with the economic and financial aspects of the problem in The Department of Treasury and Economics and the regional development branch of that department together, of course, the community planning branch of the Department of Municipal Affairs.

I would also point out that ever since the government's decision to undertake the study, we have been heavily involved in research, planning and experimentation in other modes, the most notable of which is the implementation of GO Transit and then its expansion, recently enough, as I stated before. The lessons we are learning from the experiments we are undertaking are with a view to general application throughout the province where applicable.

I would also point out that as a further indication of the government's recognition of transit, a subsidy of 33½ per cent for the construction of the subway was introduced a number of years ago and, recently, the rate has been increased to 50 per cent and is applicable to all the subway up to the top of the roadbed. We have included a subsidy at 75 per cent the cost of all studies undertaken by municipalities in respect to forms of service transportation, including mass transit.

**Mr. Deacon:** Mr. Chairman, in connection with this announcement, is this now a transportation systems office? Or at what level is it? Is this under Mr. Campitelli? What level is this now operating?

**Hon. Mr. Gomme:** It is now a transportation research branch.

**Mr. Deacon:** To whom does it report directly?



**Hon. Mr. Gomme:** It reports directly to the research director, Mr. Malcolm Armstrong, who then reports to the deputy minister.

**Mr. Deacon:** Is there any grant system at all for the rather important component of any public transportation, the rolling stock and the other equipment? Is there anything to cover the signalling and all the components that go in, in addition to the construction of the actual tube and roadbed?

**Hon. Mr. Gomme:** No.

**Mr. Deacon:** Would not the minister consider this a rather important item? Does this not consist of about 70 per cent, 65 per cent, 30 per cent, of its whole cost?

**Hon. Mr. Gomme:** I cannot answer as to the percentage, but I think in the announcement that I made here we are certainly going to look into that.

**Mr. Deacon:** Mr. Chairman, the minister means that he is going to consider the subsidy for the overall cost as being 50 per cent rather than just the actual cost of the roadbeds?

**Hon. Mr. Gomme:** I should not say that, but I mean in the studies that are going to take place and the research that is done, of course we will take into account all those things.

**Mr. Deacon:** In view of the fact that the major cost of the overall project has got to be non-subsidized construction, is it not a deterrent to planning by any municipality? On one side, there are the roads where the whole component is subsidized—subsidized in the case of bridges and structures to 80 per cent; and, in the other case, there are the roads subsidized to 50 per cent. Is it not going to weigh the municipalities' decisions in favour of the roads where they get a full subsidy on the overall project, whereas in the case of the public transportation there is just a small fraction on which they get a 50 per cent subsidy. Does the minister not feel that there is a very large gap here weighing in favour of the private automobile and the private road-way versus the public?

**Hon. Mr. Gomme:** I think probably the hon. member is quite correct. But, as I say, these are some of the things that we hope to discover in the research. We have not any money set aside for subsidy for mass transit systems in these estimates beyond what is stated for the present Metro system.

**Mr. Deacon:** In these estimates the minister must have an allocation for the municipi-

ality of Metropolitan Toronto. Would he be prepared to say to the municipality of Metropolitan Toronto: "You can use all that subsidy money for either highways or road construction, or public transit in any form, as long as it is 50 per cent of the cost, you use it whichever way you want. We do not worry about whether it is in the public or the private sector. The only thing we are concerned about is that you have spent an amount equal to our expenditure, and we are not going to be able to give you more than this amount this year. That is the amount that we have allocated in the budget, and therefore that is all you are going to get." We are telling you as Metro Toronto, we can spend it either in the public or in the private sector and it covers 50 per cent, or 50 per cent of the cost of either way.

Would that not be a fair way for the minister to approach things by giving the municipality a completely free choice in the matter?

**Hon. Mr. Gomme:** I might point out to the hon. member, it is covered in the Act how we can pay this. We would have no objection if Metro wanted to use more on their rapid transit and less on their roads, provided it is under the Act whereby we can pay it.

**Mr. Deacon:** But, since the Act specifies that there is nothing allowed on these other items of public transportation that I mentioned, there is no point in the minister saying that. Could the minister not—

**Hon. Mr. Gomme:** I was only trying to point out, Mr. Chairman, all we could do under the present Act would be under those conditions.

**Mr. Deacon:** Would the minister be prepared to bring in an amendment to the present Act which would remove that restrictive consideration, so that it was entirely at the discretion of Metro Toronto—it was entirely within their autonomy—to decide whether they were going to spend the money on public transportation or on private transportation, as long as it was just a 50-per-cent grant either way?

**Hon. Mr. Gomme:** Mr. Chairman, I think that is a matter for government policy. That will be dealt with after these reviews have been taken.

**Mr. Deacon:** Would the minister consider having this dealt with during this session of the Legislature? Then the people who are now considering a very important question

Toronto—as to how they should move from the northwest sector down into the heart of the city—would have a real choice before them, of private versus public, or maybe a combination of both in some form. But they would know then the province legislated the opportunity for them to take it in whichever form they wanted.

That is something I would like to see the minister commit today to do. Then we would know the minister was just as strongly in favour of either form—that he really did believe what he said—that the decisions should be up to the local municipality. They can get the same thing either way.

Would the minister agree to try to bring in—

**Hon. Mr. Gomme:** Mr. Chairman, I have no intention of committing myself to that. The hon. member has asked for a select committee to review all this, and I said that I would speak to the Prime Minister about it, which I will do.

I have stated the position that we are in as to the department and its reorganization. I think we have to await the outcome of what happens on these two things before I would be prepared to commit myself at all to that.

**Mr. Deacon:** I will not press too hard for the first answer with regard to the select committee. Perhaps we will get some legislation if no select committee is forthcoming.

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

**Mr. V. M. Singer (Downsview):** Mr. Chairman, I wanted to follow up a matter I started on yesterday and that was in relation to Highway 407.

As a result of my request and the minister's undertaking—he said he would send me some maps—about 5 o'clock yesterday afternoon he was kind enough to send me, I think, some 20 yards of maps. We spread them out here and had a look.

It had been my conclusion, as a result of examining these maps, and there are five of them—each one is, as I say, about five yards long—that most of them had very little relevance to Highway 407. I was going to suggest to the minister in pleasant terms this afternoon that, if he is sending maps around, he should send the right ones around.

However, I must relate, Mr. Chairman—

**Hon. Mr. Gomme:** Mr. Chairman, before the hon. member goes any further I would like to correct that one statement.

We felt that it was an emergency situation for this member to have these and we went up to where these are stored, probably without the director being there, and some were handed out the ones which were not the most up-to-date. But I believe we have corrected this for you today.

**Mr. Singer:** Before the minister apologizes let me tell you what he has done. Let me tell you what happened; he interrupted the sequence of my story.

I was very happy to be visited just before 2 o'clock by the deputy minister, who presented me with the correct maps. As I would suggest to the minister that you would better look after your deputy's health, because when he is away, apparently no one over there knows what is going on. That is a very serious problem, and if Mr. McNamara ever removed from the scene, the whole department of Highways is going to blow a

What the minister, in fact, sent me, Mr. Chairman, was a map of the widening of Highway 7, dated 1959; another map showing the widening for the Thornhill bypass at Highway 7, dated 1960; another map relating to a plan of a proposed King's Highway, Highway No. 7, dated 1962; and a fourth one relating to a proposed highway as the King's Highway in the township of Markham. That is instrument 8163; it is dated 1967, and I suppose that, in fact, is a predecessor of what I was asking for and has now been replaced.

You only sent me one relevant one yesterday. That is this map, which is part of instrument no. 8319, on February 7, 1967, in the registry office, and that is part of the proposal for Highway 407. The deputy minister brought to me today plan 8321, which is the other part of the proposal for 407. Both these instruments were registered at the same time in the registry office and the sequence of numbers jumps from 8319 to 8321, I suspect, Mr. Chairman, there probably is an instrument No. 8320 which goes in the middle which is also a part of the proposal Highway 407.

To date I have not had that one, and I wonder if the minister could perhaps confer with the deputy and see where the middle link is. Perhaps I could get that one, because then, by putting the three together, I think I would have the latest proposals for Highway 407.

Now then, in addition to receiving a copy of these documents, I got a small one which I can conveniently look at without going through all the machinations I had to go through

yesterday—taking up this whole front line of desks to look at these plans—which indicates the route of proposed Highway 407 from Highway 27 to Highway 48. It is this squiggly line, and it has appeared on the various plans that have been revealed by the Premier and the Minister of Municipal Affairs and by the Treasurer (Mr. MacNaughton) in recent days.

It is very interesting that there is a proposal for Highway 407 and that you have filed a plan indicating that this is the proposal. But there are several questions that I want to ask. I wonder, first of all, why the proposal stops at Highway 27 and does not, in fact, run to the west boundary of Metro which is the Peel county-York county line. It is quite a distance west of Highway 407.

One would think if one listened to the Minister of Municipal Affairs, and one heard him correctly or one examined the documents he produced, that Highway 407 was going to run right across the whole of Metro. Well, for some reason, this proposal of yours stops at Highway 27. Be that as it may, Mr. Chairman, all we have, in fact, from the production of all of these documents and from the kind intervention of the deputy minister is just a proposal. It is somewhat more specific now than it appeared from the speeches given by the Minister of Municipal Affairs and by the Premier and the Treasurer; however, it is still just a proposal.

Since the effect of this highway is going to be so important on the whole of Metropolitan Toronto and on the future development of the new regional municipality of York, I think that we are entitled, Mr. Chairman, to get some better idea, some far better idea, of when this proposal is likely to become a plan. In other words, Mr. Chairman, is the minister prepared to say when we are actually going to have a plan of Highway 407? When is Highway 407, the route for Highway 407, going to be decided? When is it going to be started and how long is it going to take to build? When, in fact, Mr. Chairman, are the people who are responsible for local government in Metropolitan Toronto going to know where their northerly boundary is going to be?

Certainly, from what I heard in those reports that the Minister of Municipal Affairs referred to, the northerly boundary of Metropolitan Toronto is going to move from Steeles Avenue up to 407 and the southerly boundary of the new regional municipality of York is going to be the same highway, Highway 407. There is going to be a great deal of re-organization insofar as the effect of these plans is concerned. There is a great deal of confusion already existing in the minds of many people.

I think the figure that emerged from reports delivered by the Minister of Municipal Affairs was that some 50 square miles going to be added to Metropolitan Toronto. Fifty square miles is about one and a half times the city of Toronto, just to give some idea of the size, and there is a large piece of land in there. Fifty square miles is a lot of land but it is going to be pretty difficult to make plans to use that land until somebody in government tells us where the line is. What is the northern boundary of the 50 square miles?

How is Metropolitan Toronto going to be able to plan for water mains and sewers and its own internal transportation unless somebody in government can tell us when the proposed Highway 407 is going to become a planned Highway 407?

The point I was trying to make yesterday, Mr. Chairman, is that so often when we hear the announcements of these grandiose schemes—these new plans that are going to control the size of Metropolitan Toronto and direct the people in a certain way and industry in a certain other way—everything is going to be fine because we have nice coloured circle maps when the maps are produced. The government really does not know what they are talking about because they have never thought through the schemes that they have announced. They have never given any indication of when they are going to start and how they are going to be carried out.

What the Minister of Municipal Affairs has proposed is a major alteration to the structure of Metropolitan Toronto, perhaps as important as anything that has ever happened before to Metropolitan Toronto. He has also proposed a holding zone, and I am sure the Minister of Highways is familiar with this, from the new northerly boundary of Metropolitan Toronto through most of the township extending in a northerly direction. Where is the holding zone going to be? It is impossible to determine because all we are able to get from the Minister of Highways is the route of a proposed Highway 407.

I would think that the Minister of Highways and his colleagues would be most concerned with the difficulty of providing accommodation in Metropolitan Toronto and the difficulty that the average wage earner is faced with in trying to buy a home. One of the reasons for that is the shortage of land. I have urged on other occasions that the boundaries of Metropolitan Toronto be expanded so that more land would be available.

available for housing units. The Minister of Municipal Affairs at first pooh-pooched this, said it was ridiculous. And then, the other day, he indicated that apparently he is going to add some 50 square miles to the size of Metropolitan Toronto, perhaps more. However, if you are going to be of any help to people who want to build new homes, you have to do something about providing land at a cost that the ordinary wage earner can afford.

Land in Metropolitan Toronto has priced itself beyond the means of apparently three quarters of the people who earn wages in the Metropolitan Toronto area. I quote from a speech made the other day by a gentleman who is the head of the Toronto Real Estate Board, I think; this was the latest pronouncement that he made. Whether his figures are accurate I do not know, but I do know, Mr. Chairman, that a 50-foot serviced lot in Metropolitan Toronto today costs at least \$17,000, and I think that is just a tragedy.

Somewhere along the line government has to try to do something to alleviate the cost of homes for people who are going to live in this Metropolitan Toronto area. Your colleague, the Minister of Trade and Development (Mr. Randall), and his arm, the Ontario Housing Corporation, do not seem to be doing very much about putting the cost of housing within the reach of the ordinary worker in Toronto. One of the answers could well be the provision of more land to Metropolitan Toronto. But where do we run into the bottlenecks?

I do not know whether it is the fact that the Minister of Municipal Affairs announces his plans prematurely, or the Premier gets sold a bill of goods by the Treasurer and says, "We have got to do something because the voters are mad at us; so let us come out with a new plan with some coloured dots all over it". Or whether, in fact, the bottleneck is the Minister of Highways. I wish we could find out, Mr. Chairman, where the cause of the bottleneck really is.

If the Minister of Highways is going to have this great responsibility of determining the route—not the proposed route, but the route of 407—I wish he would tell us. I wish he would tell us when somebody is going to be able to announce the definite route of Highway 407, and when the work is going to start and when it is likely that that highway is going to be finished.

I recognize—and the deputy minister mentioned it to me today—there are certain impediments. The Minister of Highways,

with others, has to wait for the announcement of the location of a new international airport in the Toronto area and this, perhaps, is one very serious reason why the plan cannot, in fact, be finalized.

However, one would think that even without that substantial exception, the minister would be prepared to say all right, that within a week or a month of the announcement of the proposed site of the airport, he would be able to say, "We have plans, we have begun to set aside money for the construction of Highway 407, for the building of it". All we have got at the moment, Mr. Chairman, are yards and yards of plans, one of which supersedes the other; they go back 1959—11 years old—and they really are of no meaning.

I make a plea, Mr. Chairman, and I add it to the minister, and it is simply this: When you are charged with making this kind of decision, which is most important not only to the welfare of the two million people who live in Metropolitan Toronto but also to the development of the whole economy of the province, for goodness' sake, make up your mind and make some announcements. Otherwise, why do your colleagues get upset, say, "These things are about to happen" when in fact they are not happening?

I just do not understand why this kind of confusion must continue to exist and why government cannot—even among its various cabinet ministers—co-ordinate all of the things that it is making. It is obvious that, notwithstanding the Premier's latest speech, the other hand of his cabinet still does not know what the right hand is doing.

Hon. Mr. Gomme: Mr. Chairman, the only confusion over here; I am sure it will be over there, because in the statement I made I said we are currently working on the preparations of a concept to be compatible with the proposals in the Toronto-central region report. This report will be presented within a month or a month and a half, when we submit this report of the total transportation plan, it will have the exact route of 407 shown.

Mr. Singer: That is not what you told me yesterday.

Hon. Mr. Gomme: Well, this is what I told you today, and I read this statement.

Mr. Singer: Oh, well, it all depends on which day you listen to the minister.

Hon. Mr. Gomme: No, that is not right.

**Mr. Singer:** Yesterday you told me it was all in the registry office.

**Hon. Mr. Gomme:** If you would only listen to me, but you are the most impatient man with your answers to your own questions I have ever seen in all my life.

**Mr. Singer:** You sent me five maps.

**Hon. Mr. Gomme:** Of course, Mr. Chairman, there is no one in this House who has the wisdom to be able to reach to Downsview and get the proper plans like the member for Downsview. Now he must be able to do this. We tried to accommodate you; I admitted we brought the wrong ones down, but you do not accept anything. All you want to do is to try to embarrass with your own talk. Well, you are not going to embarrass me.

**Mr. Singer:** I do not need to, the minister does a pretty good job on his own.

**Hon. Mr. Gomme:** All right. Now I told you yesterday that this was a designation plan, and this will be within a few hundred feet of where the exact location of the road would be. I also told you yesterday that we purchased considerable property on this right of way, which commits us to build it there; this will be the exact plan within a month or a month and a half, and I said that in the statement.

**Mr. Chairman:** The member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, I rise *in extenso* of what my leader spoke of yesterday, seeking to prevail upon the minister to alter his mode of approach in his grant structure—you know, the labyrinthine way that it was set forth in the Smith committee of the day before yesterday, pointing out to you the rather archaic concepts under which you operate and the plethora of grant structures that you presently have. It can be greatly simplified, I am sure, if you put your mind to it. You have the expertise in your department, men fully capable, as we witnessed up in Downsview, of carrying out this project. If you were a forward and vital Minister of Highways, this is what would take place in the next year or so while you are still ensconced there in your seat and in office.

**Hon. Mr. Gomme:** What makes you think I will not be here?

**Mr. Lawlor:** You will be, for the interim time. I suspect that there is not much anyone can do about that.

Interjection by an hon. member.

**Hon. Mr. Gomme:** What do you mean 10 years?

**Mr. Lawlor:** But the electorate of the province will speak shortly. If you do not move into the area of a reclassification system, I am sure that the wrath of the population will be visited upon your head, not just your wrath. There are more expressive ways of addressing the minister, you know, and if one fails to do in this House, the ballot speaks for us.

Not only in the area of classification we find the normal convoluted methods applied to the distorted system of grants that you presently have, but if you zero in on one area of grants the minister is prone to give evasive answers. During the afternoon I have heard him, I will not say slough exactly, but simply evade the full porter what he has done in distorting in this province the whole picture as to where the grants go, most importantly with respect to Spadina expressway.

You have, by weight of your grant structure, prejudged the whole issue. Any municipal councillor, or any Metro authority, would run adverse to what your system dictates, in advance would, of course, hit his head, too. This is made eminently clear and it is curious that in the press and in public debate, this does not come to the attention that the municipal representatives do not. "Our hands are shackled, gentlemen, we have no alternative, we have no area in which to move. Why castigate us about bringing expressways in, however deleterious to the surroundings they may be? Why are you castigating us? We are already in a strait jacket imposed by the Minister of Highways and his legislation". He gives only the muffled response as to what he intends to do about it.

I mean, this is particularly borne out by a statement issued through the auspices of CORRA. That is a group of public-spirited citizens, from 25 different community organizations, the ratepayers association, who have come together in order to publish a report:

At the Community Planning Association of Canada seminar held at York University, Mr. Blumenfeld said that the transit-oriented system included in the 1964 plan was based deliberately on extreme and on unrealistic assumptions and was just a concept to be tested in computer simulations and that it was not proposed as an alternative plan.

Of course, it was not proposed as an alternative plan; they were making believe. Of course, they were throwing their figures up against a blank wall. What else could they do considering that you give 94 per cent to expressways and six per cent to the public transit system, taking into cognizance only the roadbed?

You have granted a little extra this year, I admit—more by mistake and happenstance than by any deliberate policy that has come about in this particular way—and it is high time for the good of the whole community in terms of all amenities of that community, in pollution, in congestion, in the role of the motor car. Why, as I drove down today I heard that in a community conference which some of your ministers attended yesterday, one of the members on the panel advocated the complete abolition of the motor car. It was admitted by a minister of the Crown that certainly, within the very foreseeable future, automobile traffic in the greater Toronto area entering into the city core itself would have to be severely restricted. No question about it.

Here we are, with admissions like that proceeding from some ministers of the Crown, with your grant system perpetually rooted, and without any real indication forthcoming from you during these estimates—when we have most opportunity to question it—of an alteration or a change that is anticipated in this particular regard. I find it fantastic to stand in the House and have the minister sitting so passively against all the eventualities that are going to accrue on our heads.

He has disposatory power over this matter. Why do you not rouse yourself to the task and say, during the course of these estimates, "Yes, I am seriously concerned about the maladministration of the grants, as to the distortions that these grants cause in municipal financing. I do think that our present system is the cause, is the determinate, as to why expressways, rather than rapid transit, are actually being constructed. I am prepared to alter the whole picture in this regard, on the advice of all the best research and advice that I have received throughout the North American continent, as printed in *Fortune* magazine, the *New Yorker*—any number—and in the journals connected with the engineering profession."

It seems to me that that would be an eminently sensible move at this time. I can only admonish the minister in his failure to do so, and on the other hand, urge him to move ahead in this particular area. Show

a forward sense of what better community planning is involved in.

I will send him, if he would like, a copy of Jane Jacobs that may help him to make some determinations. I do not suppose it is in any way the last word on the subject. On the other hand, the good girl is inhabitant of our town now, and is definitely concerned in these matters, and has offered a fair argument and intelligent proposition which I think the minister should take under advisement. That is as much as I want to say about that particular aspect.

There is a completely different subject I want to get into discussion on, Mr. Chairman. That has to do with the total cost of the Queen Elizabeth-Highway 27 project proposed to service the Sherway plaza.

The hon. minister, as I understand it, spent somewhere in the region of \$100 million in order to meet, fall in with, conform with and be kind to, the T. Eaton Company of Canada and the Simpson-Sears operation in respect to the Yorkdale plaza. He has spent vast sums of money in order to, as I understand it, accommodate this particular commercial enterprise.

Why they have such a munificent rating stars in the horizon with the minister, does not escape me. Why this particular department, store business, over against any number of other possible businesses, should enjoy a pre-eminently privileged one-up position in respect to Yorkdale, and now with respect to the Sherway plaza, quite escapes me.

My contention here today, Mr. Minister, and I would ask you to produce as numbers and figures for me as you possibly can—is that again, something in the region of \$100 million is being expended in Etobicoke at the present time, commencing back in about 1966 and going forward into the indefinite and probably future, only on those linkages. I refer only to the interchange, which resembles Disneyland, or at least aspects of Los Angeles, at least, as one approaches.

You know, after church on Sunday mornings, my family and I now go out and we go on the expressway and circulate the loop-the-loop, so to speak, and circulate around and go up one and down the other. The kids think it is a real roller-coaster, a marvellous assembly of things. Esthetically hanging there in the air, one on top of the other, it takes your breath away. All because Eaton's wants to operate a mail order business off the corner there. I think that it would cost \$100 million.

The borough of Etobicoke, of course, would be hit very badly. I do not blame them a

The municipal council says that it will bring in tax revenues to the tune of \$1 million a year.

All I can say is it would take 100 years, at this rate, to get back the expenditure being made. While the local municipality may benefit, after all, it is the people of Ontario generally who are paying the shot and I am sure the people up north are delighted to hear my conversation this afternoon. That is what is happening in that area.

It does not only include the interchange itself, in all its tiers, but road widening. I suggest to you that the widening of Highway 27 to 10 or 12 lanes would have not been an eminent necessity had not the Sherway plaza project come into being. They simply had to provide access routes and vehicular traffic access to that plaza, and, as a result of that, you have had to widen Highway 27 all the way up.

Not only that, but you have had to—and I have been interested in the figures—to some extent, either through Metro or directly, do the paving work and widening work on Evans Avenue, so that access would be gained through there to the commercial areas, and another shopping plaza with the Steinberg's store at 27, at the southeast corner. That hole had to be kept open and adequately provided for, over against what you were doing at the junction of the QE.

Then they had to, as a result of that—and this is what my leader spoke of yesterday, as how you get blocked into a cascading series of having to do one thing after another, because you committed yourself to the first step. Le premier pas est plus important—the beginning counts for it all. After that it does not matter. You have set off on a flibbertigibbet piece of business, and you are caught in the trap of your own logic; so it mounts and mounts, and you have had to make enormous changes to the interchange at 5 and 27. I want to know the precise amount of money being spent on the Highway 5 interchange. Proceeding up the highway, the 401 and Dixon Road area is being transformed; as my friend from Sudbury (Mr. Sopha) would say, it is being transmogrified. You would not know the nature of the animal. As a matter of fact, if you are going north and are going to proceed west onto the 401, you can no longer get on without performing gymnastic feats which automobiles are not really equipped to do.

In any event, if you go up there this afternoon, there are innumerable bulldozers, various types of equipment bogged down in the mud as far as the eye can see. No one

know when, if ever, in the long history of mankind, the thing will ever be finished in order to assist the Highways department in forever tearing up the 401 and rebuilding it.

Some years ago I asked what the cost of 401 from one end of Metropolitan Toronto to the other, and the minister, somewhat along the line, sent a notice that it was \$30 billion? I forget, it was some vast amount and every year the minister starts all over again to make a fresh start; an extra six billion goes in.

I have taken out of your records as much as I can garner thus far, and that is one of the reasons I was a little perturbed that you cut down on the range of information available to us under the public accounts. As near as I could gather from your year-end releases that come out on the calendar basis, you indicate that in Metro Toronto this is the one for 1968—the widening of the QE was finished and the result was a 10-lane freeway from Royal York Road to Etobicoke Creek, a distance of three miles. Now recall that that is to service the Sherway plaza area. It is very close; it is immediately adjacent. So the cost of this project was \$49 million exclusive of the QE-Highway 27 interchange project.

Then in your news release, you say the widening of Highway 27 in the Toronto area includes a \$15 million interchange with Queen Elizabeth. That is another figure I have been able to extract. I want to know what the widening of Highway 27 to 10 lanes is costing, or has cost thus far, or is proposed to cost.

Then there is Highway 27 and Highway 5—the storm sewer unit that was completed in 1968. In your news release you have indicated that cost to be \$17 million, but you do not tell me the cost of the widening at that point of the QE.

Then you talk about five bridges for Mimico Creek to Richview Avenue struck by way of the interchange up at Highway 27 and 401. Again I have not been able to extract the amount of money involved in that particular project.

I am sorry, Mr. Chairman, I said \$49 million; that should be \$19 million for the extension from Royal York to the Etobicoke Creek along the QE.

But if you take Evans Avenue into consideration, the 50 per cent that you now devote to the borough of Etobicoke for the changes that are taking place on Highway Avenue, then that is incipient and necessary

because you have launched into the project of widening Kipling, which may or may not be a designated provincial road. I think that Evans is now under your jurisdiction, but I could be wrong about that.

In any event, I am thinking of the cumulative costs involved in servicing this single plaza out of the blue. If the figures do reach somewhere in the vicinity of \$100 million, then I say to you that your priorities are vile.

Considering the human needs in terms of welfare, the problems of the regions of Ontario, the whole area of seeking to control pollution, the problems that are involved in the servicing of the needs, the vital needs of human beings, how can you really concentrate \$100 million into a few acres of ground? By what sort of human logic or humanitarian disposal do you propose to do that?

If The Department of Highways is prepared to spend these vast sums of money in order to benefit single sectors of the economy, can there be any argument or any justification for that over against innumerable other areas? In other words, the amounts of moneys being attributed to highways in this regard, and the disposition you make of those moneys, are wholly out of line with the priorities and needs of the people of Ontario as a whole.

I think it cries to high heaven that vast sums of money of this kind should go into servicing a particular project of this kind.

Highway 27 did not have to be widened, at least within the foreseeable future. I would like to see traffic counts. I would like to see the figures that would justify it, apart from the coming into being of the Sherway plaza. I always found it quite possible to gain access through there any time of the day. This is no longer, of course, true with the plaza coming into being.

This is done. Far be it from me to speak against it, so far as it services my own area. I am sure it will save me a dollar or so if I travel to Sherway, rather than to Yorkdale, in order to do a little Christmas shopping.

And although it conferred benefits upon the area of Etobicoke itself in terms of revenue, it is going to have a very destructive effect upon the Lakeshore Road itself and business opportunities down there, for which I see no moves being made to alleviate those people. Whole business districts are going to be most detrimentally affected. Do you fellows take into consideration all those things when you are involved in launching on a major public expenditure to protect and give viability to the private sector? It feeds them, in a

way, and in the terms of a largesse extends far beyond anything that you do to do in terms of the Minister of Social Family Services (Mr. Yaremko) for instan

So I raise my voice today to question profoundly. First of all, give me the figures for that highway; and second, how do you think you can justify that of expenditure of public moneys in favour of a very constricted and narrow section of the private economy?

**Hon. Mr. Gomme:** I think I must say is the greatest distortion of facts that I have heard since I have been in this House. In the matter of fact I might tell the hon. mem

**Mr. Lawlor:** You perpetrated some wrong ones yourself.

**Hon. Mr. Gomme:** I might tell the member that the design was not altered to accommodate Sherway at all. In 1968 traffic volume on this Highway 27 north of the QEW was over 75,000 vehicles per day, which requires that it be widened to a four-lane facility and Sherway is not even completed yet.

As to giving you the costs of all those projects, it would be impossible for us to give you that figure here, but I will be glad to give them and give you the traffic counts which have changed, for through traffic and for these things. It will take some research to dig them all out, but I might point out that the figures that you have used have been entirely wrong.

**Mr. Lawlor:** No they are not. They are your own figures.

**Hon. Mr. Gomme:** No they are not. They are yours, because you spoke about the cost of Highway 401 in the Toronto area as \$30 billion. We have no figure that was that at all. You took that out of your head and multiplied it about 100 times.

**Mr. Lawlor:** Oh now!

**Hon. Mr. Gomme:** This is the kind of figure—you have no figure that was like that at all.

**Mr. Lawlor:** Of course I did. What do you think? Have you no sense of humour?

**Hon. Mr. Gomme:** These are the kind of figures you are using.

**Mr. Lawlor:** Incredible! It was something getting very close. I was not going to be precise about it. It was close enough for the purposes. It apparently got through to



Is the minister saying that the widening that is being done on Highway 27 would be necessary whether or not Sherway were brought into being?

**Hon. Mr. Gomme:** Absolutely yes.

**Mr. Lawlor:** Is the minister also saying that the interchange being constructed on that spot would be necessary whether or not there was Sherway?

**Hon. Mr. Gomme:** Absolutely yes. As I said before, the design was not altered a bit to accommodate Sherway.

**Mr. Lawlor:** Are you kidding?

**Hon. Mr. Gomme:** No I am not.

**Mr. Lawlor:** The whole matter went before the Ontario Municipal Board. They turned it down on the basis of traffic counts and on the basis of the engineering plans for traffic studies. It came before the cabinet of this government and they reversed the municipal board and said, "Put in Sherway." Half those interchanges lead directly into the Sherway thing. They circle around to service that particular area. Are you saying to this House that that none of that interchange is designed specifically to service the Sherway plaza?

**Hon. Mr. Gomme:** Yes, that is right.

**Mr. Lawlor:** I will speak to you again on a future occasion.

**Mr. Singer:** Mr. Chairman, I just want to put a small postscript on a discussion I was having with the minister about Highway 407. I understood the minister to say today that the route of Highway 407 has not been determined, that it is quite tentative. Yesterday he said something quite different and I thought the record should be abundantly clear as to whether or not we have a route for 407.

Now yesterday, and I am reading from *Hansard*, this is what the minister said:

**Hon. Mr. Gomme:** Well, I am advised, Mr. Chairman, that the line is designated. Some of the property has been purchased but we certainly have not started any construction yet.

Then I made some comments and the hon. minister said this:

Yes, of course, the route is in the registry office, now designated.

**Mr. Singer:** The route of the highway is in the registry office designated?

**Mr. Gomme:** Yes.

That seemed to me at that point, Mr. Chairman, to be abundantly clear. The minister said yesterday afternoon, between 3.15 p.m. and 3.20 p.m. as recorded in the un-

corrected draft of *Hansard*, the remarks I have just quoted.

This afternoon he said something, I thought that was quite different. I wish the minister would explain to us whether the route Highway 407 is designated or whether it is not designated; whether the information is disclosed in the maps that I referred to earlier as the designation of the plan of proposed highway are, in fact, anything more than a proposal; or whether the highway in fact, designated as the minister said yesterday.

**Hon. Mr. Gomme:** No, Mr. Chairman, I explained that the designation plan which I referred to as being in the registry office be within a few hundred feet of where the actual highway plan shows it. This is the designation plan. But I also told you that when we submit our total transportation plan it will have the exact location of it, within a few hundred feet as the designation plan shows. The designation plan is the one that is in the registry office.

**Mr. Singer:** What is the significance of the word "proposed"? Does the word "proposed" attached to these plans have any meaning or does it not have any meaning? You have proposed plans for highways in this area and the minister was kind enough to send me plans back as far as 1959 and they apparently were meaningless. What I am trying to find out without any of this shilly-shallying any longer, does anybody really know where Highway 407 is going to be? When is it going to start and when is it going to finish?

**Hon. Mr. Gomme:** Mr. Chairman, I think I have told the hon. member where it is going to be. I tried to make that very clear. I can tell you when it is going to start and when it is going to finish.

**Mr. Speaker:** The member for York South.

**Mr. D. C. MacDonald (York South):** Mr. Chairman, I asked the minister yesterday to give us a report on the department's investment, as he sees it at this stage, in an expressway through Brantford, and the answer got lost in the shuffle or even the discussion of it got lost in the shuffle. I wonder if the minister is in a position to give me that now, following which I might have a further question if so.

**Hon. Mr. Gomme:** Mr. Chairman, I gave that information yesterday, but I do not have it today. I will try to get it again.

**Mr. MacDonald:** Do you mean you will get it in the next few moments or some time after we have finished consideration of the estimates?

**Hon. Mr. Gomme:** I am still looking.

**Mr. MacDonald:** Well perhaps the hon. member for Niagara Falls (Mr. Bukator) would like to take over while the search goes on, and I can get an answer later.

**Mr. Chairman:** The member for Hamilton East, I believe, was trying to get the floor.

**Mr. R. Gisborn (Hamilton East):** Mr. Chairman, I wonder if the minister could tell me whether or not the reconstruction of the QE from Hamilton to Toronto from four lanes to six lanes will be completed before the new Highway 407 is started? Maybe if I continue and place my three or four questions—

**Hon. Mr. Gomme:** The answer is yes.

**Mr. Gisborn:** It will be completed?

Well that would be a wonder because, as the minister knows, the Queen Elizabeth Way has been under construction and reconstruction since 1939, and there is no doubt that it has created a great deal of inconvenience to the users of that strip. If anyone drove over it this morning and dealt with the bottlenecks and tieups, it would almost drive one to insanity.

But the question that rises in my mind, and to which I would like some answers, is that during the widening of the Queen Elizabeth from Toronto to Hamilton, they started the limited-access route from Stoney Creek to St. Catharines and that has been completed in a remarkably short length of time. I would like the minister to tell me why they could start the development in that area and get it all cleaned up in a very reasonable time while we are still playing around with the reconstruction of the Queen Elizabeth Way?

Coming over almost every day for a few weeks, or for the last few months, I notice they have repeatedly dug up the median, and I wondered why there is so much excavation on the median. Now I understand; I have noticed that they are laying something that looks like a 10-inch pipe. I would like to know what this 10-inch pipe is being laid for along the median on the Queen Elizabeth Way.

**Hon. Mr. Gomme:** It is for sub-drains.

**Mr. Gisborn:** Is that to take the water off the highway itself in case of flash storms or

what? Has it anything to do with the adjacent roads and the adjacent municipalities?

**Hon. Mr. Gomme:** No.

**Mr. Gisborn:** Has this been usual construction practice on dual-lane highways? I have never noticed it before.

**Hon. Mr. Gomme:** Yes. Where we run into water problems, yes.

**Mr. Gisborn:** What has been the worst problem that necessitated the laying of drains? I have not noticed any flooding in the years that I have been driving down.

**Hon. Mr. Gomme:** I think it has been the drainage up till now, but when we are widening it to six lanes, we need the facility. We are putting the drains underneath, so they will carry the water away.

**Mr. Chairman:** The member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Chairman, it has been a long time since I last talked with this minister in this House. I have patiently sat waiting for the Dorchester circle. The local papers inform me that a contract has been given to build some bridges in connection with that. The minister's people, a subcontractor, has been working in that area, on the main circle and the Dorchester circle in Niagara Falls, which the minister is acquainted with, I am sure. They did put in quite an elaborate storm sewer system, I believe, to drain into the canal.

I gather from the paper there is going to be some \$2 million spent on bridges in that area. I understood the paper to say that three weeks ago that the contract was given. Now, if that is true, I need not pursue any further. I think they even named a contractor.

**Hon. Mr. Gomme:** That is true.

**Mr. Bukator:** The construction will be done soon, then, I suppose, as soon as they—

**Hon. Mr. Gomme:** We expect right away.

**Mr. Bukator:** Right away? Thank you very much. I feel now that that job has been started, it would be a nice thing to see it continue in the way it should have many years ago.

I find that, as the member before me was saying, the department is building new access roads along the highway from Hamilton to St. Catharines. Believe it, Mr. Chairman, this is true as I tell it, as honestly

can tell it. When you came beyond St. Catharines, that is that bridge over the canal, then you felt you were coming into a different country, considering the type of road you had in the county of Welland.

I understand, too, that some of the lands have been purchased along the Queen Elizabeth Way between Stamford Centre, Niagara Falls or Dorchester circle, and Fort Erie. You are acquiring some of the land now, and I suggested many years ago in this House that the lands should be purchased before too many buildings were built along the way, and there have not been too many constructed.

I am speaking from the information in the paper. It would be a nice gesture on the part of the minister or his officials, I am hoping someone will make note of this, that when this type of construction is done—and I realize that press releases must be made and, I think, the city fathers as councillors should get the first knowledge of it—it would be nice for the sitting member to have a copy of the letter to know what is taking place. I think that much courtesy should be extended to any sitting member. I would suggest that someone make note of it and keep us informed.

It is better to know something about it than have to read it in the papers. The people feel, on occasion, that their representative is not doing the job for them. Why could he not have told us about it, or could he not have been in that area?

I feel that politics is something that we take in to consideration on occasion. I am not saying this minister, Mr. Chairman, is doing that. But there is such a thing as common courtesy when we have a service to render to the public. Regardless of what your politics happen to be, there are hazards along these highways that have to be cleaned up. I hope—

**Mr. L. C. Henderson (Lambton):** That is what this government is known for.

**Mr. Bukator:** Pardon?

**Mr. Henderson:** That is what this government is known for—courtesy.

**Mr. Bukator:** Did you hear that, Mr. Chairman? That is the best speech that that backbencher has made in this House for two years.

**Mr. Gisborn:** The only one.

**Mr. Bukator:** He apparently has had courtesy extended to him that many of us have not had, and I am asking for the same treatment. I feel that there are two or three items

that I ought to take up with your office and with your agreement I think it would be best handled that way. They are small issues but they affect the people in that area in a big way, and I think maybe I should talk to your people rather than discuss a minor issue such as this across the floor of this House and take up the time. I am talking about a couple of land purchases that I would like to be made acquainted with.

There are many little things that we ought to do—and I say this most sincerely—we ought to work as a team after the election to be sure about the necessary services to the people affected, regardless of their political stripe. I would like to try to stress this point, because I believe we owe this to each other simply because we are trying to render a service to the public. Instead of taking up your time, Mr. Minister, through you, Mr. Chairman, I will come to you people in connection with some land purchases.

I did get involved in one about a week ago. I did contact two or three of your officials and do believe that they did bring this to a successful conclusion and paid the lady off—they should have. I might relate a little of the history to you. At the intersection of Sodom Road and the Queen Elizabeth Way there was a fairly elderly couple who were your purchasers come about buying their home. They finally agreed on a price—not too high, possibly, that satisfied the landowners, except they knew you were eventually going to build a traffic circle in there and they felt that we have to sell, we must sell.”

So they went out and put a deposit on another house when your people agreed on a price with them. The man who had his home for sale—the second party—came into Toronto and put a deposit on a third house. Everything was going fine, except that the people in the first instance did not get their money, therefore they could not pay the people who were selling their home in Chippawa to their home in Toronto, and it got rather complicated and was held up, simply because they could not get a clear title. And yet that property was in the hands of that family for many years. I think it was Mr. Crosbie of your branch—I found him an excellent fellow—who explained the situation to him; he did take a look at the matter and, in a matter of a few days, the first party got their money, I was informed, in two or three days. So the whole series of sales went through and everybody was happy.

Now I say this to you for what it is worth. When credit is due, you will get it, sir;

there are times I would like to criticize, and I can only say that the Dorchester circle has been a long time coming, and I am a happy man to see them on the job and doing it for us because that has been a killer for years. It has maimed many people; it has destroyed a lot of property. So, in this particular case, Mr. Minister, thanks to you.

**Hon. Mr. Gomme:** Well Mr. Chairman, I thank the hon. member for his kind words, and I would suggest to him that after we are through the estimates, at any time he wishes to come to my office we can discuss the problems he wants discussed and I will make the people available and we will accommodate him.

**Mr. Chairman:** The hon. member for Perth.

**Mr. H. Edighoffer (Perth):** Mr. Chairman, I would just like to ask the minister a question or two about Project No. 190-63-1, under the Stratford division, a proposed new road, Highway 7N.

I recall this project was listed under the 1968-1969 estimates, and at that time I asked the minister if it would be a two-lane or a four lane road, and he said it would be two lanes and possibly four lanes in the future. In the 1969-1970 estimates, I noticed that this was completely left out of the highway project booklet. Now, this year, the 1970-1971 estimates show it again. I just wonder if this project will be under way this year?

**Hon. Mr. Gomme:** I am advised that it is going to be continued, but the property acquisition is giving us problems now; however, we expect if this can be overcome, it will be a late award.

**Mr. Edighoffer:** If the land acquisition is possible, where will this new road lead? Will this road eventually accommodate the people of Huron and Perth who have recently sent in a resolution to you?

**Hon. Mr. Gomme:** It will extend from the Kitchener-Waterloo expressway to New Hamburg.

**Mr. Chairman:** Vote 803.

**Hon. Mr. Gomme:** Mr. Chairman, I think I have the questions that were asked on Brantford. One, there is an agreement signed with the city now, and I would take from that the city agrees with the plan. There is a committee preparing the contract drawings; then construction will depend largely upon the wishes of the city. Are these the answers that you wanted?

**Mr. MacDonald:** If that is all the minister has, it is rather rudimentary. The thing that puzzles me about this is that I would have hoped that, in the context of the government's new approach, there would have been changes. Having just had the opportunity to get some feedback from the community as to what some people in the community think about this proposal, through taking part in a seminar last night in Brantford, I was mystified as to what differences there are in the approach of the government now as compared with the past.

For example, all of the social and environmental problems that the minister indicated yesterday that you are now taking cognizance of, are not being considered, have not been considered. This is an expressway which is going to be some four and three quarter miles long. An engineer who was on the panel last night, and was rather familiar with the situation, said some 55 to 60 per cent of it is going to be through a built-up area.

There are going to be 220 homes knocked down and they are going to have to wait for OHC to come in and start building homes because they have a housing shortage as well as this. They are ghettoizing communities. The school where we happened to be holding this meeting last night is going to have a new expressway at the back of it, and in front of it they have a widened street, so that it is not within an island, so to speak, with thousands of students having to go across major transportation arteries of this nature.

The expressway is going to go past a hospital, an old folks home, a sanitarium, and all of the pollution, both noise and air pollution, that is going to be added. It seems to have all the earmarks of the old style kind of expressway, of which the minister tried to persuade us yesterday, he had recognized the errors, and that he is now approaching it in a somewhat different fashion.

Now this agreement has just been signed and it is at a tentative enough stage that presumably the complete contract has not yet been drawn up. My question to the minister is, has there been any involvement of this department to assist the local municipality in terms of recognizing, and coping with, the social and environmental problems involved in building an expressway that is going to cut right through the heart of Brantford. What is there new in this project compared with the expressways that we were mapping out some 10 years ago?

**Hon. Mr. Gomme:** I cannot answer that. We do not have the study here. No one has done the transportation study that was done.

was done by the committee. There were public meetings to acquaint people with this, and I am informed that the city people met no opposition. I know when I was there about it, some two years ago, I met the former member from there, Mr. Gordon. He said, "This is a great plan, a great thing for the city. It is going to take away my house, but I know it is better for the city." I do not have the report of the study before me, but I can get that for you.

**Mr. MacDonald:** Unfortunately, the hon. member for Brantford (Mr. Makarchuk), who is more familiar with the details, had to leave. But I do not think that any public meetings were held. My recollection of the information that came to the meeting last night was that there were no public meetings held.

There have been public meetings held with regard to the official plan, but there is a considerable degree of apprehension and opposition to the idea. It is true, as usually happens, and as my friend from Lakeshore said, the business community in the downtown core is in favour of this. It is going to bring the traffic right into the heart of the city.

They now have a committee of council which is looking into the idea of building a garage downtown to be able to cope with the traffic that they are going to pour into the heart of the city. It has all the earmarks of a situation which has not taken cognizance of the developments of the last 10 years, and learned the lessons that are being learned in such a painful way both on the American side and here in the city of Toronto.

I come back to this issue, not to belabour it, but to say that the minister yesterday tried to leave us with the impression that he is moving toward a more balanced approach, both in terms of other modes of transportation other than expressways and that he is now making certain that all of the other factors—social and environmental factors—are taken into consideration. My good friend, the former member for Brantford, is a very humane sort of fellow and I would suggest kindly to him that he has been brainwashed into accepting the concept of 10 or 15 years ago. It is a concept that we have got to re-examine, and a concept which, quite frankly, is the product of engineers but does not include the views and the thoughts of sociologists and others who take these broader factors in the community into account.

However, perhaps if there is enough opposition and concern aroused back in the city of

Brantford they can have at least some review of it, if not some restudy of the whole affair.

**Mr. Chairman:** On vote 803.

The hon. member for Welland South trying to get the floor earlier.

**Mr. R. Haggerty (Welland South):** Chairman, I would like to follow up on views expressed by the member for Hamilton East, and this deals with the reconstruction on the Queen Elizabeth Way.

I am sure, as I travel the Queen Elizabeth Way, as the member for Hamilton East did, that sometimes you are delayed as much as an hour trying to get through that construction work and especially when they are paving the roads. Could not the two service roads on each side of the Queen Elizabeth Way be used to carry the flow of traffic on each side of the highway, so that there is no delay of the traffic?

Last week I was held up for a hour. Morning the traffic on the opposite side coming into Toronto, was held up, I imagine for about an hour too. I mean, this goes day after day and I think in many cases work can be carried on in the evening or at night, under lights.

May I have your comments and the hon. member would like to pursue some other questions? **Mr. Chairman.**

**Hon. Mr. Gomme:** I do not think it is possible to carry on this work in the evening that has been proposed before.

I cannot give you the answer why they do not use the service roads, but somewhere in the back of my mind I think there was some problem over these roads; I believe they were only gravelled and they were not open yet for service. I am not sure whether this is the location you are talking about or not, but I will make note of it and see what can be done.

**Mr. Haggerty:** This is between Oakville and Burlington. These are paved service roads.

**Hon. Mr. Gomme:** No, these were not the ones I was referring to.

**Mr. Haggerty:** The other matter is the proposed highway on the east side of the canal between Port Colborne and the city of Welland.

Last year Port Colborne city council had the mayor made representation to the minister here and presented a brief on the recommendations of having an underpass at the entrance of the Port Colborne quarries.

would like to know, has the minister given any consideration to accepting some of these recommendations?

**Hon. Mr. Gomme:** We are dealing with the quarries on that very problem now.

**Mr. Haggerty:** Has any of the land been purchased for this right of way?

**Hon. Mr. Gomme:** North of the quarry, yes.

**Mr. Haggerty:** Will this road be completed when they remove the plug at the old county road at 12A?

**Hon. Mr. Gomme:** I believe you are correct in that.

**Mr. Haggerty:** You are not quite sure though, are you? You could check into it though, and have it completed, say, by the time that they remove this plug at the new canal site.

**Hon. Mr. Gomme:** It will be open before the new canal is open.

**Mr. Haggerty:** Boy, you will have to move.

The other problem is, could you give me some direction as to what right of way you have purchased from the Gasline to the city of Port Colborne, going west from Gasline? This will perhaps tie in with the location of the new tunnel there.

**Hon. Mr. Gomme:** We will have to get that information for you. We do not have it here, but I will send it to you.

**Mr. Haggerty:** And what about on the other side—going through the west side of Port Colborne—Highway 3? What right of way have you purchased on that land in that area, and when do you propose commencing construction of the new highway?

**Hon. Mr. Gomme:** We will get that information for you.

**Mr. Haggerty:** A point of clarification on the cost-sharing of the tunnels. East Main tunnel in Welland, and I think the tunnel at the townline, are being completely built or paid for by the St. Lawrence Seaway. Could you tell me what the cost-sharing is between The Department of Highways and the St. Lawrence Seaway?

**Hon. Mr. Gomme:** The East Main is 50-50 with us and the seaway.

**Mr. Haggerty:** The other question I would like to know is at what stage are you now in the planning of the new tunnel in Port

Colborne? The reason I ask this question, Mr. Minister, is that I understand the St. Lawrence Seaway are carrying out a study that, perhaps, they will be doing away with the locks at No. 8 in Port Colborne. That means that the jackknife bridge in Port Colborne could be removed at any time, and the canal could be an expressway, by removing the locks.

**Hon. Mr. Gomme:** I think your assumption is correct. There is a re-examination by the seaway on this very problem and we cannot proceed with it until we get their answer.

**Mr. Haggerty:** I have to disagree with you on that matter, because I think you can move on it. Whatever they do with the locks, we can still get into the process of implementing that tunnel.

**Hon. Mr. Gomme:** We do not believe it is possible.

**Mr. Haggerty:** That you cannot get underway now on the construction of that tunnel in Port Colborne?

**Hon. Mr. Gomme:** No.

**Mr. Haggerty:** When do you feel that we can move on it?

**Hon. Mr. Gomme:** We are waiting for the seaway on this matter, Mr. Chairman, and then we can.

**Mr. Haggerty:** Again, Mr. Chairman, have to disagree with that because, I understand it, the seaway is waiting on the Department of Highways. Can you not get together and get on with the building of that tunnel? You have been procrastinating a number of years on this now. As I mentioned before, it had been promised by the "white chief" of this province, the Premier of that time, Leslie Frost, some 10 or 15 years ago, that the tunnel would be constructed there, and that was to follow that tunnel, after it was completed, in Thorold.

**Hon. Mr. Gomme:** You mean at Killarney?

**Mr. Haggerty:** This is right.

**Mr. Chairman:** Vote 803. I believe the member for York Centre was trying to get to the floor.

**Mr. Haggerty:** I have not yet got an answer, Mr. Chairman, and I have one more point.

**Hon. Mr. Gomme:** Mr. Chairman, I did not think that we were held up by the seaway and I still feel that.

**Mr. Haggerty:** I have one other problem. This deals with assistance to the municipalities. Perhaps the minister has a letter from the regional municipality of Niagara. Again this is addressed to him:

One of the major functions of the new regional government in the Niagara peninsula is the administration of both construction and maintenance for the regional roads network. An indication of the added responsibility is the point that the regional road mileage has increased by 60 per cent over and above the combined road systems of the two former counties of last year.

And that includes Lincoln and Welland counties.

Our council is concerned about the high cost of temporary financing of the road grants receivable. We are subsidized at the urban rate of 50 per cent for both construction and maintenance on approved expenditure. Although interim advances were initiated some years ago, the bulk of our road claims are not received until many months after the actual payout has been made. The main annual claims are not settled until May or June of the following years. Some of our roads administrative costs are subsidized but financing costs are not subsidized.

We realize that we are not being treated differently than any other municipality as a regional government. However, as our road responsibilities are greater than most municipalities, it seems to us that either basic cost such as a temporary financing should be recognized for subsidy purposes and/or other means should be developed whereby shared-cost programmes can be reimbursed on a more up-to-date and a more frequent basis.

I am sure if the minister was in the Niagara region today—I happened to have on the St. Catharines radio station today and I understand in their discussion there that the municipality—I do not know whether it was the regional municipality or the city of St. Catharines itself—was paying \$2,000 a day interest rate alone to help carry on the responsibility of the regional government in the Niagara area.

There are some good comments here in that they are having a problem with financing and borrowing from the bank with the high interest rates today. I think the government should get in there and perhaps give them much more needed assistance now, not a year from now.

**Hon. Mr. Gomme:** I believe the member is talking about the payment of subsidy to loan.

I think I answered your question some time ago about what our system was. The payment was in May, without any request by the municipality. The second payment, I believe, was in October. They had to send their accounts. Then the final payment was made early in the following year at the close of their business year in which they could present the accounts to us. I think the time I answered you before, I pointed out there were quite a number of municipalities which had not even put in these requests.

In regard to this region, the Niagara regional council was in and discussed it with the deputy minister. I believe that our officials are going out there tomorrow to try to work out a way that we can help them.

**Mr. Chairman:** The hon. member for Parkdale.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, I would like to ask the minister whether the proposal is for Highway 2 going through Pickering. I understand a four-lane highway is projected through the main street of Pickering. Before I say anything, I would like to know if this is true and in what state is the plan at the present time?

**Hon. Mr. Gomme:** The council there has requested that it be for a four-lane, unimproved, on the same line that it is now. That is what will be built.

**Mr. Trotter:** Now this, I think, Mr. Chairman, is where the government needs an overall policy for its highways. I rather doubt that there has been much opportunity for people in that area to express themselves. I feel that, even when you say we are dealing with the local council and this is the view of the area, there is no question that the picture in the whole Pickering area, if it is going to be a four-lane highway, is simply going to damage the real environment of the village of Pickering. I think you are going to have a four-lane highway pushed into a 66-foot right-of-way, and there is in existence in the Pickering area now, a committee, just as there was a committee at King City, attempting to save the area.

In the case of Pickering, I believe it is strictly a provincial highway that is going through. In the case of King City, I understand there were the local trustees, the local road commissioners, that the province would give the grant to, but the danger is just dealing with the council in the matter of highway this.

About 87 per cent of the people in King City were opposed to the widening of the road. I think they took a poll in the area. And how many people in the town of Pickering are opposed to the widening of the road? I do know that there is a very aggressive committee anxious to get some explanation of what the policy is in the Pickering area. This is one more instance where I emphasize to the minister that we simply, as a provincial government, lack a policy that will give a proper transportation policy to the people of the various towns and cities throughout the province of Ontario.

I am wondering what the objective of The Department of Highways is in designing Highway 2 in the Pickering area. For example, as I just mentioned, Pickering appears to be the only place in the Metro region where an arterial road is being forced into a 66-foot right of way. This will constrict four wide lanes into four narrow lanes, hardly a practical way, Mr. Chairman, to move traffic.

From the point of view of moving traffic, I do not think it is practical but the major concern is that this town will really be split in two. It is going to be very hard to move from south to north, whether it is children going to school or whether it is children using the new rink—I think they are planning a new rink.

Your grant system is constructed to encourage local councils to build highways that will, I think, in the long run prove to be a bad thing for some of these local areas. Again I say to the minister, I realize it is necessary to have roadways, to have expressways, but the big question is, where are you going to put them? How are you going to build them? I rather question if just widening Highway 2 is going to be a good thing.

I know when I first came to Ontario, Mr. Chairman, there was no drive in Ontario that impressed me more than Highway 2. When you go through these towns, like Colborne or Brighton or Cobourg or Port Hope, there is no question that they have an atmosphere of their own; they appear to be very pleasant places to live. If you are going to turn Highway 2 into just another expressway or a four-lane highway, you are going to go a long way to destroying these communities that are, I think, to my way of thinking, a very important part of Ontario. And again I emphasize it is because you lack a plan, that each community, one by one, without knowing what the next neighbourhood is going to do and without knowing what the province of Ontario is going to do, is going to destroy itself.

There is no question in my mind that most of these councils, well-meaning as they do not have the expertise to take the long view. There is a tendency to say, "Look how the big cities are growing. They need roadways; we need the same thing." But today the problem of building highways involved you do need expertise, not just the laying of concrete as The Department of Highways does—there is no question you need experts in putting down concrete—but most of these local councils, and certainly the local departments, are not considering what they are doing to a place like the town of Pickering.

I was wondering if the minister, assuming that this widening of Highway 2 in the town of Pickering has not gone too far, would be willing to meet with the many townspeople and particularly with the Pickering committee that is being formed, and discuss with them the problems they have and why they have them. The highway programme should be changed. Would the minister be willing to meet with these people in the near future?

**Hon. Mr. Gomme:** Well, I would like to meet Mr. Chairman; I would be willing to meet with them, but I would want them to bring a list of elected officials with them.

There is one thing I would like to say about to the hon. member, that this project has been under consideration since 1961 and has been delayed year by year on account of the sewer and water reconstruction that is needed under this road. And this is not going to be an expressway; it will just be to meet the standards and it will have only a 30-mph per-hour limit because, you know, the 401 is less than a mile away from this. So it is not going to turn into the type of road the member refers to.

**Mr. Trotter:** Well I think a four-lane highway is bound to destroy a town, particularly a smaller area. I admit if it is Yonge Street or Dundas or some of these main arteries you have to expect it. They were really originally as major communication lines. Highway 401, in many ways, replaced Highway 2.

I would hope when you build expressways such as 401 they will, in many ways, destroy the communities harmed on Dundas. You must not just keep widening, and attracting more cars. But if you are still going by the philosophy existing in 1961 and prior to that then this is where you are making a mistake. In other words, the holdup was not because of the change in your thinking, it was



simply because the sewers were going through.

And why, in the town of Pickering, destroy 170 years of history—not just because it is history, but because it was a good, and still is a good, and viable community in which to live. In fact, many people in Toronto would like to live there. If you have a proper transportation system—I admit it will include highways as well as, I hope, if you ever get to it, a transit system—and the trend has been developing that way, it should not be necessary to put down so much concrete.

This is why, some of us say, "Please stop and take another look." And when I say take another look, I mean a strong intensive look.

You have had the good sense to speak to the Minister of Transport. I think, in answering the member for York Centre, you were going to speak to the Prime Minister of a select committee. But this is another specific instance, in Pickering, where I say you are making a mistake. At least, many of us believe you are.

Your answer that you have given me this afternoon about why we have been putting it off since 1961, shows that you still have the basic thinking of highways of 1961. I would say that the thinking in the whole approach to building a roadway is really completely changed.

I would suggest to the minister that I contact the individuals who are on the Pickering committee. I am going to let them know that you said yes, you will talk to them, because I think you should have the opportunity to hear them in the immediate future.

**Hon. Mr. Gomme:** But I also said, Mr. Chairman, with the local council.

**Mr. Trotter:** All right. I do not think they will object to that.

**Hon. Mr. Gomme:** No? That is fine.

**Mr. Trotter:** No, I do not think they object to hearing the local people at all.

**Hon. Mr. Gomme:** The other thing—I wonder, if you heard me say that it is to be to urban standards and it is only a 30-miles-per-hour zone. It is not a speedway or expressway like you refer to, but I will see them, yes.

**Mr. Trotter:** Well, that is what they really become.

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

**Mr. W. G. Pitman (Peterborough):** What have to say, Mr. Chairman, will be brief, and I do appreciate what the member for York Centre has done in allowing me to speak now. I would like to say a word or two to the minister about what I think he should be concerned with in relation to the area from which I come.

We have had, within the last few months, what could be termed almost a dirge of transportation difficulties in the city of Peterborough. First, the air terminal virtually closed down simply because there are no chartered flights whatsoever. The company has moved out. Within a few weeks of that, the Canadian Pacific Railway cut their service down to one run going out of Peterborough at 7 o'clock in the morning and one going from Toronto at 5:30 at night. This has, I think, seriously affected this particular community.

At the same time, just a few days ago, the Toronto-centred regional plan suggested that Peterborough must have some kind of a development as a tourist recreation area. I do suggest, because of this we will have moderate industrial growth and we will have a very close relationship with Port Hope and Cobourg, which will be burgeoning because of the plans to make this into a major industrial area.

What I really want to do, very quickly, is to ask the Minister of Highways whether in view of all that has taken place in relation to air transport, in relation to railway transport, he might not feel that the enlargement of Highway 115 would not be of a high priority in the province of Ontario? The minister well knows—he travels that highway very often himself—if one gets behind a traffic jam on that highway it could take you up to an hour or an hour and a quarter to do the 30-odd miles of that highway.

As well as that, it is already up to five-lane standards in terms of the servicing of that highway. I was wondering if he might not even consider some short-term solution, even in the next few months, of making three lanes or four-lanes at certain sections along that highway. As he well knows, it is on the most difficult, one of the most dangerous and indeed, considered one of the most treacherous highways in Ontario. It is built along a ridge; if there is going to be ice, sleet, or snow, fog, it will be on 115. I ask, in view of the very severe difficulties this community is having, in view of the plans which the province itself has expressed in relation to the community, whether he might not consi-

bringing forward the completion of a four-lane highway allowing the thousands of people from Toronto to get into that Kawartha area.

One would hope possibly even a GO train concept could be touched upon in relation to the rail transport in that area. But will he not at least look at 115 and bring it further up on the list of priorities in his department?

**Hon. Mr. Gomme:** I have no answer to that, Mr. Chairman.

**Mr. Chairman:** The hon. member for Etobicoke.

**Mr. Pitman:** If I might just ask the minister one question. What is the priority right now? When is it hoped that this activity is going to take place? As the minister well knows during election time there was a great kerfuffle in Peterborough as to when it was going to take place, and it seemed it was almost going to be built tomorrow. But there has been a great official lack of interest in the last two years. Perhaps the minister could at least tell us when it was planned for?

**Hon. Mr. Gomme:** Mr. Chairman, according to the traffic count that we have here, it does not warrant any widening at the present time. But we will watch that. I am sure we will see you get service there.

**Mr. Pitman:** I wish you would indeed.

**Mr. Chairman:** The member for Etobicoke.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Chairman, to the minister: The minister will recall on Monday evening we were discussing the widening of Highway 401 and 27 in the northwestern part of Metro. At that time the minister was asked if he would have certain research material available before his estimates were over. We are just about at the end of this vote, Mr. Chairman, and I am wondering if the minister has this information available?

**Hon. Mr. Gomme:** Mr. Chairman, if we might take any other questions first, I am just trying to see if the material is all here. I have not had a chance to consult with—

**Mr. Chairman:** The hon. member for Thunder Bay had been attempting to get the floor previously. He was on his feet and I deferred calling him. He is not in his seat now; I cannot call him, unless he wants to go back to his seat. The hon. member for York Centre.

**Mr. Deacon:** Mr. Chairman, with regard to Highway 27, the minister stated there were

75,000 vehicles a day on that road. What is the weight of traffic? During what hours is that traffic travelling? Is there any information on that? What portion of that 75,000 vehicle count would be during the rush hour from 7 to 9 in the morning and from 4 to 6 in the afternoon?

**Hon. Mr. Gomme:** We would not have a breakdown of that. We could probably do something for you. The figure I used is the annual average daily traffic on the road.

**Mr. Deacon:** The reason I bring this to Mr. Chairman, is because the actual number of those vehicles move is what we have to design this road to meet. In other words, the capacity is what he has to have them do on the road to meet, rather than the overall average during the day, because they do not travel at even numbers during the day. Therefore, it is important to the extent of the construction he has to design, at the point I make here is that there must be an expenditure of close to \$150 million for the construction of the two interchanges on the widened road between the Queen Elizabeth and the 401—would there be \$150 million in that stretch, including the 385-401 interchange up at 401?

**Hon. Mr. Gomme:** I am sorry, Mr. Chairman, I did not hear that question.

**Mr. Deacon:** What would be the cost of the overall project on the QE, including the interchange on the QE and 27 and the interchange up at 401, that 385-acre interchange that is up there? What would the total cost of the overall stretch of Highway 27, including the two interchanges between the QE and 401?

**Hon. Mr. Gomme:** We do not have a figure, Mr. Chairman, but we will get it as I promised before and send it to the member.

**Mr. Deacon:** Well, the point is that if you will find the origin and destination of that traffic is mostly between the northwest section of Toronto and the downtown area, at the time of the traffic travelling is almost entirely during the rush hour; that is by far the heaviest travel period. Then, the design of the highway is purely to meet the rush hour needs and between the northwest section of the city and downtown, and we have a right of way and a railway that perhaps we have had a fraction of the cost to use to move those people rather than this elaborate highway construction being done.

It will be difficult for me to get the answer to this until the minister gives us the breakdown of when the people move and their origin and destination of their movements if such a study were done. I would certainly hope that such a study was done before this \$150 million, or so, expenditure was made.

**Hon. Mr. Gomme:** Mr. Chairman, it would take quite a lot of research to dig out all the figures that you have asked for, but they are available. It would certainly take time, but we will get them.

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

**Mr. D. A. Paterson (Essex South):** Mr. Chairman, I would just ask one brief question of the minister: Could you reinforce my confidence that Highway 18 is going to be reconstructed in the very near future and the bridge matter north of the municipality of Amerstburg is in hand?

**Hon. Mr. Gomme:** I understand that we have had the board hearing and site inspection and now we are going on with the design.

**Mr. Paterson:** There are no further hitches in your plans and in due course this will come about?

**Hon. Mr. Gomme:** Right.

**Mr. Chairman:** The hon. member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Chairman, I wonder if I could discuss with the minister a couple of the side effects of highway construction? I am referring to expropriation and damage caused to buildings and private dwellings from blasting operations to put highways in. Could I discuss that under this vote? Thank you, sir.

**Mr. Chairman,** in the department's construction of one leg of our Lakehead expressway, there were several buildings located to the south of the path of the highway that were damaged by blasting operations, granted, not by The Department of Highways, but by the construction company engaged. I do not say that the company caused this damage; I say that the people there feel that the damage caused to their buildings was due to blasting operations conducted by a company engaged, as it were, on departmental work.

What I would like to know is what the department's position is in something like this. Is the construction company completely responsible, or does the department acknowl-

edge responsibility? Does the department to it that the construction company reimburses? What is the attitude of the minister and his department toward people whose property is damaged in these construction activities?

I can think of one trailer court operator who tells me he had over \$5,000 damage done to his well tile and his whole water system through which he provides service to some 12 or 13 mobile homes. He is still figuring this thing out, trying to be reimbursed. He feels that the day that this damage occurred was the day that there was a lot of blasting going on. He still has not had satisfaction. I just wonder what the department's position is in this kind of case.

**Hon. Mr. Gomme:** It is the contract responsibility. He carries insurance for that purpose. If it is a proved case of neglect on his part, we would assist the people in trying to recover the funds, but it would have to be proved that it was his responsibility.

**Mr. Knight:** I see. Okay!

The other point, Mr. Chairman, is the matter of the long period of time that so many people find their property locked in or held up, because the department has indicated a desire to purchase it for use in construction of some highway.

I am thinking of one lady in my riding who tells me that her property was just held in abeyance. Any use of that property was held in abeyance for as much as eight years, from 1962 until the present time. Then she was notified by the department that it did not want the property after all. Is there any means of reimbursing these people? She feels that she had a number of opportunities to sell that property at a very good price and she had to let them go by while awaiting a decision of the department. Now, she says, "Here I am, I have got the property and I feel that I suffered something because the property has been, as it were, frozen."

**Hon. Mr. Gomme:** If the hon. member would care to give me the name of the owner privately, I will see that it is properly looked into.

**Mr. Knight:** Well, Mr. Chairman, just in public record, what is the position of the department? Is there some possibility of reimbursement in some of these cases, or what? Does the department just expect people to take their chances in the public interest, or are there cases in which there is some reimbursement, some reward for this co-operati-

**Hon. Mr. Gomme:** I think we would have to know the particulars, but am I right in assuming that we said we wanted the property and then backed out of it, or did she not want to sell?

**Mr. Knight:** No, she was perfectly willing to sell. She was awaiting the department's decision and then was informed that the property would not be needed after all.

**Hon. Mr. Gomme:** Well, the new Expropriation Act would not allow that. I would like to see the case before I could answer that.

**Mr. Knight:** I will send the particulars to the minister. Thank you, Mr. Chairman.

**Mr. Chairman:** The hon. member for Humber.

**Mr. G. Ben (Humber):** Mr. Chairman, the minister has a lot of answers for me—I hope he has—to questions I put that he said would come under this vote. Would he now give me those answers?

**Hon. Mr. Gomme:** Mr. Chairman, one thing I believe the hon. member asked was the location of the four Fitch inertial barrier systems.

**Mr. Ben:** That was a question that was put to the minister by the hon. member for High Park (Mr. Shulman). Where are they, by the way?

**Hon. Mr. Gomme:** Highway 401 eastbound collector ramp at Dixon Road; Highway 401 eastbound collector ramp at Highway 400; Highway 401 eastbound collector to Yonge Street; and Highway 401, eastbound collector to Leslie Street.

Then I believe you requested some information re the liquidated damages charged to construction and maintenance contracts during the fiscal year 1968-1969—on contracts awarded and completed in the fiscal year 1968-1969. Does the hon. member wish that I read them or shall I send them to him?

**Mr. Ben:** Are there very many of them? If there are, you can send them to me. If they are short, you can read them.

**Hon. Mr. Gomme:** There are quite a number of them.

**Mr. Ben:** I would appreciate receiving them.

**Mr. Chairman:** The hon. member for Parkdale.

**Mr. Trotter:** Mr. Chairman, I just have more matter on this estimate I would like to ask the minister about. That is, could you give me any information as to how far they have proceeded, or intend to proceed, on the road going through Waterdown? That is in the county of Wentworth.

There are two things planned there in Waterdown, is the widening of Highway 5 near Waterdown, but the main thing I am concerned about is a road they intend to widen from about improve going from south to north. There has been a petition and many people have formed a committee there in an attempt to stop the road.

It is true it comes under the auspices of the county—

**An hon. member:** County of Wentworth.

**Mr. Trotter:** But again, the road is estimated to cost over \$1.5 million and a good proportion of that is going to be paid by the county department. I was wondering if that road has been given any reconsideration, or what you intend to do?

**Hon. Mr. Gomme:** Well the only thing I can say to the hon. member is that we have written a number of letters referring it to the county—it is a county road—and I do not believe there is any contract or arrangement yet to go ahead with it—but it is a county road.

**Mr. Trotter:** There is no question, Mr. Chairman, through you to the minister that it is a county road; I am not arguing that. What I am concerned about—and then, I use this as an example of the importance of some type of policy—is that a number of years ago most communities would consider you praying you would put through a road. This is what people wanted—roads, more roads—and particularly in the north. We still need them. But in some of these areas, like Waterdown, they refer to it as vandalism, simply because they see the main streets and the old trees being cut down. I think you should have to be in a position, even though it is a county road, that it be justified that roads are being built in where they are going in, because in some cases there are a number of other highways around there.

I am told that the road as proposed through Waterdown, has been temporarily stopped because I believe the traffic count was wrong. They were even going so far as to use a good proportion of Seeley park in the area in order to put through a widened

—and of course, this shows a complete disregard for the use of our parkland. But the local council of Waterdown, as I understand, is opposed to the road, and yet the county council itself may be in favour of it. I would like to point out to the minister that approximately 800 people in this area have signed a petition urging that this road not be completed. I would hope again that before the minister signs any contract for this road in the Waterdown area that he avail himself of every opportunity to talk to the people who will form these committees in order to save the community of Waterdown, because once again it will just go to the bulldozers. You will destroy a very viable area.

**Mr. Chairman:** The hon. member for Parkdale asked a question. Do you wish to reply to that now, Mr. Minister?

**Hon. Mr. Gomme:** Well I told him that I would look into it.

**Mr. Chairman:** The hon. member for York Centre was next.

**Mr. Deacon:** No, I just wanted to make a note.

**Mr. Braithwaite:** Mr. Chairman, if I might ask the minister if this report on spring planting, Highway 401, Toronto district, which was compiled on May 6, 1970, by the maintenance engineer's office, operations branch, is the research that he promised to forward to me? I am asking the minister if this is all the material.

**Hon. Mr. Gomme:** That is our solution of the problem at this time. But the other research you are referring to is a collection of a lot of different projects, and we have to get that information, which I will get.

**Mr. Braithwaite:** The minister then has certain research, or other research besides this particular publication, which was the basis of his decision to plant trees? I wanted to make certain if the letter sent to me on March 11 by the minister was the result of this research, and I would like to see the research that his staff used in coming to the decision that nothing but trees would suffice as baffles in this particular section of the widening of Highway 401 at Highway 27.

**Hon. Mr. Gomme:** We are going to get that other information. It takes into account costs and everything like that, but it has got to be compiled. I will get it for the hon. member.

**Mr. Braithwaite:** Could the minister give me some idea of when this would be available or could be available?

**Hon. Mr. Gomme:** Mr. Chairman, as pointed out, we are going to put these trees in in any event. It will take us a couple of weeks or so to get all this information together for you. But we will do it.

**Mr. Braithwaite:** Thank you. The other question, Mr. Chairman, was that the minister, during our discussion on Monday evening, referred to the fact that existing trees that have been planted were—I do not know how he put it—but I assume that this is just the first step on the remedial work that was going to be carried out. Could the minister give us some idea of what he had in mind when he talked about massive planting?

**Hon. Mr. Gomme:** I think the hon. member will see in that book that I sent over what massive planting means.

**Mr. Braithwaite:** This is pretty well, as far as the trees are concerned, what the minister's department has in mind? Do we understand the minister to say that as far as any other corrective measures are concerned, his department is absolutely refusing anything other than planting?

**Hon. Mr. Gomme:** No, I am not saying that at all. We are going to do that planting. As I said the other night, we do not want results prejudiced, but if we find there are other ways and we can do other things, we will look into that and probably have to do them.

**Mr. Braithwaite:** Perhaps we could get a little closer to an answer. Perhaps the minister might tell me: Does his department anticipate doing any further work of any sort besides tree planting in connection with this road widening process? Have any funds been allocated, for instance? I would like to know because the minister the other night made it quite clear that as far as the noise and dust is concerned there was nothing else that could do at this time. I want to make certain in my own mind that the minister's department is looking into this and that in the next few months, if not earlier, we may anticipate some statement from the minister and some action on the part of his department as far as other corrective measures are concerned with reference to this problem.

**Hon. Mr. Gomme:** Yes, Mr. Chairman, there will be a statement in a short period of time.

**Mr. Braithwaite:** Thank you, Mr. Chairman.

**Mr. Haggerty:** Mr. Chairman, a question of the minister. Has he given any consideration to changing his policy, or altering his policy in the business of advertising for tenders and who they allow to come in and contract for jobs?

The point I raise is that many times there is a small contractor that would like to bid on a job in an area, but perhaps his credit rating does not quite meet the approval of The Department of Highways. In many instances these are good contractors. When they do bid on a certain contract they may sublet the tile drainage, or some other portion of it, to specialists in this field. But the job is completed.

I know that some of them do have a problem of getting tenders to The Department of Highways, because their credit rating is not \$1 million or \$2 million, but it may be in the vicinity of \$500,000. In many cases, they are left out of the picture. They cannot bid on a job.

**Hon. Mr. Gomme:** No, we are not going to cut down on our procedures in that way at all. We feel that we have the best now and have to keep it that way.

**Mr. Haggerty:** Yes, you might be quite right in this, but again, in particular areas where, say, the contractor is in the vicinity, they could supply the manpower. The labour and everything—material—is right there, even the crushed stone—everything is there.

I just sit back and wonder sometimes if the department does not set these things a little bit too high; you can certainly put these smaller contractors out of business.

Vote 803 agreed to.

On vote 804:

**Mr. Chairman:** The hon. member for York Centre.

**Mr. Deacon:** Mr. Chairman, I am interested to get into this estimate, because I see that we are again faced with this province having to subsidize this year to a little greater extent than last year. We are seeing how the result comes out on last year. We are again going to have to subsidize the operation of the Government of Ontario Transit and I would like to know, before I get very far into this vote, what the estimate is of the cost of operations for this coming year compared to what the fares are that are estimated. It is

not shown in this year's estimate book. It last year.

**Hon. Mr. Gomme:** We have the total expenses. This is for the year ending March 1970.

Oh, you want the projection for the coming year?

The estimate, the railway operating at \$5,463,000; less revenue, \$3,265,000, net deficit, \$2,198,000.

**Mr. Deacon:** \$2,198,000. That compared with the net deficit last year of \$2,798,000. Is that the comparable figure?

No, I am sorry, I have got the wrong figure here. Last year's deficit was \$2,285,000?

**Hon. Mr. Gomme:** Yes, that would be right.

**Mr. Deacon:** \$2,825,000 would be the estimated deficit last year and this year. The comparable figure is—

**Hon. Mr. Gomme:** \$2,198,000.

**Mr. Deacon:** \$2,198,000. What percentage of the change in fares of some \$400 would be due to the fare increase?

**Hon. Mr. Gomme:** It would be partly through and partly through added patronage.

**Mr. Deacon:** Mr. Chairman, I point out that we continue to have this very substantial loss in operations despite the fact that we have a more mature operation, greater passenger buildup. We have got to take a look to see why it is we can continue to lose money here and why others can make money.

The first thing you look at, perhaps, is the actual buildup in passengers. There is nothing like getting more business, if you are spending more money, to help offset the expenses.

The one thing we are here to do is not just to cut costs, but to serve the people. When we take a look at the scheduling that the operation has under it, we see that it continues to show the same type of scheduling that it has had for some time—every minute during rush hour and every minute during the other times of the day.

Has the minister had any surveys carried out among the passengers to indicate when the people want to get to their place of work, what are the traffic needs for Saturday and holiday and what the traffic patterns are during the day? Do we have to run trains as if they are going through

automatic machine and have to come out every 20 minutes, or every hour, or have we made some study of the actual passenger needs? Has there been a market survey or some sort of a study made, not only among the passengers, but in the areas that we are serving, to determine what people need in the way of service?

**Hon. Mr. Gomme:** Yes, the whole system was set up on that basis, Mr. Chairman.

**Mr. Deacon:** I have a hard time believing you set it up on that basis, because in analysing the train count which the minister kindly let me have—the actual passenger count by the different trains that came in at different times—it is quite obvious that a lot of people are getting to their place of work quite a bit earlier. They have to take a train that gets them to their place of work quite a bit earlier than they need to, so the actual timing of the trains is not set to the hours of work.

I expect that the patterns of work in the Toronto area are not likely to be too different from the patterns of work in Montreal in the hours that people arrive at their offices. They have not found it necessary there to schedule trains every 20 minutes, but to measure the number of passengers that are going to need a certain time of arrival and schedule their trains accordingly. So some of their trains will come in in bunches. They will have left at various times farther back. Some will do an express run from well out in the country and rush downtown. In doing this leapfrog type of scheduling and by scheduling it to the time of arrival that the people need to have available to them if they are going to get to their office within five or ten minutes of the time they need to be there, they have had a tremendous increase in passengers.

Until a few years ago, the CPR lost substantially on that Montreal West commuter line. They did a merger with the CNR, and at the time of the merger they also re-scheduled their trains so that they could speed up the time of travel. They got rid of any station that was not worthwhile. Not very many were necessary. They also eliminated a great number of the stops, because every stop takes two minutes at least out of running time. They recognized the fact that passengers resent being stopped unnecessarily on their way to and from work. Everybody likes to feel he is on his way, that he is moving. Reduction in those stops helped to attract more passengers.

This scheduling, I suggest, should be completely revamped to see if we cannot really

get that curve building up much faster than we have right now. We are still carrying on about 18,000 passengers a day now. Is that about the count—18,000 a day roughly?

**Hon. Mr. Gomme:** About 16,400.

**Mr. Deacon:** We are still down to that thought we might have been able to see building up a little more than this. We find that we are not getting a buildup. We got to this level some time ago and there is very little increase in the number of passengers we are attracting. Yet there are a lot more people living in these communities we are serving. So I suggest that we have to re-schedule as the first point. The second point is that we have to reschedule so that we can leapfrogging of our stations and enable us to make the runs in five, eight, or 10-minute shorter times. This is quite possible if we do the leapfrogging procedure that I suggested. It will also eliminate a frustration that passengers experience when they continually have the train stop when they could be rushing right through, by having several trains, two or three trains, working in concert; certainly two trains.

A third point is the need to co-ordinate with the local transportation system. I find that the parking is about the only thing we have really concentrated on to serve the needs of the people at the other end and at this end as well. We have not made it easy at this end for example, for people to get quickly on to the platforms. We still have those very confined exits and entrances.

We have not made the temporary changes in construction at the Union Station which would enable people to go straight from Bay Street, for example, on to the platform. This would not take a great deal of imagination to carry out and would mean that platforms could be emptied and filled much more quickly. It would be a lot faster for people than having to wander through the tunnels at the Union Station.

At the other end, we need to have developed more of what you are planning to do in a small way with your mini-buses. At each of these stations we need to improve the actual TTC or other transit connections so people at Guildwood, for example, have buses coming into the stations to meet the trains or co-ordinated with the trains.

It has certainly been found in studies in the United States, as your people would advise you, that it is the time lapse that counts. The actual time of movement on your

trains is not very great, considering the number of miles they travel, but it is when the people are getting from their homes to the station and getting from the station to their place of work that the trouble comes. What we should do to attract more people onto those trains is have a greater degree of co-ordination with the TTC than has so far been established.

The last point I emphasize, and I really think you would find it would have a tremendous passenger buildup, would be monthly passes. This has now been inaugurated in Montreal as well as in Chicago. The fact that people have the passes means that you have less inconvenience instead of having these little tickets to worry about all the time. A pass can be colour-coded so there is no need for anybody to punch the tickets or anything else as the people use them.

The monthly passes and the billing outside by mail to the people have done a great deal to attract more customers to the Montreal and Chicago commuter systems. After all, we should look to them because they are making money, both of them. Both of them are making enough money that they do not require any vote from their particular jurisdictions, such as we are seeking here from our taxpayers in this province.

The second thing we have got to look at is our expense side. Take a look at the trains and analyze the passengers that are on them. If you see such a train as 902 that goes out of—let us see where the 902 starts. The 902 starts at Union at 6.13 and it carries, on your schedule, three passengers. At 9.46, 10 passengers. These trains should not have to go all the way empty like that.

They should sit out there at Pickering overnight or at Oakville, wherever the traffic is going to be, but not stay parked at Mimico, which is also a frustration. If you talk to the staff who work on those trains, you will find that they are upset by the fact they have to pick up their trains right in the heart of the city when they live on the outskirts. It would be much more convenient if the trains were kept overnight, as they do in most of these systems, where they are needed in the morning. They run down and they do not have those dead-heading trips.

That would do a great deal to reduce the cost that you are now paying to the CNR. The CNR should really know this and you should not have to bring it to their attention to take a step. But since they are getting a cost plus deal. I guess they do not worry.

The second thing is that you have a lot of this equipment which requires a powerful diesel locomotive to push it. You are getting only two trips a day out of each of them, with any sort of passenger service. Those locomotives cannot possibly pay for themselves with that very short duration of useful operation. Arrangements surely could be made, either to shunt cars in the freight yards during the night, or at Oakville or somewhere, to utilize those engines during the night, even if they could not be used during the day; it is quite possible that you could, so you would get some rental value out of them. Even if you only cut out a third of the cost of their operation, it would certainly make a lot of difference, because those are expensive things to operate. There are savings in your schedule; you could make use of railiners, particularly if you leave the railiners out overnight, instead of leaving them at the Union. It would enable you to get much more use of them on the rush hour than you now do.

Another one would be closing the Danforth station, which is just half a block from the Main station of the Bloor subway. In fact, at the traffic you pick up at that Main station, you are not getting your value out of it. It is slowing down your trip by at least a few minutes for passengers going and coming from the eastern end of the line. It is just not possible to continue to operate that station when there is already very good public transportation within a half block of that station.

If you follow the line that we agreed on some time ago, the most important thing is a commuter service is to have the fewest trips and the fewest possible stops, in order to serve your market. If you are going to make a very effective operation, they have got to accept that the Danforth station is not one that is worthwhile keeping.

I mentioned before, from the commuter point of view, the convenience of monthly passes. It would be a tremendous saving if you changed your whole ticket collection operation to the same system that both Montreal and Chicago use. That is, you could use the subway system of collecting fares as you go through barriers at each station. You actually need your personnel on the train. They do not have much to do but to open and close doors, and you are paying a fairly fat fee for the crews on those trains. If you are going to have to pay that, you should be able to get the value out of them, as other operations do, and it also



the men a little more to occupy their time, which they do not mind doing.

I think it is a great mistake to continue this present system, as originally set up and which has not proved to be worthwhile. As a matter of fact, it is one of your most significant costs; it is way out of balance with the other operations. I do not suggest that you take a look at operations, as you suggested you should last year, that lose more money than you do. I think you should be taking a look at the operations that are very successful at building traffic. Your rate of traffic growth is not at all satisfactory, despite the fact you have the luxuries of this extra staff at present.

Now I mentioned the CP operation in Montreal. They do not have an average trip length for their commuters any greater than we do, and yet their profits are sufficient to enable them to buy double-decker equipment and they feel warrants being amortized by the increase in traffic. They are really working hard to satisfy their people. For example, they do not find it necessary to have weekend trains with this tremendous capacity; they only have two crews on for the weekend, and these crews on the weekend meet all the needs that the people really demand.

**Mr. Chairman:** Order, please!

There are numerous private conversations taking place which are a distraction to the hon. minister, the Chair, and the speaker. I wonder if we could have it a little quieter.

The hon. member for York Centre.

**Mr. Deacon:** One of the points you really should take a look at is your own scheduling, again for costs, because if you are running unnecessary trains—I mentioned some of the trains are running in the mornings that are not carrying anybody of any account at all. You are actually running some trains, too, that have five, six or seven cars that could be easily handled by two railiners or less. Now, if rescheduling could take care of your actual needs at this time, it would do a lot to reduce your charges for use of the lines—of course, they are on a wheel-mile basis—and it would do an awful lot to reduce your crew charges if you used the crews when the people needed them. You have got a tremendous schedule here for weekends and holidays, which has certainly been found quite unnecessary to attract and maintain and build the load in the Montreal operation.

I hesitate to keep on coming up with this matter of time to make the system pay, because a lot of people say it never pays, you cannot do it. But I also point out to you

that some of the most successful systems are the most satisfying systems for the customer are those that do pay. They do not have subsidy to lean on. There is somebody who said: "The way we make a business goal we do not lean on government and taxpayer to prop us up. We seek to satisfy and please and attract customers to such an extent that we can stand on our own feet".

In the GO-Transit statement of the Premier a short time ago he mentioned the subsidy he is going to give Gray Coach or somebody else to provide additional transit service. These new buses; yet here is an organization like Travelways, which was practically nothing 15 years ago—it was practically nothing just a few dollars—and here it is a multimillion dollar operation just out to serve a service people, and a great deal of the operation is commuter traffic. This commuter business has increased 120 per cent in the last 10 years with no subsidies at all.

And the rate of growth that you are experiencing here with tremendous subsidies would indicate that the people running this business do not know really how to build a business. I do not think it is because of Mr. Howarth's efforts. I think it is because he does not have the powers; he does not have the staff; he does not have the direction and the leadership from the minister to do the job here.

I am very disappointed that there has been so little buildup in a system that has everything going for it. Millions of dollars were spent on track and signalling, so you could run trains at short intervals, and millions of dollars were spent to get the very best of equipment—mind you, we bought mostly the wrong equipment, but we got the best of it—and yet we are seeing not a change in the operation to where it is really standing on its own feet after all these years.

The real shattering thing that indicated to me you do not have the advice that you need in this department was that statement the premier made two weeks ago. It really shattered us when the Premier said that there is too much capacity on the line and they would need to spend millions of dollars in order to be able to handle the minimum rush hour of even two trains a day.

Here we read on the Richmond Hill line on April 7, going to Richmond Hill, there were five freight and one passenger; and southbound there were seven freight and one passenger. On the line that runs parallel to Maple, there were three freight and two passengers; and two freight and two passengers.

southbound on that line. Is that what you call over-capacity?

On that Richmond Hill line they have automatic signals; they have ribbon steel, they have a very well built line with, as I say, automatic signalling. Surely they could run those freights on the other line at hours when we require the use of the Richmond Hill line.

**Mr. D. A. Evans (Simcoe Centre):** But they will not co-operate, you know that.

**Mr. Deacon:** They will not co-operate? Who is saying anything to Ottawa? Who is raising heck with Ottawa about it? I do not hear a thing from this government about going to Ottawa and saying we are demanding that these rights of way are made available to these people in the province. It is time this government did something about it, instead of saying that Ottawa will not co-operate.

Who has been down there to Ottawa—the Premier or the Minister of Highways—saying to the federal Minister of Transport, “We want this rail line and we want it for use of our people during rush hour”? Who has been saying it? I have not heard anything. All I have heard is the Premier say there is over-capacity.

**Mr. M. Gaunt (Huron-Bruce):** Nothing but silence!

**Mr. Deacon:** Over-capacity!

Then they talk about 53 minutes to run the 20 miles downtown non-stop, the 20 miles from Richmond Hill to Union Station. Of course, you cannot build any traffic when taking a slow freight down. But the passenger trains do not take 53 minutes to come down from Richmond Hill to Union Station, and neither does any commuter train. We want to have somebody operate trains that operate well.

CN can do it in Montreal. That run from Ste. Honore into Central Station in Montreal, with six stops in between, takes 38 minutes. A stop, as you know, counts for at least two minutes of delay, so you can say there are 12 minutes of delay on that. Its travel time would really be 26 minutes, if it were a nonstop run.

This is much more like the time that we should be able to have on that train from Richmond Hill down to Union Station. Sure, it twists through the valley a bit, but we do not need to have anything like 53 minutes. Why should we accept that? Who is giving you advice? Do you not have anybody who

can check these items, anybody who can up for the people of this province?

You start to bring in fancy buses. What a fancy bus do that the present buses, what we now have and which are unsubsidized do not do now? Maybe they will be comfortable for the passengers, which may be fine, but the rates that the people are paying for the service they are getting are not building much business. This is not enough; this is just putting more traffic on the highways. It is not getting people into public transportation.

What we are after here is faster public transportation. We want these people to be able to take a trip by train in 15 or 20 minutes less than it will take by car, and we could do it if we had somebody co-operating.

Why do you not go down to Ottawa and tell the Minister of Transport? Have the Premier meet with the Prime Minister of Canada and say we want the use of that track. If the CN will not run a proper service down that track, we want to have our own railway line down that track. We will have our own equipment on it, our own operation, and our own traffic controller that will allow us to move the traffic under proper operation.

**Hon. A. Grossman (Minister of Correctional Services):** You will then argue that we are trying to break up Confederation.

**Mr. Deacon:** Oh, Confederation! The people in Ottawa right now are embarrassed because

**Mr. Trotter:** That is a typical statement of this administration.

**Mr. Deacon:** The people are embarrassed right now because this government says to the federal government, “Stay out of our constitutional territory,” and they are asking all the time: “Come on, you can help. You can show them a place where they can help in the constitution, because they have powers over the railways. It is time that this government made representations, strong representations, that these rail lines be made available to the people.

Those are the points I want to make about GO-Transit. It is a shocking thing to say to us and ask for over \$2 million to subsidize a system that should be properly run, and we had a department that was properly set up and not set up in some little corner where nobody can even see or try to find out what he has a magnifying glass. If they really had the proper emphasis to the public transpor-

tion mode we have available to us and which the province originally had the good sense and the courage to start—I will give credit for that—if they took proper advantage of it the people of this province would be exceedingly grateful. They would be saving millions of dollars and they would not have to have the \$150 million or \$120 million or whatever millions you are spending on that huge expansion out in the northwest area of the city in order to get people downtown to and from their work.

**Mr. Haggerty:** That is shocking, shocking!

**Mr. Deacon:** It is time that that money was available to the people of other parts of this province, where it could be much more usefully spent than on destroying the city and the environs of this community by what you are doing here. Let us take an aggressive stand with public transportation. Make this GO Transit work, and make it something that we are all proud of. It has been very well run from the point of view of service, convenience and dependability in many ways, but there are many things we could do to improve it. It is time we stopped taking just the same pattern and saying we have always done it that way, and saw what we can do to improve it.

**Mr. Chairman:** Does the hon. minister wish to comment?

**Hon. Mr. Gomme:** I am always very interested in the hon. member's comments and I appreciate them very much, and he realizes that. I may say that we are working on the monthly passes that you referred to, and we hope that they will come. We have also considered the closing of the Danforth station. But as you know, when you try to do this there is a great deal of local pressure. You always live in hope that maybe you will gain a little.

**Mr. Deacon:** There was opposition to that Lorne Park stop!

**Hon. Mr. Gomme:** Then the trains you refer to as going out in the morning with small loads, of course, they are going out to bring in the people. My information is that it is more costly to leave the trains out where there is no place for them to stay, than to bring them in to the proper yard where they can be serviced and where we do not need special watchmen and maintenance men.

**Mr. Deacon:** Maybe you could take some other useful information on that one.

**Hon. Mr. Gomme:** Well, I would be glad to do that. On the other thing that you spoke the time in Montreal as against here, I advised that the track there is an 80-mile-hour track and the one down through the parkway is probably 25 or 30. I mean that would make some difference that way. I will analyze all the comments you mention and they certainly will be of great help to me.

**Mr. Deacon:** Mr. Chairman, I appreciate the minister's reaction to my attack.

**Hon. Mr. Grossman:** That is not the way he was supposed to react.

**Mr. Deacon:** But I point out, with regard to the Montreal track, that it may be an 80-mile-an-hour track, but when you have six stops over a 20-mile distance, you do not have time to get up to 80 miles an hour; you barely have time to get up to 45 before you have to decelerate again in any sort of train. So that is not an argument to use about travelling down that valley line at, I think, is, the 40-mile limit they have; it may be on that. You can make awfully good time on that.

**Mr. Chairman:** Vote 804 carried?

Carried.

This completes the estimates for the—

**Mr. Trotter:** No, no! Wait.

**Hon. Mr. Grossman:** Too late!

**Mr. Trotter:** You did not see him.

**Mr. Chairman:** He did not speak to me either.

**Mr. Trotter:** He did.

**Mr. Chairman:** Far be it for me to do the hon. member's words. The hon. member for Ottawa Centre.

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Chairman, there is only five minutes left at this time, so I cannot say too much.

**Mr. T. P. Reid (Rainy River):** Give me the whole shot!

**Mr. MacKenzie:** First of all, I have regretted through what the minister had to say about dividing his department into different branches to get on with other forms of transportation, and I think it represents some forward looking and some forward thinking. I can only hope that, as the days go by, the Treasurer of Ontario will see fit to give the minister more funds so that he can pro-

with the transportation policy of this province with the vigour and the energy and the finances and resources which it should be pursued with.

In the city of Ottawa, Mr. Chairman, we have now, of course, the regional municipality of Ottawa-Carleton, but at the present time we only have a transportation system that covers the city proper. Whether or not it will be taken over by the municipality is still not definite. We do note that this year they provided millions and millions of dollars for road construction. I think, in this respect, the minister is to be congratulated that roads are starting to mean something in the municipality of Ottawa-Carleton and in that region, but I also think the time has come to strike out and hit a better balance between public transit, such as the GO system, and the money that is being spent on roads. There is no question that the priorities of investment must be changed.

I would believe too, sir, that at some point the minister is going to have to make capital available to municipalities. I note that he talks about grants for research to the tune of 75 per cent, I believe, and I would assume this applies to regional municipalities as well as the regular area municipalities.

**Hon. Mr. Gomme:** Yes, Mr. Chairman, that applies the same way.

**Mr. MacKenzie:** That is a step in the right direction, but even 25 per cent—if you get into a good-sized study—is going to be hard for municipalities to come by, and I would think at some point or another the minister is going to have to find the funds to make available to the municipalities, whether he lends them or whatever he does, to make it possible for them to move ahead in this direction. None of them have confidence; they just do not have any confidence. And the other thing, of course, is incentives—some way or another to create incentives so the municipalities will move in this direction.

It must be clear to the minister that we have had the regional municipality of Ottawa-Carleton for two years now and they have not yet taken over the municipal rapid transit system. We can only assume there is no incentive there and yet of all the needs, you must really consider that public transit is as much a necessity in our municipalities and regions today as sewers and water and electricity are. There is no way that our communities could possibly operate without rapid transit.

There is no question, Mr. Chairman, the province has to move ahead and do a bigger department than they are presently dealing with. It is a very small department which is supposed to deal with the plan. Even the minister says in his report:

While the organization of this branch is relatively small it is supported by a number of service branches of the department and its efforts will be co-ordinated with the efforts of the municipalities throughout the province. We have our municipal engineers and regional directors.

Mr. Chairman, surely it must be recognized that a small branch is not the answer. Transportation is just one of those ugly problems which is very quickly catching up and outstripping us by us.

I wonder if I could move the adjournment of this debate, Mr. Chairman.

**Mr. Chairman:** This is not the procedure. The thing is does the vote carry or does it not? Do any hon. member wish to discuss the vote further?

**Mr. B. Newman (Windsor-Walkerton):** Further.

**Mr. Chairman:** Vote 804 does not carry. It is six of the clock. Well if the clock were five minutes fast—

Does the hon. member have very much to say?

**Mr. MacKenzie:** I will wind it up. Mr. Chairman. Just two more minutes.

In Ottawa, I just wanted to say, Mr. Chairman, our problems are unique. We have a federal jurisdiction there; we have another province just across the river. This department, or somebody, missed out on the bridge they are planning there, a federal bridge through negotiations. What it was, I do not know and I can see the minister is looking hard at that one. However, the time has come, I think, for this department to move ahead and plan not only with the federal department up there but also the province of Quebec.

There is no question those two communities must come closer together and there is a question they must have rapid transit. The whole area, the municipality, the regional municipality of Ottawa-Carleton, is spread out nearly 60 miles from one limit to the other. We must plan ahead.

The other thing we should keep in mind is Mr. Chairman, which I believe has to do with the fact that if we find that people are presently driving 30 or 40 miles to work every morning

back again in the evening. As time goes by, with a good public transit system, this pattern will surely change to one in which people are living within two or three miles of where they work and can quite easily take a good transit system to get to work.

There is no question that this way will surely end the high traffic which we find in a good many centres of our cities. I think all of us realize that we just go on building roads and building roads, and nothing is really gained. The number of cars increases, the traffic congestion increases, and pollution goes up.

If we can get a good public transit system in I believe we can end pollution and change things and upgrade the quality of life, and I believe it is up to this minister to do the transportation studies that are required in order that we can progress in this direction.

**Mr. Chairman:** Vote 804. Carried?

**Mr. Gisborn:** Mr. Chairman, I would like to ask the minister a question.

After the report of the shuttle-bus programme regarding the GO station, the original report told us that they would have one in the west end of Hamilton and they were purchasing property at the amount of \$165,000. The last report is that they dropped the idea of purchasing property for the bus station in the west end of Hamilton.

What is the new proposition regarding that situation in the west end of Hamilton?

**Hon. Mr. Gomme:** We have not changed our minds. We have not dropped that proposition, but we are investigating it further.

**Mr. Gisborn:** You have just dropped the proposition of buying that particular property then? That has been a firm statement by the Prime Minister.

**Hon. Mr. Gomme:** No, we have not dropped it. We are trying to solve construction problems there.

Vote 804 agreed to.

**Mr. Chairman:** This completes the estimates of The Department of Highways.

**Hon. Mr. Grossman** moves that the committee of supply rise and report that it has come to certain resolutions, and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in Chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, tomorrow we will go into the Committee of the Whole, and second and, hopefully, third reading of bills in the name of the Minister of Municipal Affairs (Mr. McKeough). His Honour the Lieutenant-Governor will be standing by, hopefully, give royal assent to those bills. We will then proceed with the estimates of The Department of Lands and Forests.

**Mr. M. Gaunt** (Huron-Bruce): Mr. Speaker if I may. I was under the impression that we were only going to deal with third reading tomorrow. I think there was an arrangement between whips which indicated that.

**Hon. Mr. Grossman:** All I can advise the House, Mr. Speaker, is on the information which was left with me by the House leader. He will be here tomorrow and if there is a misunderstanding, I am sure he would be glad to clear it up.

**Mr. T. F. Reid** (Rainy River): I detect a certain note of pessimism there.

**Hon. Mr. Grossman:** It is always "hopefully." We never take it for granted that the Legislature will go along with the plans of the government.

**Hon. Mr. Grossman** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6:05 o'clock, p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Thursday, May 14, 1970  
Afternoon Session

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**Speaker:** Honourable Fred McIntosh Cass, Q.C.  
**Clerk:** Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 14, 1958

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon our guests in the east gallery are students from St. Rita's Separate School, Toronto; York Humber High School, Toronto; W. A. Porter Collegiate Institute, Scarborough; in the west gallery, the adjuvant course of The Department of Social and Family Services and students from Our Lady of Lourdes School, Kingston, and in both galleries, students from Barton Secondary School, Hamilton.

This evening we shall have with us the International Institute from Toronto; the National Secretaries Association, Toronto, and the 108th Girl Guide Group from Toronto.

Statements by the ministry.

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, the sports fishing ban established in early April on Lake St. Clair, the St. Clair River and the Detroit River, as well as Clay Lake in northwestern Ontario, will be lifted immediately. In addition, no sports fishing restriction is planned for the other lakes of Ontario on which a commercial fishing ban was placed just recently.

The department will be encouraging anglers and visiting tourists to fish only for fun in the waters in which mercury levels are in excess of 0.5 parts per million. Fish caught by anglers from these waters should not be eaten, since, in the opinion of health authorities in Canada and the United States, the amounts of mercury in them make them unfit for human consumption.

On Lake Erie, only pickerel and white bass in Essex and Kent counties carry levels consistently greater than 0.5 parts per million. On Lake Huron, only pickerel in Lambton county are on the list.

In the other waters, a variety of species have concentrations above the level and no species should be eaten at present. This includes the Ottawa River, downstream from Ottawa; the St. Lawrence River from Cornwall; the Detroit River, St. Clair River and Lake St. Clair; Clay, Ball, Indian, Grassy

Narrows, Lount, Separation, Umfreville, Teasdale, Swan and Eaglenest.

**Mr. E. W. Sopha** (Sudbury): How can you tell if any pickerel—

**Mr. J. E. Bullbrook** (Sarnia): Mr. Speaker, on a point of order; recognizing we are not allowed to ask any questions, is it possible through your good offices that we might get a copy of that statement for those members who are directly affected?

**Mr. Speaker:** If the hon. member would wait until the question period he is at liberty to ask, in due course, any questions, including that one.

**Mr. Bullbrook:** I did not want to lose my turn.

**Mr. Speaker:** Well, the hon. member would have to do that.

Oral questions.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, I have a question of the Minister of Lands and Forests arising out of his statement. I notice he remarked that pickerel from Lambton county might be dangerous and I was wondering if he could tell the House how one could tell whether pickerel comes from Lambton county or Kent county?

**An hon. member:** Ask the fish.

**Another hon. member:** That is the best fish story of the year.

**Hon. S. J. Randall** (Minister of Trade and Development): Look under the gills.

**Hon. Mr. Brunelle:** Mr. Speaker, these fish do move about and I will admit that it is very difficult to tell.

**Mr. S. Lewis** (Scarborough West): Do they move across country?

**Mr. Speaker:** A supplementary?

**Mr. M. Shulman** (High Park): As a supplementary question, Mr. Speaker, would the minister care to comment on the remark in today's *Financial Post* that due to the mercury

influx a four-inch perch may now weigh 33 pounds?

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

**Mr. Singer:** Mr. Speaker, I have a question of the Minister of Trade and Development. Has the minister as yet decided whether or not he is going to accept the suggestion of the hon. Mr. Andras insofar as revising rent schedules in jointly owned federal and provincial public housing are concerned and to what extent has he accepted the various suggestions put forth?

**Hon. Mr. Randall:** I would think, Mr. Speaker, to answer the hon. member in detail and be specific, yes, we accepted the recommendations by the federal authorities with perhaps one reservation. They are talking about putting a two-year freeze on rents and there is some suggestion that perhaps one year would be adequate. We are looking at that at the present time.

**Mr. Singer:** Can the minister tell us when the final steps are going to be taken in this regard and when he intends to advise the House formally so that we could perhaps discuss it or debate it at a later time?

**Hon. Mr. Randall:** We hope we are going to get the paper work done to have that put into effect by say, July 1, or sooner, if we can. Also, the new tenant-landlord lease sent to the 30,000 people in the province who are in public housing can also, at the same time—

**Mr. Singer:** And that is progress.

**Hon. Mr. Randall:** —at the same time issue a credit for the security deposit plus interest. The three things will be done simultaneously and save a lot of bookkeeping and keep everybody in the clear. I would say, by July 1, if not before, we will do the three things.

**Mr. Singer:** Mr. Speaker, I have another question of the same minister. Could he tell us whether it is contemplated that those people residing in Lawrence Heights will be allowed to enter into agreements to purchase the accommodation in which they are living?

**Hon. Mr. Randall:** I think I mentioned we had applied to Ottawa to have 5,000 units sold to the tenants and we have had a tentative agreement to go ahead with the first 1,000. I would assume that if some of the first 1,000 are not in Lawrence Heights, they will be included in the next 4,000.

We have to try out the 1,000 on a pilot basis and get that under way and see what the

prices are worth, have them evaluated necessary repairs made and then put a on them. I think, as I say, there may be of the first 1,000 in Lawrence Heights; not too sure. I would have to check and see what the recommendations are the housing corporation, where we should on the first 1,000.

I think the member can recognize it is easier for us if the first 1,000 were family homes or duplexes than it would if they were a conglomeration of town and high-rise apartments. There is a deal of work to be done before we can where we are going to start to move in direction. But the first 1,000 would be at at the present time.

**Mr. Singer:** By way of supplement that, could the minister tell us when the ing for sale of the first 1,000 is going start? When a definite offer will be—

**Hon. Mr. Randall:** I cannot give the ber that information today but I would in the next couple of weeks that we v in a position to ascertain from our h people where we will start to do the e ing. I think one of the first places wo in Hamilton, and the area of the me colleague in Windsor, where we have looking at some of the areas in the pa ing to get an idea of what the market would be and what the conditions a resale.

**Mr. Singer:** I have a further question Minister of Trade and Development. Co advise us as to the extent to which repa being made to the Ontario building in and why it was necessary that such be made?

**Hon. Mr. Randall:** Mr. Speaker, I think there are any repairs being m think what was happening in Osaka w we had the modular communication v which the hon. member had a chance t at. Not only ourselves, but the Columbia building and two or three have found that the modular commun vehicle just does not stop the Ja people. We have broken that up into sections, and we have made some c in the rampway leading from there in theatre; we also put more lighting i have sent some more displays out from I got a Telex this morning saying the arrived. They are now on display; th well accepted, and the Japanese should be very happy.

**Mr. Sopha:** When does the minister go back?

**Hon. Mr. Randall:** I am not too sure yet.

**Mr. Singer:** By way of supplementary, Mr. Speaker, I wonder if the minister could advise us what the cost of the alterations will be?

**Hon. Mr. Randall:** I do not have any cost at the present time, but I do not think there is very much cost in the operation; it is a matter of taking the models and putting them, as I say, on that ramp. I do not think there is any major cost there. As to the modular communications vehicle, I will not have the figures on that for about 30 days, but I do not think it is going to be too expensive, because there was not too much to do. It was just a matter of changing the format. I would like to remind the member, we did the same thing at Expo 67.

**Mr. Singer:** I have another question of the minister, in relation to the same building, Mr. Speaker. Could the minister advise us if the film has been changed and a new film substituted for it?

**Hon. Mr. Randall:** No, by no means have we changed the film. The film is designed for the Japanese people, not for the western critics, and it is running 26 minutes and I think the film at Expo 67 ran 22 minutes, and we reduced it after the first month to 17 minutes. We were trying to get the 26 minutes to 22, and I think that has been achieved. I might say that the Expo 67 film is now playing in Japan at the public theatres, and I would hope to release the film from Expo 70 to theatres all over the world sometime in late August or early September with the changes and modifications that are necessary on all, what we call, long-run films. It is too long a run, at 26 minutes, but I think they are going to get it down to 22 minutes. Certainly, from the reports we are getting, the Japanese people will be seeing a faster moving film.

**Mr. Singer:** By way of supplementary. Would the minister consider removing the Expo 70 film and replacing it with the Expo 67 film, because many people believe that the Expo 67 film was vastly superior.

**Hon. Mr. Randall:** I think that is something we would not do. The people who believe that are people from here, and I want to stress that we did not make the film for the people in Ontario — we made it for the Japanese people. The reports I get — and my

hon. friend was there — are that the audience applauds that film after every showing, and the Japanese are not emotional people. I think the very fact that they can see the film and that they can appreciate it means that we are going to stay with it; it is a success, and we do not intend to change it.

I might say that somebody said to us, "You do not have enough commercialism in it." I think we would look very foolish to shut the Collingwood shipyards—as proud as you are of the Collingwood shipyards, where they produce one ship every eight months—and to show the Japanese, who produce one a half per day.

**Mr. Sopha:** The minister lost me. He is selling Collingwood ships—

**Hon. Mr. Randall:** That is one thing. The other is our electronic plants. They have people sitting in a half-mile line, elbow to elbow, making electronic parts. If we show some of our electronic factories, we would not make much of an impression.

**Mr. Singer:** Well, only by way of editorial

**Mr. Speaker:** Order! Order! Has the member for Waterloo North a supplementary? The member Waterloo North.

**Mr. E. R. Good (Waterloo North):** Are you aware, is the minister aware—

**Mr. Speaker:** He has a supplementary and supplementaries always take precedence over editorial comments.

**Mr. Good:** Mr. Speaker, is the minister aware that all comments that have been received by me from both high school bands and glee clubs in my area and their escorts were very unfavourable toward the film which is being shown there? As far as they were concerned, the minister could have reduced it to zero or at least changed it to the 1967 Expo films.

**Hon. Mr. Randall:** I recall some people on the other side of the House said the same thing about the film we had at Expo 67 and it won an academy award. I suggest to the hon. member that for every critic he can show me who criticized the film, I will show him a critic who thinks it is one of the greatest things since sliced bread.

**Mr. Speaker:** I think this has been explored sufficiently. The member for Downview may proceed.

**Mr. Singer:** Mr. Speaker, I will save the editorial comment for the minister's estimates.

I have a question of the Minister of Municipal Affairs. In view of the statements in the last few days in the House by the Minister of Highways (Mr. Gomme), to the effect that the route of Highway 407 is to some extent indicated by plans on file in the registry office, and the further statement that the route of Highway 407 will definitely be fixed in six weeks, is the minister prepared to introduce legislation allowing Metropolitan Toronto to expand its boundaries to the south limit of Highway 407 at the same time that he introduces legislation in connection with the new regional municipality of York, in order that another 50 square miles of land will be made available to Metropolitan Toronto to help to solve the emergent and very serious crisis in housing in the Metropolitan Toronto area?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): The answer, Mr. Speaker, is no, because the boundary between Metropolitan Toronto and the regional municipality of York as proposed is something more involved than simply the location of Highway 407. The concept of the Toronto-centred plan envisages a parkway belt which is in addition to the simple transportation corridor—it is not very simple in terms of dollars and cents—of Highway 407.

The precise location of that parkway belt is going to take some time to work out. It is important from our point of view that it be worked out insofar as possible by the parties most interested—obviously the province; obviously the regional municipality of York, particularly Markham and Vaughan; obviously Metropolitan Toronto, I suppose particularly North York and Scarborough. There is some indication to me that, having made the announcement which we did a couple of weeks ago, I think, some discussions are under way, or some examination is, on the possibility that extending services from North York and Scarborough—the Metropolitan services—into those areas may not take as long as the precise determination of the boundary.

**Mr. Singer:** Mr. Speaker, by way of supplementary, does the minister not agree that the more quickly the additional 50 square miles is made available to Metropolitan Toronto, the more rapidly a solution is going to be provided for some of the very serious housing problems?

**Hon. Mr. McKeough:** I do not think necessarily follows, Mr. Speaker. We within Metropolitan Toronto, according to estimates of the Metropolitan Toronto Planning Board, sufficient open space, at a reasonable density, for another five to seven years of growth. Simply by including it in Metropolitan Toronto does not necessarily guarantee growth, as the Minister of Trade and Commerce, I suppose, I think, the minister who I suppose you would know in terms of the Metropolitan Toronto project, which has always been within Metropolitan Toronto. That does not guarantee that something is going ahead.

**Mr. Singer:** Mr. Speaker, by way of further supplementary. In view of the fact that the cost of land in the Metropolitan Toronto area now costs \$17,000 to purchase a 5,000 square foot serviced lot because of the shortage of land in Metropolitan Toronto, does the minister agree the addition of 50 square miles of land would lower the land price?

**Hon. Mr. McKeough:** Yes, and we are hopeful the whole concept of the Toronto-centred plan, indicating areas where, over the next 30 years, we will encourage development throughout the whole Toronto-centred area will have a bearing on land prices.

We do not think that this is the something that can be decided, say, tomorrow. Presumably we want the partners—Metropolitan Toronto, York and ourselves—to sit down and work out, not only the appropriate boundaries, but also the appropriate financial arrangements which may have to go with the boundary.

**Mr. Singer:** By way of a final supplementary. Would the minister be prepared to say when he thinks these decisions might be made?

**Hon. Mr. McKeough:** My hope would be that this would be advanced somewhat; but realistically in political terms, in terms of local election cycles, I would hope we would have the boundary worked out prior to the 1972 local election in both York and Metropolitan Toronto.

That gives us, really, two and a half years, but not a great deal can happen for the next six months until York comes into being. I would hope that perhaps it could be worked out more quickly than a two-year period and can, fine and dandy.

**Mr. Singer:** Mr. Speaker, I have a question of the Minister of Education (Mr. Davis) and the Prime Minister (Mr. Robarts), neither of whom is here.

**Mr. Speaker:** The member for York South.

**Mr. D. C. MacDonald (York South):** My first question is of the Minister of Trade and Development.

With reference to his statement yesterday on Maple Leaf Ceramics, is the minister aware of the fact that in this plant the base rate is \$1.30 for women, and \$1.80 for men; that the company has offered 36 cents over three years; and the union is asking for 45 cents over two years? If he is aware of that, does he feel that this is an exorbitant demand?

Second, is the minister aware of the fact that management has said during conciliation that if its offer is not accepted by the union, it will close down the plant? If he is aware of that, how does he square it with his statement yesterday from management, that they have no intention of closing down their plant?

**Hon. Mr. Randall:** Mr. Speaker, I am not in a position to quote on the labour rates in Montreal. I think the union is quite able to look after its own interests down there, and so far it has been very happy with the arrangements from year to year. If they are not happy this year, that is why they are closed down.

Perhaps there will be some major changes made that will be beneficial to the employees, or perhaps the plant will have to close down. But we made the decision on the Prescott plant on the basis of a brand new plant to replace imports from Japan, and it has nothing to do with closing the Quebec plant, as far as I am concerned.

I have been advised by the Olympia and York people that they have no intention of closing the plant, so what they are saying in Montreal I could not be responsible for. As far as we know they are not going to close the Montreal plant. The loan will not be made if they do close the Montreal plant and move it to Prescott, I can assure the member of that.

**Mr. MacDonald:** Mr. Speaker, by way of a supplementary question. Can the minister be so confident today that my facts are wrong and his are right, that he would go on TV claiming such before he has found out something about the facts of making statements about five times the normal demand for wages?

**Hon. Mr. Randall:** The member made a statement, in the first place, which is completely inaccurate on the facts that I have. I think that I have a right to put my facts before the public the same as he has, and in this Legislature.

**Mr. MacDonald:** Will the minister ascertain whether my facts are correct or not, instead of just dismissing them?

**Hon. Mr. Randall:** We have a continuing interest, otherwise the loan to the Prescott plant will not go forward. So we have a continuing interest in it, I can assure the member.

**Mr. MacDonald:** I have a question of Minister of Lands and Forests. In light—  
—the Minister of Lands and Forests—

**Hon. Mr. Brunelle:** I am listening.

**Mr. MacDonald:** Fine, sorry. In light of this year's experience in the Grey-Bruce area, has the department concluded that the spawning season was opened prematurely, as far as trout is concerned?

**Hon. Mr. Brunelle:** Really this is the same question that the member for Grey-Bruce asked me, Mr. Speaker.

**Mr. E. Sargent (Grey-Bruce):** Give him the same double-talk as you gave me.

**Mr. MacDonald:** Let me try.

**Hon. Mr. Brunelle:** This is the same situation, Mr. Speaker. The fish begin to spawn in December, and they—

**Mr. Sargent:** Why is he worrying about Grey-Bruce anyway?

Interjections by hon. members.

**Hon. Mr. Brunelle:** As I was saying, Mr. Speaker, the fish begin to spawn in that area in December and they spawn until sometime in May, or even later.

**Mr. R. F. Ruston (Essex-Kent):** A lesson in biology now.

**Hon. Mr. Brunelle:** Averages were taken to what would be the best time to open the season, and a few years ago it was decided that it should be the last Saturday in April. Many of the local people complained that the last Saturday in April varied, so now we have a year—let me see. The last Saturday in April—yes, this is the decision, I am sorry.

The decision was that it should be the last Saturday in April and this year's happened to be on April 25, which is quite early. In previous years this year we are having a late spring, a lot later than usual; maybe a week on the average. Therefore, the fish are spawning later.

Since we put out our regulations for the spawning season, early in the new year

some time in January—they are set at that time—it is very difficult to change them during the spawning time.

**Mr. MacDonald:** May I ask, by way of a supplementary question, has the department considered a flexible opening date which could be broadcast some time closer to the date? Then you would not have the kind of situation this year where fish were lazing in the water and could be picked up by hand and people walking out into the waters trout fishing were actually destroying spawn.

**Hon. Mr. Brunelle:** Mr. Speaker, I can appreciate that this is a good question, but I think at the same time we must appreciate that there are a lot of hotels and resort operators who want to know in advance—several weeks, if not months, ahead of time—when the season will open, so that they accordingly can inform their guests.

Maybe some provision should be made whereby, when the season is late due to weather conditions, there should be some flexibility. We will look into it.

**Mr. Speaker:** The member for Waterloo North has a supplementary?

**Mr. Good:** A supplementary question on the last question, Mr. Speaker: Could I ask the minister whether local authorities are allowed to postpone the opening for certain types of fish in one certain creek, as was done, I understand, on the Colboy Bay Creek this past opening season, where the opening for coho salmon was delayed for one week?

**Hon. Mr. Brunelle:** Mr. Speaker, with reference to coho salmon, they are not covered by our regulation because they have only recently been introduced, in the last two years, I believe, and we are still in the experimental stages to find out more about them. So there is no season on coho salmon.

**Mr. Speaker:** The member for Grey-Bruce has a supplementary.

**Mr. Sargent:** On the same line, Mr. Speaker—

An hon. member: Same fish too!

**Mr. Sargent:** The minister—

**Hon. Mr. Randall:** You are not going to use the Chinese calendar this year on purpose!

**Mr. Sargent:** The minister has changed his line of thinking in a week. Is that not right?

And further, he does agree that the fish were lying there and were caught by the

thousands with baseball bats and nets. does believe me now and he is going to take a new look at it and let us have our own say in when we should open our season, is that right?

**Hon. A. Grossman** (Minister of Correctional Services): How do you catch a fish with a baseball bat?

**Hon. Mr. Brunelle:** We will give consideration to the various views that have been expressed.

**Mr. Sargent:** He will do that all right.

**Mr. Speaker:** The member for York South

**Mr. MacDonald:** May I draw to the attention of the hon. member for Grey-Bruce an effective question gets an effective answer?

I have a question of the Attorney General. With reference to the Ontario Police Commission investigation into the Brantford police situation, does the Attorney General or the OPC condone the practice which was mentioned, namely, of one policeman deliberately coming on his person an electronic device in order to trap another policeman into a conversation, the tape of which was delivered to the police force, on the basis of which the other policeman was fired?

**Hon. A. A. Wishart** (Minister of Justice): No I do not think I would condone that, Mr. Speaker.

**Mr. MacDonald:** What does the Attorney General intend to do since that was the practice followed in Brantford of one cop bug another cop?

**Hon. Mr. Wishart:** I am looking at the matter. I do not think I will tell the House at this moment what I am doing.

**Hon. Mr. Grossman:** There will be a question out.

**Mr. Speaker:** Supplementary?

**Mr. Sargent:** Will the Attorney General advise when he will make a public appearance regarding Mr. Smith of Tobermory being

**Mr. Speaker:** This is not supplementary to the previous question. The member for York South has the floor.

**Mr. Sargent:** Regarding that letter I wrote

**Mr. Speaker:** The hon. member is out of order. The member for York South has the floor.

**Mr. MacDonald:** To the Attorney General: In view of the advice now being given by the crown attorney's department of his ministry that it is not their policy to appear in prosecutions launched under The Landlord and Tenant Act, how does the Attorney General feel that the tenant is going to be able to be assured of his rights under the Act if he is left completely on his own to take action?

**Hon. Mr. Wishart:** Mr. Speaker, there are provisions in the Act for civil proceedings. I was not aware the crown attorneys had refused to act in prosecuting but if they have, we will look into the matter.

**Mr. MacDonald:** By way of supplementary—

**Hon. Mr. Wishart:** I do want to make a clear distinction between the civil proceedings of that Act and the prosecution feature.

**Mr. MacDonald:** Would the minister, in looking into it, examine a letter which was addressed to the director of public prosecutions by Ron McInnis, chairman of the MTA action committee, in which this is spelled out in the first paragraph?

**Hon. Mr. Wishart:** If the hon. member would let me have that, I would be glad to check it.

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

**Mr. E. A. Winkler (Grey South):** I have a question of the Minister of Public Works. Could the minister, if he is here, inform the House if he is prepared to supply secondary postal service in the province of Ontario in the event of a national strike in this quarter?

**Hon. J. R. Simonett (Minister of Public Works):** Mr. Speaker, the answer is yes.

**An hon. member:** So it was a planted question.

Interjections by hon. members.

**Mr. Speaker:** Order! Order! Let us hear the plan.

**Hon. Mr. Simonett:** In fact, our department announced to the press last week that in case of a postal strike we were ready to deliver all government mail including disability and pension cheques. Some of it will be moving by truck and I believe Lands and Forests are co-operating to move some of it by air in the far northwest.

**Mr. T. P. Reid (Rainy River):** You better check with the minister.

**Mr. Speaker:** The Minister of Labour the reply to the question asked by the member for Ottawa Centre (Mr. MacKenzie): Minister of Energy and Resources Management, I am sorry.

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** Yes, Mr. Speaker it was a five-part question asked by the member for Ottawa Centre last week.

The first part:

Is the minister aware that a sewage disposal plant on the west boundary of Ottawa was designed for a flow of 1.5 million gallons per day but is reported to be operating at five million gallons per day?

The answer is the Watts Creek sewage treatment plant has a designed capacity of 1.5 mgd. While infiltration into the sewage system in the spring or during heavy rain increases, the sewage flow is beyond the designed capacity; at other times, the flows are below 1.5 mgd.

The second question:

Is the minister aware that discharge of effluent from this plant into the Ottawa River is only one mile or two above the new water filtration plant intake?

The answer is the plant effluent is discharged into the Ottawa River four to five miles rather than one or two miles upstream from the Ottawa water filtration plant intake.

Three:

Is the minister aware of plans to spend \$3 million to extend the sewage plant?

The answer is the plans are under way for the interim expansion of the Watts Creek plant. This design is being undertaken by the regional municipality of Ottawa-Carleton.

Question four:

Is the minister aware that for a reported \$25 million, the load handled by this sewage plant could be transferred to the plant down river from Ottawa?

The answer is that a recent engineering report prepared for the Ottawa-Carleton regional municipality proposed the interim expansion of the Watts Creek plant until a second crosstown interceptor is installed to serve developing areas in the west end, including the areas now served by the Watts Creek plant.

Question five:

Would the minister endeavour to eliminate the health hazard from a source of pollution rather than permit its extension?

The answer is raw water bacteriological results from samples collected at the Ottawa water intake are generally well within the service water quality objectives of the OWRC. The treatment provided both at the sewage treatment plant and the water purification plant provides a safe and excellent quality of water to the Ottawa consumer.

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

**Mr. J. P. Spence (Kent):** I have a question of the Minister of Lands and Forests. Have any cheques been mailed out to the fishermen along Lake St. Clair, the St. Clair River or the Detroit River who filed applications for loans two or three weeks ago on account of the ban on fishing in those waters?

**Hon. Mr. Brunelle:** The cheques will be in the hands of the commercial fishermen tomorrow. Last week when this matter was discussed, I signed and sent the formal agreement to Ottawa. It was only yesterday that I received a telegram saying that they were in the process of making their share of the funds available. The cheques will be in the hands of the commercial fishermen tomorrow.

**Mr. Speaker:** A supplementary? The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Energy and Resources Management. Has either Ontario Hydro or the waste disposal branch any plans for combining the incineration of garbage and/or rubbish waste with the generation and distribution of steam?

**Hon. Mr. Kerr:** Mr. Speaker, the Ontario Hydro is looking into the possibility of using waste or rubbish or solid waste as fuel. This is one of the things their research people are looking into, particularly in some of their newer plants where this form of fuel to provide steam would be more appropriate. This is part of Hydro's research right now.

**Mr. Burr:** Mr. Speaker, a supplementary question. Would the minister agree that because this would aid the cause both of anti-pollution and of the conservation of natural resources, this plan need not necessarily be economical as long as it is ecologically sound?

**Hon. Mr. Kerr:** Yes, Mr. Speaker, and we hope, of course, it will be economical as well.

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

**Mr. Bullbrook:** Mr. Speaker, I have a question of the Minister of Justice. Could the Minister of Justice advise as to whether his department, or the Ontario Police Commission, or the Ontario Provincial Police, or any other body under his aegis or control, is considering the establishment of an Ontario municipal police force?

**Hon. Mr. Wishart:** I do not know anything of this nature, Mr. Speaker, except for our present municipal police forces. The municipal forces we have set up recently in one or two regional government areas, which I think might still be called municipal forces. They are regional in nature, but I know of no proposal of that nature, and hon. member suggests.

**Mr. Speaker:** The hon. member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, a question of the Minister of Labour.

I would like to ask the minister whether he would investigate charges by carpenters picketing a multi-million dollar high apartment project in my riding of Port Arthur. The charge is to the effect that a construction company has brought in a dozen or more Toronto carpenters to work on the project at a lower salary than the local ones at a time when some 300 Thunder Bay carpenters have been out of work for months. Would the minister investigate that?

**Hon. D. A. Bales (Minister of Labour):** I will look into it.

**Mr. Speaker:** The member for Sudbury. The member for Lakeshore (Mr. Lawlor) is too late.

**Mr. Sopha:** Thank you, Mr. Speaker. I have a question of the Attorney General.

Would the Attorney General inquire of the Solicitor General of Canada whether in the chairmanship of the Ontario Law Reform Commission is kept under surveillance by the RCMP and, if so, for what public purpose? The Royal Canadian Mounted Police are on that activity, in the light of the accusation of Mr. Leal, reported in today's press?

**Hon. Mr. Wishart:** Mr. Speaker, I have not seen the article to which the hon. member refers. Not having read it and not knowing its import or the seriousness of the accusation, I would hesitate to trouble the Solicitor General with such a question.



**Mr. Sopha:** A supplementary question. The questioner is not concerned with whether the minister read the paper.

**Mr. Speaker:** Perhaps the hon. member would ask his supplementary.

**Mr. Sopha:** I should like to ask, if the minister does see in the paper that Mr. Leal says he is kept under surveillance by the RCMP, and in the light of his important position in this province under this Legislature, would the minister inquire from the Solicitor General of Canada the purpose for which he is kept under surveillance? That is the question; nothing to do with whether the minister read the paper or not.

**Mr. Speaker:** Order!

**Hon. Mr. Wishart:** Mr. Speaker, as I said before, I propose to read the article and then decide whether or not I will trouble the Solicitor General.

**Mr. Sopha:** Let it be recorded the article was given to the Attorney General.

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

**Mr. P. D. Lawlor (Lakeshore):** A question of the Minister of Financial and Commercial Affairs. The Attorney General thinks incendiary secret thoughts.

When, if ever, and I hope it is never, does the minister intend to proclaim Bill 176 of last year having to do with The Real Estate and Business Brokers' Act?

**Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs):** Mr. Speaker, I cannot answer that question because it is not a matter of policy directly in my hands.

**Mr. Speaker:** Any supplementaries?

**Mr. Lawlor:** Supplementary. What does that answer mean, Mr. Speaker?

**Mr. Speaker:** No? The Minister of Trade and Development has answers to questions from the member for York South.

**Hon. Mr. Randall:** Mr. Speaker, the question was from the hon. member for York South with regard to protests to the Ontario Housing Corporation about a site for senior citizens in Milton, Ontario. I received a report from the housing corporation today which reads:

The protest in the Milton area regarding the proposed site for senior citizens' apartments appears to stem solely from Mr. Ivan

Armstrong who has written to both town of Milton and the Ontario Housing Corporation, using Oakville and Dispersed Housing Labour Council letterhead.

We are informed by the town of Milton that they are not certain that Mr. Armstrong speaks for the labour council, and are endeavouring to obtain further information concerning his position.

It appears that Mr. Armstrong is circulating a petition in Milton to prevent the project from going ahead on the present site.

On April 28, 1970, the mayor of the town of Milton, Mr. Brian Best, wrote the Ontario Housing Corporation and stated that Mr. Armstrong, in the opinion of the council, was not aware of all the facts relating to the project and denied that there is any opposition to this project so far as the town of Milton is concerned.

Mr. Best, the mayor, also notes that the sites in Milton were thoroughly examined by the Ontario Housing Corporation members of council and municipal staff and that the site selected is the only one that can be proceeded with immediately. In conclusion, Mr. Best urges the Ontario Housing Corporation to proceed so that the contract can be awarded at the earliest possible date.

The town of Milton has passed the necessary zoning bylaws to permit the project to be developed on the selected site and is applying to the Ontario Municipal Board for their approval. The Ontario Housing Corporation is informed that a senior citizens' group in Milton has been in touch with the mayor and the town council to discuss this matter and they are completely satisfied with the selected site.

The other question, Mr. Speaker, had to do with low rental housing in Cornwall.

I am informed that in 1964, when the Ontario Housing Corporation was formed, 125 family units in Cornwall came under management. These low income family units were taken over from the former federal-provincial partnership. It is worth noting that of the 125 units, despite serious efforts to rent them, 14 remained untenanted as late as March 1969, and the last of these was rented in July, 1969.

As a result of a recent request from the municipality, a survey of need and demand has been carried out in the Cornwall area and in response to this they propose to build for 60 family units and 104 senior citizens units were closed on April 27.

It is at the present time undergoing analysis. It is anticipated that a final selection of the proponent will be made in time to present a recommendation to the board of directors of the Ontario Housing Corporation in mid-June, 1970.

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

**Mr. T. Reid (Scarborough East):** I have a question of the Attorney General.

Do any crown attorneys purchase information on individuals they are interested in? Do they make these purchases either directly or indirectly from credit companies or credit bureaus in Ontario?

I refer not only to credit information, but the category of specialized information. If the crown attorneys do purchase such information, how much public money is spent on such a pernicious invasion of privacy?

**Hon. Mr. Wishart:** Mr. Speaker, I have never heard of a case of a crown attorney purchasing information of any kind from anyone, and I would hope that such a practice never did exist.

A crown attorney, in my view, would have no reason whatever to get information from a credit bureau. The cases crown attorneys are concerned with are criminal prosecutions, prosecutions of breaches of the criminal law or charges alleging a breach. The evidence he would present to the court would be the evidence surrounding that particular instance. I can think of no reason why he would be looking into the background of a person through a private credit organization.

It is permitted in court, and there are rules, that upon conviction only may the criminal record of a person convicted be presented to the court for the purpose of determining sentence or considering sentence. I never heard of a crown attorney providing credit information. Certainly, purchasing credit information is unthinkable, I think.

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

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have a question of the Minister of Municipal Affairs. Is it the intention of the department to have regional government instituted in the entire province within the next five years?

**Hon. Mr. McKeough:** No.

**Mr. Deans:** Might I ask the minister, then, subsequent to the statement of the Prime Minister that assesment would be returned to

the municipalities within five years, whether it is the intention of his department that would be returned to the individual municipalities rather than to regional municipalities?

**Hon. Mr. McKeough:** Presumably it would be returned, if there was a desire, to the regional municipalities that were in existence or perhaps to the counties from whence it came.

**Mr. Deans:** Could the minister then indicate the purpose for going through this exercise that we are presently going through?

**Hon. Mr. McKeough:** Very simply to get the job done.

**Mr. Deans:** By way of another supplementary question, would it not have been simple to have provided guidelines for municipalities and let them do it themselves?

**Hon. Mr. McKeough:** We have been providing guidelines for the municipalities something like 15 years and assessment of the province is in the state that it is in because the guidelines did not work.

**Mr. Singer:** The minister is prejudiced against municipalities, anyway.

**Mr. Speaker:** The member for Rainy River.

**Mr. T. P. Reid:** Thank you, Mr. Speaker. I have a question of the Minister of Tourism and Information.

Can the minister indicate what steps what programmes his department is taking to counteract the adverse publicity of those small lakes in northwestern Ontario that are affected by the mercury pollution, in order to promote the rest of northern Ontario?

**Hon. J. A. C. Auld (Minister of Tourism and Information):** Mr. Speaker, we are looking very carefully at what form of a programme whether it be radio or television or newspaper—might be used. Without going into a long explanation, there is some concern on the part of some people in the industry, as well as some of my own advisers, on how such a programme would be carried out so that it would do some good rather than do more harm. I think the hon. member should realize that it is a difficult thing to try to handle on anything other than a straightforward informational basis, which is, I think, the way we will proceed.

**Mr. Speaker:** The member for Winthrop Walkerville.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Energy and Resources Management. In view of the action by the Federal Water Quality Administration of the U.S. government, limiting thermal pollution, is the minister considering similar legislation that would prevent the discharge of any fluid into our waterways that would raise the temperature of the water by more than one degree Fahrenheit at the point of discharge?

**Hon. Mr. Kerr:** Mr. Speaker, I am told by the experts in my department that this is a very unrealistic level, a very unrealistic regulation, and they will not be able to enforce it.

**Mr. B. Newman:** A supplementary question: May I ask of the minister, is he considering some temperature level which can be regulated?

**Hon. Mr. Kerr:** Yes, Mr. Speaker. It will depend, of course, on the particular water basin, the area where there may be a source of thermal pollution. But we intend to minimize the changes in temperature for any water that is discharged into a lake so as to prevent thermal pollution which would cause adverse effects on fish life.

**Mr. Speaker:** The oral question period has now expired.

Petitions.

Presenting reports.

**Hon. Mr. Welch** presented the annual report of the Minister of Agriculture and Food for the fiscal year ending March 31, 1969.

**Mr. Speaker:** Motions.

Introduction of bills.

#### DISCRIMINATION IN EMPLOYMENT BECAUSE OF SEX OR MARITAL STATUS

**Hon. Mr. Bales** moves first reading of bill intituled, An Act to prevent Discrimination in Employment because of Sex or Marital Status.

Motion agreed to; first reading of the bill.

**An hon. member:** Finally, enlightened legislation!

**Mr. Lewis:** Wait until they incorporate it in the human rights code.

**Hon. Mr. Bales:** Mr. Speaker, this Act is the result of more than two years of intensive research into the problem of discrimination

against women in employment in Ontario through investigation of similar legislative other jurisdictions.

The legislation has been developed to provide equal employment opportunity for one million women workers in this province. It will prohibit discrimination in recruitment, hiring, training, promotion and dismissal on grounds of sex or marital status. It will cover separate male-female classification and advertising. Moreover, it prevents dismissal for pregnancy and provides for maternity leave.

Administratively, it combines features of two other pieces of legislation in my department—The Ontario Human Rights Code and The Employment Standards Act. It proceeds by the complaint and the conciliation method of the code, but under this new Act, the government can initiate complaints as it now does under The Employment Standards Act. It has provided for the same broad powers of investigation that pertain to The Employment Standards Act.

The Act is to be administered by the women's bureau, a branch of The Department of Labour uniquely qualified for this responsibility. The bureau was established in 1966 to upgrade the status and qualifications of the female labour force and has developed a wide range of connections with working women, their employers and unions.

While the legislation is not all-inclusive, it has been especially developed to meet the major problems as they exist in Ontario today, and, in addition to most other employers, is binding on the provincial government and its agencies.

Although this legislation is primarily intended to correct discrimination against women workers, it also protects the rights of men workers. Should a man be discriminated against in employment because of his sex or marital status, he can seek redress under the Act.

We have made two exemptions. The employer who employs fewer than six persons is exempt from the Act, and firms of fewer than 25 employees are exempted from the maternity leave provisions.

**Mr. Speaker,** I feel confident that this approach to the problem of discrimination against women workers will be genuinely welcomed by all members of this House and the people of this province as a whole.

**Mr. Lewis:** Why, the minister is putting discrimination in his Act. He has written discrimination into the Act. Why the exemptions? What is it with these people?

**Mr. Speaker:** Introduction of bills.

**Mr. Bullbrook:** Mr. Speaker, point of order.

**Mr. Speaker:** Point of order.

**Mr. Bullbrook:** Before the orders of the day, during our organizational meeting of the committee on education and university affairs, there was a motion made at the time to enlarge the sphere and scope and the endeavour of the committee. This was a unanimous motion and we had hoped that the matter would be reported, either by the chairman or the vice-chairman today, and no report has been given. I am wondering: is there anything in the rules whereby the members of the committee can see that the report is expeditiously reported to the whole House?

**Mr. Speaker:** Of course, it would be not uncommon for an expeditious report to come in the day following the meeting of the committee, if the report has to be drafted. I am sure that the chairman or the vice-chairman of the committee, if they are not present, will have the message passed on to them.

Otherwise, I would suggest to the hon. member that the hon. members of the committee might see the chairman and have another meeting called. Certainly, as far as Mr. Speaker is concerned, the authority is quite firm now that standing committees are, within certain areas, a law to themselves. Mr. Speaker has no right to interfere, nor the House, until it is properly reported to the House.

**Mr. Bullbrook:** As a matter of interest, what if the report did not come through? What would the individual members do? What relief would they have under the rule?

**Mr. Speaker:** That is a question I am not prepared to answer at the moment. I do not think I will be obliged to answer it, because I am quite sure that if a motion was adopted by the committee, in due course it would be presented by the chairman of the committee, or the vice-chairman, to this House.

Orders of the day.

**Clerk of the House:** The sixth order, House in Committee of the Whole; Mr. R. D. Rowe in the chair.

#### THE RESIDENTIAL PROPERTY TAX REDUCTION ACT, 1968

House in committee on Bill 60, An Act to amend The Residential Property Tax Reduction Act, 1968.

**Mr. Chairman:** Are there any questions or comments or amendments in any section of this Act?

The member for Sarnia. Which section?

**Mr. J. E. Bullbrook (Sarnia):** Yes, I have an amendment to put forward on section 2.

**Mr. Chairman:** Anything on section 1?

**Mr. Bullbrook:** I have nothing.

**Mr. E. R. Good (Waterloo North):** Section 1, subsection 2; I have something.

**Mr. Chairman:** Section 1, subsection 2, anything before section 1, subsection 2?

All right, the member for Waterloo North.

**Mr. Good:** Mr. Chairman, I wonder if the minister has looked into a matter I raised earlier. He did not answer my comment at second reading regarding the inability of a propertyowner to have a property classed separately as assessed property during the current year. In 1969 the propertyowner had the whole of the year to get an amendment to his 1968 assessment, and when this amendment goes into force, January 31, 1970, which has already passed, would be deemed to be in time to appeal his 1969 classification. Am I correct in that assumption or do I not understand the situation?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** No, the purpose of this is to allow for the 1970 assessment. If he were assessed separately in 1970 and did not receive his reduction, he would have to appeal by January 31, 1971.

**Mr. Good:** Yes, well then how long would one have to appeal the 1969 separate assessment provision? The previous Act dealt with 1968, in which he was given all of 1969.

**Hon. Mr. McKeough:** Yes, and that is what I think my understanding is correct, last year's Act extended for all of 1969, or rather all of 1970.

**Mr. Good:** Mr. Chairman, if you look at section 2 of section 1 it gives 1969 to appeal the 1968 assessment, and nowhere can I find where there is any provision for a person to appeal his 1969 classification.

**Hon. Mr. McKeough:** Would the member get me a copy of last year's bill and send it over to me?

I wonder if we could go on to section 2, Mr. Chairman, and come back to this section. I will get a reply to that question.

**Mr. Chairman:** Well we will have to take this section in advance.

The hon. member for Sarnia then, on section 2.

**Mr. Bullbrook:** I wish to relate to discussions that I have had, through you, Mr. Chairman, to the minister, in connection with the application of these benefits to people who are not citizens of this country and are not residents of this province. It might be that there have been technical difficulties to extricate them from the benefits, but I think we can do it. I use, by way of exaggeration again, and I am sure the minister must be sympathetic to the attitude that I express, the thought that we should not be using public funds in any way to subsidize millionaires from Michigan and New York and other places through this, let us say, honest attempt to assist residential propertyowners. I, therefore, move that subsection 3 be added to section 2 to read as follows:

The provisions of this section shall not apply to residential property occupied by non-residents of the province of Ontario for less than six months in each year. Proof of occupancy of the said residential property for more than six months in each year by such non-residents shall be by affidavit filed in the office of the treasurer of the municipality in which such residential property is situated.

If I might just speak on further, this does not totally answer the problem, but there has to be some arbitrary decision made by us. I suggest for the consideration of this House that as a matter of principle we do want to use our funds for the worthwhile purpose that they are intended and not to assist these people who do not need it.

We take issue on this side of the House with using these funds to assist people who do not need it, be they non-residents or residents; be they Canadians or not. We will not bore the minister, if we are doing so, with a complete discussion of that again. We invite the minister and we invite those on the government side to consider this as a beginning at least: that those people who are non-residents of this province must at least reside in the residential property for six months of the year, and that we supplement that or rather that we implement that, Mr. Minister, by putting an onus on them to file an affidavit,

if they want the benefit, with the treasurer of the municipality.

**Mr. I. Deans (Wentworth):** Mr. Chairman I wonder if I might be permitted to ask, for clarification, a question through you of the mover of the motion. I sympathize with what he is trying to do—there is no question about that. I just want to know how this can be done. How are we going to determine who are resident and who are non-resident? What method can be used?

**An hon. member:** It is presently on the assessment roll.

**Mr. Deans:** It is not presently on the assessment roll.

**An hon. member:** It is right there!

Interjections by hon. members.

**Mr. Deans:** How do you do this under the present structure of assessment?

**Mr. Bullbrook:** Let me say this: If we all of one mind in this respect, I can assure the House that I am quite amenable to amendments that might properly carry forward our overall intent. I tried to look for some practical solution in connection with affording proof to the municipality of the peoples' status. I thought they could file an affidavit. For example, if a person from Michigan lived here for eight months of the year, in effect, to all intents and purposes he is a resident here. If you can think of some method that is more attractive to the overall thought, I invite amendments. On the other hand, what was attempted by myself and my colleagues in this connection was to avoid this difficulty, this general difficulty.

**Mr. Chairman:** We should make the amendment before we have any more discussion on it. Moved by the member for Sarnia that subsection 3 be added to section 2 to read as follows:

The provisions of this section shall not apply to residential property occupied by nonresidents of the province of Ontario for less than six months in each year. Proof of occupancy of the said residential property for more than six months in each year by such non-residents shall be by affidavit filed in the office of the treasurer of the municipality in which such residential property is situated.

Any further discussion? Mr. Minister.

**Hon. Mr. McKeough:** Surely there are two points. First of all, the member for Wentworth raised the issue in part—it is just not practical. The courts have proved that people can have, and do have in fact, more than one residence. There is no such thing as one's permanent residence, according to the courts.

The second point is probably much more important. What we are doing is talking about a measure that I would think, Mr. Chairman, is out of order in this section. I think we are back at the principle of the bill two years ago rather than this year's bill.

**Mr. G. Ben (Humber):** Now come on!

**Hon. Mr. McKeough:** But be that as it may, I think we have debated this now for two years running. The point of this legislation was to reduce the burden of property taxes. My friends opposite, particularly in the Liberal Party, have advanced two other schemes.

**Mr. Bullbrook:** Let us not go into that.

**Hon. Mr. McKeough:** I want to point this out. The Leader of the Opposition (Mr. Nixon) particularly, has spoken somewhat disparagingly, or he did, about this legislation until he went to the provincial-municipal conference and he found out that some of the mayors—in fact, most of them—thought it was pretty good legislation. He was not quite as critical the other day.

**Mr. Bullbrook:** This is totally out of order!

**Mr. V. M. Singer (Downsview):** If there is anything out of order, it is these remarks.

**Hon. Mr. McKeough:** The alternative, of course, has been advanced by the Leader of the Opposition. I ask this question—

**Mr. Bullbrook:** Let us talk about this alternative.

**Hon. Mr. McKeough:** The alternative which has been advanced by the Leader of the Opposition—

**Mr. Singer:** Mr. Chairman, on a point of order. The only thing before the House at this moment is this amendment, and what the Leader of the Opposition might have said or might be thinking insofar as it translates itself in the mind of the Minister of Municipal Affairs, surely is not relevant to this debate. I would ask you, Mr. Chairman, to rule the minister out of order.

**Mr. Chairman:** No, I believe the comments are appropriate to the situation here.

**Hon. Mr. McKeough:** Mr. Chairman would just say this and this will not matter; I am putting this in the context of this bill. The principle of this bill, which has been before the House three times, is to reduce—

**Mr. Singer:** They like you, Mr. Chairman, over there, and small wonder.

**Hon. G. A. Kerr (Minister of Energy and Resources Management):** He is a good

**Hon. Mr. McKeough:** The principle of this bill is to reduce property taxes, purely and simply. The alternatives advanced from time to time by the Leader of the Opposition, this kind of bill and to achieve the same purpose have been, very simply, either to increase the unconditional grants or to increase the education grants.

My colleague, the Minister of Revenue (Mr. White) pointed out our opinion, without putting it into an argument, on the problems of doing just that without getting into the regressiveness of the property tax. I ask this question—I wonder why we are not asking to reduce the burden of property taxes on the members of that party—

**Mr. Bullbrook:** Point of order! I do not want as a member of this House, that you should, for me, Mr. Chairman, the comments are entirely being made by this minister in support of an amendment that I put forward.

**Mr. Chairman:** Order, please! I agree that the last few comments are beyond the scope of this particular amendment. Are we going to ask a question?

**Hon. Mr. McKeough:** My point, simply, is that we are trying to relieve the burden of property taxes and this is what we are trying to do—

**Mr. E. W. Sopha (Sudbury) On Amendments:**

**Hon. Mr. McKeough:**—and that is exactly what you do when you increase the unconditional grants. We do not say an unconditional grant—

**Mr. Bullbrook:** Nobody is talking about increasing the unconditional grants.

**Hon. Mr. McKeough:** Exactly. You are talking about something which relieves the burden of property taxes. When we pay grants to a province, when we make transfers to reduce education costs—

**Mr. Bullbrook:** Two wrongs do not make a right.

**Hon. Mr. McKeough:** Why do you not put in education grants then, so that we will not reduce them for Americans?

**Mr. Bullbrook:** Talk about this amendment.

**Hon. Mr. McKeough:** I am talking about this amendment and I am talking about the principle of this bill which is not to decrease—

**Mr. Singer:** It is not the debate on second reading.

**Hon. Mr. McKeough:** We are talking about an effort.

**An hon. member:** We want to hear the truth.

**Hon. Mr. McKeough:** You do not want to hear it because your argument is so wrong.

**Mr. Singer:** We want you to be in order.

**Hon. Mr. McKeough:** Your argument is so wrong. We are trying to reduce the burden of property taxes.

Interjection by an hon. member.

**Hon. Mr. McKeough:** We are not concerned with the nationality of the owner of that property any more than we are when we pay highways grants, when we pay unconditional grants, when we pay education grants, when we reduce property taxes.

**Mr. Bullbrook:** Of course, that philosophy is all wrong.

**Hon. Mr. McKeough:** We do not ask, on the burden of tax, who or what the nationality is of the owner of a particular building.

**Mr. G. W. Innes (Oxford):** You are taxing the old age pensioners to pay for American cottages.

**Mr. Chairman:** The member for Waterloo North.

**Mr. Good:** I would like to speak in support of this amendment. Regardless of what the minister has said, Mr. Chairman, it simply resolves down to this point. We are now proposing to pay the government \$140 million for the reduction of property tax.

All we are asking is that the amount paid out of the consolidated revenue of this province be reduced to the extent that it be not paid to non-residents who are aliens living in our country in seasonal residences.

This makes abundant good sense. The revenue of the province is provided through sources which are contributed to very largely by American citizens. If this was giving back to them moneys that they had paid, it would be a different matter, but the money here coming from the consolidated revenue of the province, and there is actually no need to give this.

**Hon. Mr. McKeough:** Where is the money coming from for educational grants which are given across the province?

**Mr. Good:** This is fine, this is fine.

**Mr. R. F. Ruston (Essex-Kent):** We are dealing with this now.

**Mr. Good:** All right, the minister deals with the point that it could not be done.

**Hon. Mr. McKeough:** Be consistent. If you are anti-American, say so.

**Mr. Good:** That it could not be done very easily.

**Mr. Ruston:** We know you are pro-American; we know that.

**Mr. Singer:** Czar "Darcy" flies again!

**Mr. Good:** The minister says it would be very cumbersome —

**Mr. Ruston:** A pro-American minister!

**Mr. Good:** The minister has indicated that it would be very cumbersome to ascertain which properties should get the grant and which properties should not.

The minister has no problem whatsoever in finding out which people get unconditional grants paid to a municipality. They use the Dominion Bureau of Statistics census roll to pay that, and you do not pay it there. American citizens, do you? When you pay an unconditional grant, say to the town of Niagara down along by Niagara Falls, Bertie Township, where there are American cottages in the hundreds, that municipality does not get unconditional grants for those American people who live there in the summer. The point is simply this. You can do it in that instance, so why cannot you do it in that instance? Your argument that it is not feasible to do it is absolutely irrelevant, because if you do it in that instance, you just use a different manner.

If you wanted to draft something to do what you could, but for some reason or other you expect the taxpayers in Ontario who contribute to their corporation and personal income

tax along with gasoline tax, sales tax, and tax on liquor, to contribute to the consolidated revenue of this province to pay residential property tax reductions back to American citizens; and it just is not right.

**Mr. Chairman:** The member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, I believe we over here will support the amendment with some misgivings. The hon. member has not had an opportunity, really, to think the matter through and that is apparent on the face of the amendment as presented.

It would be necessary—if you wanted to carry out, and if the minister himself was desirous of promoting the concept which I believe he ought to promote and not to use invidious terms in the process—to make an amendment setting out some way to alter the assessments rolls of the province in order to determine length of occupancy per year; or the section might have to be reworded negatively, somewhat perhaps on the lines of The Income Tax Act as to the six months residency. In other words, those who could not establish the six months residency would be automatically excluded; and that would have to be based upon information on the assessment rolls. It is not beyond the census taking and it is not beyond the informational capacity of an enlarged assessment roll, such as we talked about last year going through The Assessment Act, that this be done.

It is in poor taste, to say the least, to be accused by the minister of either chauvinism on the one side or anti-Americanism on the other, for thinking that the moneys raised and levied by the people of this province should not be used for people, Americans or not, who are not residents of this province in an Act directed specifically to taxation arising out of real property. That is a canard which one cannot let pass. I would hope the minister would be at least grateful enough not to repeat that sort of nonsense. On the whole, nevertheless, whatever may have happened to the noodle of the member for Sarnia in working out this thing, his heart is in the right place. I think the minister agrees with that too. He has his severe misgivings about granting Ontario funds, in effect, to people who do not make a direct contribution to the commercial and economic life of this province in the sense of being residents of this province. It is one of the components, one of the significant or salient factors, upon which real property taxation is based.

With that in mind, I do not think the thing is beyond the possibility of redemption. If

the minister, as I say, had a will to that I am sure he could draft the clause would meet these exigencies. However, not prepared as yet. I am sure next amendment to the Act will include such change. In any event, in terms of equity seems to me it ought to; and that being the case we will support this amendment.

**Mr. Chairman:** The member for Huron.

**Mr. Ben:** Mr. Chairman, I was rather appointed in the attitude of the minister when he started to quibble about something that was said on a previous occasion, and by the way is contrary to the new rules I have been reading while I have been listening to this debate. Second, he does not try to show the member moving the amendment of a very sound principle that is enunciated in the amendment, but rather tries to support his own rather weak position.

It may be true, as the member for Lakeshore has said, that the amendment drafted something in drafting, but then the member did not have the benefit of the advice of the advisers the minister has, nor even the legal brain of the hon. member for Lakeshore. Perhaps if he had consulted the member for Lakeshore, the amendment might have had a better worded amendment. The fact remains that the import of the legislation is that "residence" should mean exactly what it is meant to mean to the average man, and that is a person's home, not a person's cottage but a person's home.

It is true, as the minister said, that the minister's mind this legislation may be introduced to reduce tax, although for the world of the minister cannot see how it does. Obviously it is a rebate to the people of the province of Ontario something which this government took from them in excess of requirements which has since been diminished in value passing through so many hands of the Ontario bureaucracy. If the minister is interested in relieving the tax payment of the people of the province of Ontario, then I suggest that the benefits of any legislation passed should go to the people of the province of Ontario and not across our borders.

If the minister is serious, he could perhaps suggest an amendment which would provide that the benefits of this Act would only go to residential properties occupied by Canadian citizens or those having landed immigrant status. That will settle that particular issue.

Secondly, insofar as determining who is not of that status, again the solution is rather simple. The Assessment Act re-



that the assessor inform himself of the status of the owner; i.e. British subject, married man, married woman, a tenant and so on. The assessor therefore could create a status called, NR, non-resident, and the solution then would be very simple. Those who are noted on the assessment rolls as NR, non-resident, do not receive this rebate. If they feel that they are eligible, then they can follow through the regular procedure provided in The Assessment Act to appeal their status or their assessment.

So I would suggest if you are not speaking out of both sides of your mouth at once, or approbating and reprobating at the same time—

**Mr. Singer:** He does that all the time.

**Mr. Ben:** If you think this is not worded to your satisfaction, ask the Chairman to ask leave of the House to pass this particular section over and go on with the rest of the bill. In the meantime, have your legal staff draft an amendment which would suit you in its wording, but following the principle that has been enunciated in this particular amendment, and we will carry on with our business of the House.

**Mr. Chairman:** Are we ready for the question then? The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Chairman, the purpose of The Residential Property Tax Reduction Act of 1968 was, as far as I was ever able to learn, the more even distribution of the tax burden of the people of Ontario, both homeowners and tenants. There was no thought of helping the people of other states or countries. Therefore, I must support this amendment wholeheartedly.

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

**Mr. B. Newman:** Mr. Chairman, the amendment put forth by the member for Sarnia and so ably supported by both the member for Waterloo North and the member for Humber, certainly makes good common sense. I cannot see how the minister could not accept such a simple amendment and such a simple explanation as was put forth by the member for Humber in an attempt to designate a resident and a non-resident.

Coming as I do from the southwestern part of the province, we probably have a greater assessment, or more properties and of greater

value owned by Americans, than any other part of the province of Ontario. I know of talking to various friends and relatives who have properties in Essex county, that they look upon us as being stupid in giving back to them a portion of their taxes.

This is a real Christmas present to the Mr. Chairman. They cannot understand thinking of us here in the province. It leads them to believe that we are kind of odd, unusual, that we here have so much more that we can even assist the residents of the United States. I wonder whether they do that for their war effort or something of that sort, Mr. Chairman.

**Mr. Ben:** It could be.

**Mr. B. Newman:** I certainly hope that the minister seriously takes into consideration the arguments put forth on this side of the House and reconsiders and accepts the amendment so that we can, once and for all, have the problem settled to the satisfaction not only of the Ontario residents, but even our friends in the United States who would be more than pleased to have such an amendment put in legislation. They do not want the rebate, but they are glad to take it, if you are giving it to them.

**An hon. member:** That is right.

**Mr. Bullbrook:** If I may, Mr. Chairman, I just want to add one additional word as I believe, is within the rules. There are technical difficulties in this amendment, I say to the minister through you. You have technical difficulties in attempting to put forth the intention that we have. If you could consider perhaps, an undertaking to this House to redraft the legislation next year, so as to exclude the people whom generally you know perhaps we might consider withdrawing the amendment. But the point is, we have made an attempt.

If I might say, I want to point out to the member for Lakeshore that I appreciate his generous remarks. I did spend some time going over this and drafting the amendment myself. I found great difficulty in it, because it is easy enough to say the words "Canadian citizen" or "landed immigrant," but the words of their very selves create more problems in administration than other ones. Basically, what I say is the minister knows the intention here, and we would ask him to reconsider his position.

**Mr. Chairman:** Ready for the question?

**Hon. Mr. McKeough:** Mr. Chairman, I would simply say again, and I do not mean to rile members opposite—what we are talking about in this province, or what Smith was talking about, if I can put it that way, what the select committee was all about, was to reduce the burden of real estate taxes. You can accomplish this by a variety of means. We have moved, for example, to pay education grants—moving from 45 per cent to 51 per cent this year, to a total of 60 per cent in the next three years, on the average, across the province. We have this particular measure. There are other tax reduction measures, aimed at reducing the burden on real estate, some of them residential properties, some of them commercial and residential properties. In any of these measures, whether we are talking about education grants, whether we are talking about highway grants, the nationality of the property owner is not in question.

My friend from Windsor-Walkerville talked about a cottage, for example, in Essex county which might be paying \$200 in taxes—less \$50 tax reduction, we will say.

In actual fact, if you follow through his argument, I suppose it would be fair to say that that cottage or residence, or whatever it is, should probably be paying about \$350 in taxes—less \$50 highways grant, less \$100 education grant, less the \$50 tax reduction.

If we are talking about real estate tax reduction—tax relief on real estate—surely we are not calling into question the nationality of that particular property. What can we do about the situation, for example, of an apartment building which may well be owned by Swiss money? Do the tenants in that building qualify for the tax reduction, or do only some of the tenants in that building qualify for tax reduction?

What we are talking about, Mr. Chairman, is the relief of real estate property taxes. Whether we are talking about increased education grants, whether we are talking about transfers on an unconditional basis or whether we are talking about this measure, we are not looking at the nationality of the property *per se*. Regardless of the drafting of the particular amendment—and the member for Sarnia has not seen fit to send me a copy of the amendment yet, so I cannot really comment on the drafting of it—it is the principle that I speak against, and would urge the House to vote against.

**Mr. Bullbrook:** I hope the record shows I apologize for not sending it over.

**Mr. Singer:** Mr. Chairman, the minister as usual riled me in his last presentation misses the point. Surely the minister is so obtuse as to fail to recognize what his colleagues have been talking about in presenting this amendment. The minister insists on debating the principle of the Residential Property Tax Reduction Act. Let us talk about that for a moment.

**Mr. Chairman:** Order, please.

**Mr. Singer:** No, the minister has talked about it twice, Mr. Chairman, and I refuse to rule him out of order. Surely he will reply to him.

**Mr. Chairman:** Just a moment, please. I listened very carefully in the last few minutes, he was illustrating a point, comparing the two, but was not discussing the principle.

**Mr. Singer:** Then, Mr. Chairman, let me illustrate. By means of the same illustration that the minister used, let me tell him that by now even this obtuse minister should have been convinced that The Residential Property Tax Reduction Act was ill-conceived, is a waste of our money, is badly administered, is too expensive and does not deal about the proper reform that it was intended to do.

Interjections by hon. members.

**Hon. Mr. McKeough:** Might I ask the member, a question?

**Hon. A. F. Lawrence (Minister of Municipal Affairs):** Do not be mealy-mouthed about it. Do you like it or do you not?

**Mr. Singer:** Again, only by way of illustration, let me say—

**Hon. Mr. McKeough:** Might I ask a question?

**Mr. Singer:** No, I do not want any more questions. No, of course not.

Again, Mr. Chairman, only by way of illustration, let me say that if the minister were to bring forward a full package of tax amendments as Smith suggested, and not pick out the ones that might happen to be approved or might be talked about in an appropriate way on election day, we would be the first to support it.

Unfortunately, Mr. Chairman, and only by way of illustration, this is not what he has done. He plays politics through the thing from the beginning to end.

In this amendment we are trying to mollify, to reduce somewhat, some of the most obvious defects in this legislation. We believe that if there is going to be some kind of benefit given to people who reside in Ontario, people who pay taxes in Ontario, people who pay excessive municipal taxes, surely that benefit should insure only to those who are in that category, not to the casual visitor who comes up here and lives a few weeks in a summer cottage, but to the good, hard-working people who pay our taxes in the form of income tax and sales tax and all these other things. That is what we believe in, and that is something that we have not been able to get through to the minister, who is apparently content to let this grave injustice continue.

For those reasons, Mr. Chairman, and because the minister riles us constantly with his partisan approach, we must insist that this matter be brought to a vote so we will be able to see, and the people will be able to see, just where the minister and his colleagues stand.

**Mr. Chairman:** The member for Wentworth.

**Mr. Deans:** Mr. Chairman, I spoke with the member for Sarnia, because the problem we had, aside from the working of the amendment, was in some of the wording of it. He has agreed with me that we could alter the wording of the amendment in order to overcome some of the difficulties that we see. I would, therefore, move to amend the amendment to read:

The provision of this section shall not apply to residential property owned by non-residents of the province of Ontario unless such property is occupied by residents for a period in excess of six months in each year. Proof of occupancy of the said residential property for more than six months in each year by such resident shall be by affidavit filed in the office of the Treasurer of the municipality in which such residential property is situated.

The reason for the moving of this particular amendment is to eliminate problems such as the resident who takes a trip abroad for seven months and is therefore ruled out of receipt of his property tax rebate.

**Mr. Chairman:** Did everybody hear the subamendment moved by the member for Wentworth that certain words be changed in the amendment so that it would read as follows:

The provisions of this section shall apply to residential property owned by residents of the province of Ontario unless such property is occupied by residents for a period in excess of six months in each year. Proof of occupancy of the said residential property for more than six months in each year by such resident shall be by affidavit filed in the office of the Treasurer of the municipality in which such residential property is situated.

Any discussion on this? Any further discussion, please!

We will vote on the sub-amendment.

First, then, all in favour of the member for Wentworth's sub-amendment, will please say "aye".

All opposed will please say "nay".

In my opinion the "nays" have it.

Call in the members.

**Mr. Chairman:** We will vote on the amendment first of all.

Those in favour of the sub-amendment moved by the member for Wentworth please rise.

Those against will please rise.

**Clerk of the House:** Mr. Chairman, "ayes" are 35, the "nays" 46.

**Mr. Chairman:** I declare the sub-amendment lost.

Now we will vote on the amendment moved by the member for Sarnia.

Those in favour of the amendment please rise.

**An hon. member:** Same vote.

**Mr. Chairman:** Same vote?

The amendment is lost.

Both the amendment and the sub-amendment are lost, and section 2 is agreed to.

Are we ready to proceed with subsection 2, I believe it was?

**Hon. Mr. McKeough:** Yes, Mr. Chairman. The member for Waterloo North suggest a small amendment to make subsection 2 applicable for 1969 taxes as well. We did not know there were any problems still kicking around from 1969 taxes. The member for Waterloo North says he has some, and therefore I move that we add a further subsection which be:

(3) Notwithstanding subsection 2, where any person, who has an interest

owner or tenant in any land, believes that any part, or parts, of such land should have been separately assessed in the year 1968, he may apply up to June 30, 1970, to the treasurer of the local municipality, and if the treasurer is satisfied that this is the case, he may so certify, and thereupon such part, or parts, of such land shall be deemed to have been separately assessed in the year 1968 for the purposes of this Act.

This simply allows any hangover from 1969 to be dealt with up until June 30. After this year they will have to January 31 of the following year to clean these things up.

**Mr. Singer:** We will consent to the introduction of that, even though the section is bad.

Interjections by hon. members.

**Mr. Chairman:** Order. Ready for the question. Shall the minister's amendment carry?

Amendment agreed to.

**Mr. Chairman:** Shall section 1, as amended, stand as part of the bill?

Section 1, as amended, agreed to.

**Mr. Chairman:** Are there any other sections with questions, comments or amendments?

**Mr. Good:** Yes, Mr. Chairman, I have a comment on the bill.

**Mr. Chairman:** Which section is that?

**Mr. Good:** I am not sure which section. I will make it, and you can put it in where you want.

I would like it if the minister would give consideration to changing the regulations so that the residential property tax would have to be repaid to the tenant within seven days after the tenant has completed his last financial commitment to the landlord for that year. In other words within seven days after the—

**Mr. Chairman:** Order, please. This is Committee of the Whole House, where we are discussing section by section.

**Hon. Mr. McKeough:** I will give it consideration.

**Mr. Chairman:** Are there any other questions, comments, or amendments to any other section of this bill then?

Shall the bill, as amended, be reported?

Bill 60, as amended, reported.

House in committee on Bill 64, An Act to amend The Municipal Act.

**Mr. Chairman:** Bill 64, an Act to amend The Municipal Act.

I believe the minister has an amendment to section 1.

**Hon. Mr. McKeough:** Really four amendments in the first section of the bill. These I think have been suggested mainly by interested clerks and/or treasurers.

I move that subsection 1 of section 2 set out in section 1 of the bill be amended by inserting after "municipality" in the second line, "designated by the Lieutenant-Governor-in-Council"—to add those words.

The problem is that the Universities of Toronto, for example, may own property in a number of municipalities. The intention is, of course, to pay it to the municipality in which it is principally located, i.e., the City of Toronto. But to clear this up, the municipalities are designated, as I understand it, in certain municipalities, regardless of where they may own property.

**Mr. Chairman:** Was this motion—

**Mr. Singer:** Could I ask the minister a question on that?

I cannot quickly think of one, but I would imagine there must be universities that have campuses in more than one municipality.

**Mr. Chairman:** You cannot think of one.

**Mr. Singer:** No. York has a southern campus but that is still in North York. Its northerly one is a long distance away.

You may be right that there is no question, for example, Mr. Chairman. All right. I will not ask that question.

I wonder, Mr. Chairman, if I were to propose an amendment that the sum of \$50 a year be increased to \$50 a year, whether that would be in order?

**Mr. Chairman:** That would be out of order.

**Hon. Mr. McKeough:** Mr. Chairman, I have three other small amendments to this section and if I could deal with them all at once I would move them—does the hon. member want to ask a question on that point?

**Mr. Deans:** What I want to ask is whether it is possible to move an amendment, if you see, when we vote on the amendments that are proposed by the minister, it carries over to the next section.

**Mr. Chairman:** If there is a further amendment we will—

**Mr. Deans:** Before carrying the section we will then wait for further—

**Mr. Chairman:** Does the member for Waterloo North want to have a discussion on this particular point?

**Mr. Good:** Let him give us the amendments.

**Hon. Mr. McKeough:** That is the first one.

I would further move that subsection 4 of section 294(b) as set out in section 1 of the bill be amended by (a) inserting after "levies" in the first line "or could have levies."

It is possible that a municipality with a university for some purpose would not levy this. Why, I do not know, but they might not, and therefore it would not become part of the apportionment. For its own good reasons the city of Toronto might not levy this on the University of Toronto, and therefore through that Act the equivalent assessment would not become part of the distribution of assessment.

This was suggested by, I think, either the treasurer of Toronto or of North York, I am not sure which.

**Mr. Singer:** Coming from North York, it must be good.

**Hon. A. F. Lawrence:** Even though you do not understand it.

**Hon. Mr. McKeough:** Adding at the end of clause (b) thereof "accept a levy for public or secondary school purposes" and then (c) inserting after "levied" in the 14th line "or that could have been levied" — that is the same thing again — and finally, (d) adding at the end thereof "for all purposes other than school purposes."

These are just matters of clarification. This \$25 is to go to reduce the municipal rate; no part of it is to go to reduce the education rate and those things clarify that point.

**Mr. Chairman:** Any comments?

The member for Wentworth.

**Mr. Deans:** Yes, Mr. Chairman. I also want to move amendments to section 1.

**Mr. Chairman:** Order, please! Let us clear these amendments up first of all.

**Mr. Deans:** You cannot do that because once you do that the section carries.

**Mr. Chairman:** We can assure you that we will be able to move an amendment. I advised that when the minister's amendment carries, if it is carried, then it will be in order for you to move your own amendment.

**Mr. Deans:** Okay, fine.

**Mr. Chairman:** The member for Waterloo North. Do you wish to speak on this?

**Mr. Good:** Yes, on that subsection section 1, I still feel I must make a few comments on the powers of the municipalities to levy these taxes. I realize the fact that we cannot in one year have this for community colleges, universities, all other provincially owned buildings. But why on earth did we use religious affiliation to discriminate among the universities? I just cannot quite comprehend the reason for this. This applies not only to Waterloo Lutheran University, but to the other church-affiliated colleges, some of which are nothing more than residences for the students attending the university of the municipality. The provincially supported universities get the grant. I just do not understand that, when you are going to do this for universities, why you did not do it for other universities.

I could understand your making a decision that we can do it for universities but we cannot do it for community colleges this year or we could do it for community colleges next year, we cannot do it for other provincially owned buildings. But why on earth did you draw religious lines in order to make the cut, and make the decision among the universities?

**Hon. Mr. McKeough:** I think I answered that the other day, Mr. Chairman.

**Mr. Good:** No, you did not. You went around the bush.

**Hon. Mr. McKeough:** The principle of assistance to universities has been to provide provincially assisted universities. That is the principle we are following in this bill. Provincially assisted universities are universities — and we have debated this principle, I think, from time to time—but it was generally accepted that church-supporting universities and/or colleges are not in the category of provincially assisted universities. My colleague the Minister of Mines says they are not secular institutions.

**Mr. Good:** This is confusing.

**Hon. Mr. McKeough:** Waterloo University is not a secular institution. If there is to be a change in policy in that area, then I think

change of policy would follow in this area automatically. But I think to suggest here that we would depart from the overall principle of how we support universities would be a grave mistake indeed.

Mr. Good: On that point, Mr. Chairman. I think the minister misses my whole point. This bill is not intended to aid universities. In no way, shape or form does it aid a university. It aids the municipality in which the university is situated. How do you decide that, maybe Kingston needs help a lot more than Toronto? Why did you not discriminate on the location of the universities, rather than on the religious affiliation?

The university in itself has nothing to do with the grant, other than saying it has so many students; it is the municipality that benefits. You might better have made a study to see which municipalities really need this help, which ones need it the worst, and concentrate on those, rather than say we have so much money to spend and we are going to divide it. You say we can either divide it on a basis of need, we can divide it on a basis of location within the province, or we can divide it on the basis of municipalities that have church-supported or provincially supported universities. You decide to help the municipalities on the basis of how many university students they had who did not live in church-affiliated dormitories. That is what you decided to do.

It is a ridiculous situation. There is no rhyme or reason at all.

Mr. Chairman: Shall these —

Mr. Singer: No.

Mr. Chairman: The member for Downsview.

Mr. Singer: No, Mr. Chairman, I think that the minister and his colleague the Minister of Mines have missed the point that my colleague from Waterloo has just made. The minister, in introducing this bill, has said that this is the beginning of some allocation to municipalities of grants in lieu of taxes. My objection in principle was that it was only a nibbling. I expressed that earlier, so I am not going to go into that. But where you have a municipality that houses a secular university, with a lot of students in it and a lot of grounds within that municipality, surely the municipality is put to the same inconvenience and has to supply the same kind of services as a municipality that houses a non-secular university.

Just what sense does the distinction make? Because the municipality is denied taxes so both secular and non-secular universities presently are fully tax-exempt, that particular municipality has to levy taxes against taxable persons to pay for those services. What possible basis of distinction can the minister bring forward? He may say that it disturbs his colleague, the Minister of Education (Mr. Davis), because contemporaneous with the introduction of the bill, it made clear that there would be additional grants to the non-secular universities to this level.

You are penalizing those municipalities which house secular universities. Why makes no sense. The municipality did not suggest that they have a particular kind of university, whether it is secular or non-secular. A particular educational institution decided to locate within municipality X where it is, and it is tax-exempt.

Now the government comes forward and says, "We want to ameliorate the burden of tax exemptions, but we are only going to do it insofar as municipalities that house non-secular universities are concerned". It makes no sense at all, Mr. Chairman. Why do you penalize those municipalities that house non-secular universities that are not going to get grants from the Minister of Education? There is no rhyme or reason to it. Surely the minister, at 11th hour, will listen to this and being so busy, a man of logic, will accept this. We will make sure that all municipalities that house non-secular tax-exempt universities get the same kind of grant.

If you want to deal with secular or non-secular universities insofar as educational grants are concerned, that is an entirely different topic. It is not in this bill. But surely you should deal with all municipalities on the same basis? You are not doing it.

This is not a fair piece of legislation. You are penalizing certain municipalities which are completely unable to help themselves out of this dilemma, and they need the help as much as any other municipality needs it. I urge upon the minister that he seriously reconsider his position on this and not get confused with the other government policies which is espoused by the Minister of Education.

That is an entirely different thing, and it may be that we will want to argue that you are on a different basis. But it is not in the Act and it does not relate to this Act. This Act relates to the relief of municipalities which are unable to collect taxes from

exempt universities within their boundaries. You are giving that benefit only to some municipalities and not to all. It is unfair legislation. It is inequitable legislation and I think it should be changed at this point.

**Mr. Chairman:** Any further comments? Does the minister wish to reply?

**Hon. Mr. McKeough:** No, I think I made this point the other day. I would be glad to make it again. The funds for the programme come from the province. Since the province does not support these universities then, in effect, what we would be doing—although it is the municipalities that would be reimbursed—is making a provincial grant to what, in our mind, is a religious institution. If I can put it this way—and the member does not agree—we propose, as a government, to leave exempt from taxation the class which we have previously exempted, that is, churches, places of worship. It can be said equally that this is going to hurt a municipality.

You can argue, of course, that every municipality has churches but I suppose some have more than others, therefore, we are not treating them all the same. I am quite sure that a church, for example, may well require as much service from a municipality as does a liquor store.

On the other hand, we have said, as a matter of government policy, that we will not change the present exemption of religious property from municipal taxation. I think we are consistent, whether it is a church or whether it is a church-supported university. I think our position is consistent and should remain that way. If we were supporting these universities, these colleges, it would be somewhat different but we, in fact, are not, or not to the same level. They are not provincially supported institutions.

**Mr. Singer:** Could I ask the minister a question, Mr. Chairman? If the minister is so averse to putting the money in the hands of the secular universities—if that so flies in the face of government policy that it could not even be considered—why could there not be provision in this Act to make a grant on the basis of \$25 per head to the municipality so you do not short-circuit it through the secular universities, which, apparently, you think is a terrible thing? You could bypass that completely, but let the municipalities benefit to the same extent as the municipalities that you presently contemplate in this Act.

Short-circuit those universities that you do not want to give money to, but give the same

amount of money, or an equivalent amount of money, based on the same formula, to the municipalities which have an equal burden.

Surely that makes sense? That would come the minister's qualms, or his colleagues' qualms, or the government's qualms, or making grants to secular universities.

**Mr. Chairman:** Are we ready for the questions? Shall these various amendments as proposed by the minister carry?

Amendments agreed to.

**Mr. Deans:** Mr. Chairman, I was not satisfied during the second reading with the minister's reasoning behind not extending aid to community colleges.

There are not many, to begin with. Second, I believe they exert on the municipalities where they are located, as much of a burden or almost as much of a burden, as the burden that is exerted by many universities. It seemed to me, as I thought it over between the second reading and this time, that it would be desirable in this province to extend this not only to the university, but to the community college municipalities.

The minister indicated the cost would be the main problem. I assume that this has changed—that, in fact, the reason why it is not being extended is because of the burden of taxation on the province as a whole.

I would like first, before moving the amendment, to ask the minister if he could assure us, in regard to the timing for such an extension, whether there is likely to be in the next session of this Parliament another amendment which will permit the extension of the \$25 *per capita*, to municipalities or through the college to municipalities those municipalities that contain the community colleges? If we can get some kind of assurance that this is in the works and likely to take place in the foreseeable future, I might be prepared to accept not having done today in this Act.

But, if there is no assurance of this, I think that, recognizing the burden on the municipalities, we would then be forced into a position of moving the amendment in order to attempt to have sufficient moneys made available to meet the burden that is placed upon municipalities by the province building community colleges. The minister might answer that in a moment.

The other question that I have is one I raised during second reading. It was a matter of the moneys being reimbursed to the universities out of the consolidated revenue

of the province, and even having read *Hansard*, I am still unclear as to why this does not appear in this bill; why it does not say in a subsection that the taxes levied upon the universities by the municipalities under the Act shall be reimbursed to universities out of the consolidated revenue of the province.

What I do not want to see happening is some wrangle taking place between the municipalities and the government, or between universities and the government, as to where the money is going to come from in the end. And I do not want to see the cost being borne by the university students in the way of an increase in fees, because it is not specifically stated in this amendment that the government of Ontario intends to carry the burden.

I do not want to move a useless amendment, but I would like, if there is any question at all—and there is in my mind at this point—if there is any question at all about the situation that the universities will be placed in, I would like to see it spelled out in this Act.

I would ask the minister, before I say any more, if he can answer either of the two points, to set my mind at ease on either one, or both.

**Hon. Mr. McKeough:** To answer the second one first, if you will refer to the estimates of The Department of University Affairs, vote 2602, in a total of \$374,665,000—grants, item 5—you will find: grants for provincially assisted universities, to compensate for municipal taxation, \$2.5 million.

So the Legislature will ultimately vote the authority for the department to pay out the money.

**Mr. Deans:** That is this year?

**Hon. Mr. McKeough:** That is this year.

**Mr. Deans:** But where is there any indication in the legislation that this will be carried on from year to year? What is wrong with indicating that this is going to be a responsibility assumed by the province on a yearly basis, rather than voting this year, and next year having to do—

**Hon. Mr. McKeough:** I assume that we will have to vote that amount of money each year, or whatever the amount of money is.

**Mr. Deans:** You are assuming that the Minister of Municipal Affairs, in drawing up his estimates, will make provision. Why does it not state that the province is going to

assume it legally, indefinitely, until such time as a change in the Act takes place?

**Hon. Mr. McKeough:** I think that might well flow in The University Affairs Act. The ultimate conclusion, when we make them fully taxable, will be to remove exemption from each of the university bills or to put it in a general Act. But it is there you are going to be asked to vote the money in the University Affairs estimates.

**Mr. Deans:** I am not quarreling with that. I have no quarrel with that at all.

We do not require the money to be voted in the University Affairs estimates because, as an actual fact, it is a grant to municipalities. We know it is a devious grant, but it is, in actual fact, to offset costs borne by municipalities. Is it not?

It is not moneys sent to universities for their own purposes. It is moneys sent to universities in order that they can pay to municipalities an appropriate amount to set costs borne by the municipality.

It should, I suspect, be encompassed in the Municipal Act, rather than in Acts of the Department of University Affairs. This is where the regulation should appear that where the province of Ontario will hereafter carry the load.

**Hon. Mr. McKeough:** I do not think place in The Municipal Act would you refer to the reference to what the Legislature of the province will do by way of making grants for certain purposes.

You do not find, in The Municipal Act that the Minister of Highways can make grants for certain purposes. That is found in the respective Act of The Department of Highways, whatever it is—The Highway Improvement Act.

**Mr. Deans:** It seems to me that there is no place in any Act where it says that this money will be done. It appears in the estimates and that is all.

**Hon. Mr. McKeough:** Right. That is the whole purpose—that this Legislature will assemble and votes moneys.

**Mr. Deans:** Yes, of course it is. But you say in an Act that universities may be taxed by the municipality to the tune of \$100 per individual student, once having written that into the Act, that is law. They must pay it if it is levied against them.

In order to safeguard the future, you should in some appropriate Act, assume the responsibility



bility if that is going to be assumed by the province, surely?

**Mr. Chairman:** It seems to me to be out of order, if what the hon. member is suggesting is something that should—as the hon. member just said—come under some other appropriate Act.

It is not in this Act, nor is this the Act it should be embodied in. Therefore I believe the discussion along those lines is out of order.

**Mr. Deans:** Mr. Chairman, I cannot agree with you.

**Mr. Chairman:** The principle of this bill has been passed.

**Mr. Deans:** If I may, in discussing your ruling—

**Hon. Mr. McKeough:** Mr. Chairman, it seems to me that we are arguing about absolutely nothing. It is the intention of this Legislature—the \$2.5 million is there—to pay over to the universities. The universities are not going to hold onto it; they are going to pay the municipalities, it is treated as taxes and the municipalities can, I guess, after three years seize their buildings for unpaid taxes. I think we are worried about nothing as to where the money is coming from as far as the universities are concerned.

**Mr. Deans:** This is what we are talking about.

**Hon. Mr. McKeough:** Surely we are worried about all kinds of things as to where money is coming from for universities, and we are voting \$374 million. I think we are making a mountain out of a molehill.

**Mr. Deans:** I do not think we are; I disagree with you.

What we are saying is that this Legislature has said to universities that they will pay \$25 per student to municipalities. Okay? The municipality can get at the university and can demand the payment. But I am suggesting that it should be by statute that this money must be reimbursed to the universities. If the province decided, in 1971-1972, not to include it in the estimates, the university then would have to pay it out of tuition fees. It still has to be paid because the law says so, but there is no way they can claim it. All I am saying is that I believe there should be some clause making it evident that the province is actually going to make the payment and that it will not be borne by the university ever at all.

**Mr. Singer:** Mr. Chairman, I am still troubled by this. Let us take the University of Toronto for a moment. The minister has sent me a note saying he made a mistake in that answer he gave; insofar as the University of Toronto is concerned, it has a Scarborough campus, a Mississauga campus and so on. That is fine. But, let us look at the university as we know it. It has St. Michael's College, Victoria College, Trinity College—

**An hon. member:** Wycliffe College.

**Mr. Singer:** Let us leave Wycliffe for a moment. Those are sectarian undergraduate colleges. Do we deduct, in determining the number of \$25 amounts to be given to students who are enrolled in Trinity, Victoria and St. Michael's?

**Hon. Mr. McKeough:** Well, you will have to ask the Minister of University Affairs because I think a couple of those are provincially assisted and I am quite sure Trinity is not. Some of them have entered into arrangements with the university, I think, which have changed their status somewhat. I am sure that not all of them do not have that information for the minister.

**Mr. Singer:** You get into the unique situation that the municipal politicians in the City of Toronto should well embark on a campaign to convince everyone to enroll in University College because it is non-sectarian, which is a little foolish, is it not? I realize that is what you are doing by this awkward way of framing this grant. Would it not be an abundant good sense if, instead of putting it in the way you have done, you had a look at The Unconditional Grants Act. It says, "There shall be a grant of \$25 per student to each municipality which has a university student enrolled in a university in that municipality." Then you get away from the Department of Education; it has nothing to do with them. You are not really giving money to the universities.

I am not as sceptical as the member Mr. Wentworth that, if the government has its way, the money will not be forthcoming. But why do it the hard way? Why take it out of the Treasury, give it to the universities, force the municipalities to levy, then the municipalities give it back, and then run — I am sure the minister must agree — an obvious inequity? Why do you not just give another unconditional grant? Now, you come that far. This step is going to cost \$2.5 million. If all of the sectarian university students were counted, how many would be? Have you any idea?

**Hon. Mr. McKeough:** How many students?

**Mr. Singer:** How many sectarian university students would there be? Your \$2.5 million relates to non-sectarian students, so you have got—\$25 into \$2.5 million—

**Hon. Mr. McKeough:** One hundred thousand dollars.

**Mr. Singer:** One hundred thousand dollars. How many students would there be enrolled in sectarian universities or secular universities? Have you any idea? How much more would it cost you to do the thing on a reasonable basis, on a simple basis, on an equitable basis?

**Hon. Mr. McKeough:** You have, I suppose, the greatest majority at Waterloo Lutheran, which is what, 10,000?

**Mr. Good:** Two thousand.

**Hon. Mr. McKeough:** Two?

**Mr. Good:** Two thousand at Waterloo Lutheran.

**Hon. Mr. McKeough:** Two thousand. I suppose you might be talking about some of the colleges within the universities. Then you have a number of seminaries in the province, for example, which fall under the same category, and which are not provincially assisted. I would say to the member, the reason that we do not do it by way of an unconditional grant is because the ultimate aim, of course, is to make these buildings assessable and paying tax in the manner of a grant in lieu; hopefully, they will pay taxes on it. It would bear relation to the assessment rather than to the number of pupils.

**Mr. Singer:** Yes, but you are—

**Hon. Mr. McKeough:** This is simply a device to get it off the ground.

**Mr. Singer:** Yes, but you are a long way away from that yet. Your excuse is that the reason you are far from that is that you fear it is going to cost you too much money. While you are getting it off the ground—and I do not think we are talking about a great deal of money—while you are getting it off the ground, why are you not fair to all the municipalities affected? It shocks me, really, to think that the city of Toronto is going to be deprived of \$25 a student for those students enrolled in Trinity College—because that is what it would appear to be from what the minister has said—or from those students enrolled in Wycliffe College, or from

those students enrolled in St. Michael's college. It just does not make any sense.

Again, I urge on the minister to take other look at this thing. You are just being fair. Your excuse about not having enough money does not really hold water because I do not think we are talking about any large sums of money. I do not know the figures, but it would be far less than \$100,000 the minister has mentioned in as students who attend non-secular universities are concerned, and you would be fair to all of the universities or all of the municipalities on exactly the same basis.

To say this interferes with the government's policy insofar as universities are concerned, is, to my mind, just clearly definitely dragging a red herring across the trail. It has nothing to do with granting universities at all. It is a method of getting more money into the municipal coffers—the coffers of those municipalities which have universities. If you say some are good and some are bad ones, or some are going to receive and some are not, then you are discriminating, and you are discriminating against municipal taxpayers on a basis which they have absolutely no control.

Surely, that is reasonable, Mr. Chairman. Surely, it is reasonable that if it is going to be done—and as picayune as it is—if it is going to be done, let us do it properly and fairly. I urge upon the minister that he reconsider his position.

**Mr. Lawlor:** Mr. Chairman, I would like to speak on both the points raised; first all having to do with my colleague, Mr. member for Wentworth. The contention that has made seem to me to have weight is merit, and I would ask the minister to take it some thought. What he is saying in effect is that there is a loophole in your bill. Whereas you allow the municipalities to pay the necessary taxes on a *per capita* basis against the universities, you do not in fact give, within the contour lines of your legislation, a commensurate grant or the equivalent withal to the universities with which to meet this obligation which you are imposing upon them.

The bill, I would suggest to you, is defective in this regard. You may say that it is located somewhere else, that it is in the estimate. But to nail it down, to make it legislative thing, to give it flesh, and to have it binding in perpetuity, seems to be the purpose of legislation. What it comes down to, as far as this is concerned, is a

that it is sloppy legislation when you leave out a matter as vital as that—the use of the consolidated revenue fund—*vis-à-vis* the particular purpose of this Act.

Everybody knows the universities have not got any money to pay these taxes. Everybody knows that they have a dearth of moneys, as they claim, for their expansion programmes and for their operations, much less being hit with \$2.5 million in taxes in this particular proposal. Not having provided the area from which they will derive these funds seems to me to be an oversight. Why is it this way? Why the minister does not have another section here making provision for that quite escapes me. I can only think it is an oversight.

As to the second point, about sacred institutions, I suppose they are not secular. Just the opposite, like Waterloo Lutheran University. Surely, there is good sense in what is being said. It is not the nature of the university that is the *raison d'être* of this legislation. It is that municipalities sprinkled throughout this province—and some more egregiously than others—are afflicted by institutions with numerous students which do not pay their way via the services of that municipality. Whether it happens to be a Salvation Army college or a Mennonite college, which we brought into being last year, or the medieval institute teaching Thomism, of whether it happens to be of any particular ilk theologically, does not seem to me to matter one whit—neither here nor there. The fact is that the municipalities are providing sewers, whereby all that theological thinking goes on upstairs and in effect this is a kind of discrimination in reverse so far as these institutions are concerned.

You are trying to alleviate the tax burdens of the local populace in the municipality because they happen, through history, to have a particular institution of learning on their premises. Not to extend it to cover all institutions of learning which have the same brunt or burden *vis-à-vis* that municipality, is again a sort of backhanded slap and I would ask the minister to give good consideration to extending it. Surely the amount of money would be negligible on one side of the fence.

Secondly you have introduced, I suppose, a kind of pink herring of some kind across this whole thing. Since when, in this province—we are not under the Bill of Rights or the Constitutional Amendments of the United States; we are not under that form of constitution—since when was there a division of church and state along the lines that you have indicated

today? Where did you borrow that particular nefarious doctrine? In this country, and at times, we have held for a close analogy between the two.

In our exercise of life, from hour to hour right now, substantial sums of public money are used to support specifically religious institutions. I never heard anybody take objection to that in this province up until a few moments ago. If that is the predicate upon which your whole policy is based then you have a very inadequate understanding of the constitutional base of this province, and I suspect that that rather is borrowed from another, and a completely different, region and structure of the political economy.

If that is the predication upon which you are basing the exclusion of these seminaries and these higher institutions of learning, specifically universities, then get rid of it. It is wrong. It is not within the ambit of a change of our political system, and do not try to change the whole political system just because you do not want to give a few hundred thousand dollars to people who are a burden on the particular municipality in which they are located.

**Mr. Chairman:** Does the minister wish to reply?

**Hon. Mr. McKeough:** I will reply to the member for Wentworth on the first part of this question.

I would not want to make a firm commitment that community colleges would be added to this particular bill and when taking a look at hospitals, for example, perhaps the level of university grants should be higher—the \$25 should perhaps become \$50 before we move to the community colleges. When we think about it we think in terms of three particular groups—before we get to crown properties, if I can put it that way because I think they do present more of a burden—of the universities, the community colleges, in which we would include Ryerson and hospitals.

Hospitals particularly, for example in Toronto, I think represent a charge against the province anyway. Sick Children's Hospital is a good example of something serving the whole province so I cannot just say whether community colleges will come next or second next.

The other point is the municipalities have not been burdened with them for quite a long time and we might take that into consideration.

**Mr. Singer:** Mr. Chairman, I gather that our pleas, intelligent as they are, have not got through to the minister. It may be he does not understand them, but I thought that the principle espoused was a reasonably simple one and an equitable one, and it is desirous to benefit all municipalities on the same basis that he would have accepted it. However, apparently he is not—so I am going to move, Mr. Chairman, that section 1 of the Act be amended by striking out from subsection (1) of 294(b) the words in the third and fourth lines, “designated by the Lieutenant-Governor-in-Council.”

I recognize that that particular wording might present some difficulty and might call for a definition of “university” and I would have preferred to have the minister do it by making this \$25 amount an unconditional grant to municipalities. The minister has seen fit not to pay any attention to the plea that we have made, so, therefore, I move that amendment, and I will have it for you in writing in just a moment, Mr. Chairman.

My writing of the amendment is very sketchy, but I think, Mr. Chairman, the amendment is pretty simple to follow.

**Mr. Chairman:** The member for Downsview has moved that section 1 of Bill 64 be amended by striking out the words “designated by the Lieutenant-Governor-in-Council” on the third line of subsection 1.

**Mr. Singer:** Third and four lines!

**Mr. Chairman:** Third and fourth lines of subsection 1.

Those in favour of the member’s motion, will please say “aye”.

Those opposed will please say “nay”.

In my opinion, the “nays” have it.

**Mr. Singer:** Only five of them are present and they have it? How can that be?

**Mr. Chairman:** Section 1 of the bill therefore will stand as amended.

Interjection by an hon. member.

**Mr. Chairman:** I did not rule it out of order.

**Mr. E. W. Martel (Sudbury East):** You did and he accepted it.

Interjections by hon. members.

**Mr. J. E. Stokes (Thunder Bay):** He cannot count either.

**Mr. Chairman:** I can hear very well.

Section 2 agreed to.

Section 3 agreed to.

Bill 64, as amended, reported.

**Clerk of the House:** The Honourable, Lieutenant Governor recommends the following:

*That, notwithstanding section 2 of the Regional Municipal Grants Act, 1970, moneys required for the purposes of the Regional Municipal Grants Act, 1970, the year 1970 shall be paid out of the Consolidated Revenue Fund,*

as provided in Bill 67, The Regional Municipal Grants Act, 1970.

Resolution concurred in.

**Mrs. M. Renwick (Scarborough Centre):** Mr. Chairman. Am I in the wrong place? draw attention to the fact that I wish to speak to a section of the bill?

**Mr. Chairman:** Well, we have not called the bill yet.

#### THE REGIONAL MUNICIPAL GRANTS ACT, 1970

House in Committee on Bill 67, The Regional Municipal Grants Act, 1970.

**Mr. Chairman:** Bill 67. The Regional Municipal Grants Act, 1970. Are there any questions, comments or amendments to any section of this bill before section 3?

**Hon. Mr. McKeough:** On the amendment to section 3, Mr. Chairman.

**Mr. Chairman:** The hon. minister, I believe has an amendment to section 3.

**Hon. Mr. McKeough:** I move that section 3 of the bill be amended by adding thereto the following subsection:

Notwithstanding subsection 1, where, in the opinion of the department, the population of an area municipality as determined under section 4 has increased by an amount equal to seven per cent of the population as so determined, the department shall redetermine the population of that area municipality for the purposes of this section.

The amount to be credited to each area municipality, other than the amount determined under paragraph 3 of section 2, shall be an amount that bears the same proportion to the total amount paid to the regional municipality under paragraphs 1, 2 and

of section 2, as the population of the area municipality, as so determined or redetermined, bears to the total of the populations of the area municipalities as so determined or redetermined.

Which is all very clear.

**Mr. Stokes:** That is clear enough.

**Mr. Singer:** Give us a translation of it, please.

**Hon. Mr. McKeough:** I think perhaps a word of explanation, Mr. Chairman, might be in order.

**Mr. Singer:** That is what I think I was talking about the other day.

**Hon. Mr. McKeough:** As the member for Downsview knows, the existing Unconditional Grants Act divides the total amount of money received, for example, by Metropolitan Toronto, and this is true in the other two regions as well, on the basis of residential assessment. The bill as originally drafted would have allocated the total amount of money on the basis of census population — which was the 1966 census.

This is somewhat out of date, and we would prefer to, and will move to, but cannot move to yet, and probably will move to next year, the assessed population. The assessed population for 1969 has not yet been returned. I would also have to tell the hon. members that I am not completely aware of what the implications of that would be in the other two regions. It was suggested by the borough of North York, and I think this makes some sense, although they would prefer to move to the assessed population.

I should explain to members of the House who are not familiar with this, and for the sake of the record, that the municipality of Metropolitan Toronto, since the census in 1966, has experienced an increase in population but not seven per cent which has been the figure which has always been in the bill. The borough of North York, on the other hand, has experienced an increase, I think, of 13 per cent in the last four or five years. At any rate, it exceeds seven per cent. They suggest, and we think this makes a considerable amount of sense, that the allocation of the \$14 million — and that is the figure for Metropolitan Toronto — should be redetermined on the basis of the updating of the censused population; in other words, crediting North York with that seven per cent increase because they have exceeded the seven per cent.

This does not make any substantial change along the line in Metropolitan Toronto really anywhere else. The city of Toronto, of course, had a great benefit under the bill as originally proposed. They would have received, under the old unconditional grants bill, about \$4,600,000. A bill was drafted they will receive a \$5,178,000. As it is redrafted they will receive \$5,079,000. They lose out \$100,000. The borough of North York, which benefited most under the old — which I think we all believe perhaps was incorrect — from something like \$3.6 million down to about \$3 million. They experienced a loss of \$300,000. This will pick up.

**Mr. Singer:** No, of \$600,000.

**Hon. Mr. McKeough:** Six hundred thousand dollars. This will pick up \$200,000 of that again. The borough of Scarborough, for example, gained about \$160,000 — they lost some of that but they are still \$30,000 ahead of where they would have been under the old bill and the other figures are reasonably comparable. In the case of Ottawa, Carleton, a number of municipalities benefited slightly from these changes — Richmond Hill, Westchester, Colbourn, March, Marlborough, Nepean and Torbolton.

**Mr. Lawlor:** Give me the Etobicoke figure.

**Hon. Mr. McKeough:** Pardon?

**Mr. Lawlor:** Etobicoke, if you will.

**Hon. Mr. McKeough:** Etobicoke. If you had on the basis of the old unconditional grants basis would have received \$2,229,000. On the basis of the bill as drafted, they would have received \$1,973,000. Allocated on the new basis, they would receive \$2,000,000, so it will come back up again. I think actually — other than Toronto originally — North York — none of the changes in the tax bills to these municipalities is all that great.

**Mr. Singer:** I am not clear, Mr. Chairman, where these new census figures come from. On the sheet the minister sent me when we discussed this last time, he says "allocated on redetermined census population", and I am not accepting the 1969 assessment figures. Where do you get this other column of figures? Is it the 1968 assessment figures?

**Mr. R. Haggerty (Welland South):** I will pull them out of the air.

**Mr. Singer:** It is the 1968 assessment figures?

**Hon. Mr. McKeough:** We go back a year.

**Mr. Singer:** Well, I suppose it is better than nothing and eventually you are going to catch it up.

**Mr. Chairman:** Does the hon. member for Scarborough Centre wish to speak to this motion?

**Mrs. M. Renwick:** I do wish to speak to the motion, Mr. Speaker. On this new amendment just brought, I was having a conversation with a legal adviser and I would like to speak. But I will yield the floor to someone else at the moment.

**Mr. Good:** Under this amendment, Mr. Chairman—

**Mr. Chairman:** Yes.

**Mr. Good:**—my understanding is that this procedure will give a more up-to-date method of calculating the population. What will happen to the next section? Will that have to be deleted where it refers back to the DBS—if it refers to The Municipal Unconditional Grants Act, which uses the DBS figures for ascertaining the population which allows The Department of Municipal Affairs to readjust if the population, in their opinion, has gone over seven per cent. Now, as I pointed out on second reading, something under seven per cent is still quite a large fluctuation in population, so will all municipalities derive the benefit from this amendment or just Metropolitan Toronto?

**Hon. Mr. McKeough:** Just in the regional municipalities?

**Mr. Good:** Yes, I mean that the three regional municipalities will derive benefit from this. Well, then, what will you do with the next section?

**Mr. J. P. Spence (Kent):** Mr. Chairman, under this Act you are increasing the grants to those areas that have regional government. I think the minister is very unfair. What about the municipalities that are not in regional government? I think there is as much need, if not more need, for them than for those that you have set up in regional government—because I understand that regional government will give them a benefit or serve a greater benefit to them. The municipalities that have not regional government are going to be in the same place as before—\$5 for those municipalities under 2,000 population. I think the minister is unfair not to use all the municipalities across the province whether

they are in regional government or whether they are not in regional government.

**Hon. Mr. McKeough:** Mr. Speaker, I suppose I could answer very quickly by saying that the level of grant for the municipalities which the member for Kent is speaking about is not on this bill, and so I suppose he is really back on the principle of the bill. It is simply a recognition of the fact that large urban areas, which these are, have a number of problems, perhaps more serious problems than some of the smaller municipalities. They are not satisfied with this by any stretch of the imagination. We think—and we discuss this on the principle of the bill at some length—that we will be moving toward greater unconditional grants, other kinds of grants based more on need and on the resources and I am sure when that happens some of the communities that my friend is speaking of, down in that lovely part of Ontario from which we both come, will at that time, benefit.

**Mr. Spence:** Mr. Chairman, I must inform the minister that there is as much need as those municipalities that come under regional government, if not more.

**The Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick:** I would like, Mr. Chairman to ask the minister, because of the need of the boroughs getting out their tax rates and because they pay interest on a day-to-day basis, that he would convene with the treasurers of the boroughs that make up Metropolitan Toronto because of the fact that the figures which they have been dealing with—and some made representations and others did not—now changed, the minister having changed the basis of population from 1966 to 1971. Secondly, on the grounds that when they want a better term—pies—

**Hon. Mr. McKeough:** Perhaps the member would permit me to reply to that. After the entreaties of the member for Downsview, and others, a week ago—it would be a week today that we discussed this bill—at that time we discussed it with the borough of New York and we immediately informed the metropolitan treasurer and others of our intention to amend the bill along these lines and I think these figures are available to them. If they are not, they will be available to them before the day is over.

**Mrs. M. Renwick:** Mr. Speaker, then I think that it is at least a week since the min-

has spoken, or his staff has spoken, to the people in the borough of Scarborough. Now speaking—

**Hon. Mr. McKeough:** I do not know whether we spoke to Scarborough, but we certainly spoke to Metro.

**Mrs. M. Renwick:** Well, I would draw to the minister's attention that in the borough of Scarborough the treasurer and his worship, the mayor, were under the opinion that the \$14 million pie will be divided up on a *per capita* population basis, instead of the assessment basis. The population figure was always the one to be considered at this level, I understand. But at the dividing point of the money, it was divided on the assessment basis.

In the borough of Scarborough, this morning, they believed that the concession which has naturally had to be made to the borough of North York, was because it had a 12 per cent increase in population and, even at the seven per cent figure, that still left much wanting in the differential to be made up. The other boroughs did not understand, especially the borough of Scarborough, that this concession would be made to North York and that the moneys would, in fact, come out of the rest of the pie, thereby shortchanging the other boroughs.

They are well aware of the old figures on the 1966 census, and the effect under the new plan of taxation for the students at universities. They would have picked up in the area of \$91,000 but this does not really leave, Mr. Chairman, the minister the right to alter their *per capita* grant on a population basis of payment, which I am sure the minister will have to do if he is going to pay \$7.50 *per capita* to Scarborough and to the other boroughs. What will he have left over for North York? If he does it as he is going to do it in reverse, and pay the borough of North York first, then what is to be altered to the borough of Scarborough—the *per capita* payment to the population figure?

Which brings me to say, Mr. Chairman, that the other thing is that the boroughs are sitting out there with 1969 population figures. The minister says he does not have them filed but surely if the government of Ontario really wanted to work out this bill in the best interests of the municipalities and have it updated correctly, the government could obtain the 1969 figures. I guess it is an impossibility to refer it to the legal bills committee in the supper hour, since they would have to have notification of the meeting, but it is of that importance, Mr. Chairman, to the boroughs

concerned. It is important that the government meets the commitment to the borough of North York but not at the expense of the other boroughs. Up until 10 o'clock this morning until I talked to the legal counsel in the Municipal Affairs department to make sure my assessment of the Act was correct, the treasurer of Scarborough thought that there were additional moneys going into the \$14 million pie to take care of the borough of North York. Does the minister intend to do late additional moneys into that pie or does he intend to renegotiate with the other boroughs which will be paying that payment to North York?

**Hon. Mr. McKeough:** No, the figures we have just given would indicate that the amount in each case is \$14 million. The population of Metropolitan Toronto has not exceeded total the seven per cent figure. If it had, it would have been adjusted upward.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask the minister how that can be done legally if the minister has obligated himself to \$7.50 *per capita* basis to Scarborough?

**Hon. Mr. McKeough:** They are not.

**Mr. Singer:** Legally? On the basis of \$7.50 per person to Metropolitan Toronto based on the 1966 census?

**Hon. Mr. McKeough:** Right. That is the answer.

**Mrs. M. Renwick:** Mr. Chairman, if the borough of Scarborough was to use its present population figures, it stands to pick up another \$135,000. It is not as though we are talking about a few dollars. I think that the minister knows when he bases his figure on 1968 rather than 1969 that this is in effect what he is achieving. I think, personally, Mr. Chairman, it is bad enough to achieve it without doing so in close collaboration with the treasurer of the borough of Scarborough, unforgivable. They do not understand that the minister is robbing Peter to pay Paul.

**Mr. F. Young (Yorkview):** Robbing Scarborough to pay North York.

**Mrs. M. Renwick:** Mr. Chairman, will the minister give the borough of Scarborough until 8 o'clock, bring the bill back in the evening, and talk to them as to where they stand? They have also been dealing with a \$91,000 gain and now they are looking for a \$30,000 gain according to the minister's figures that were produced here today on

1968 census figures. Would the minister run down the figures for the boroughs as to their gain or their losses so that I may update the figures that the boroughs have been working on?

**Hon. Mr. McKeough:** We will send them to the member.

**Mrs. M. Renwick:** Well, I—

**Hon. Mr. McKeough:** We are really talking about—

**Mrs. M. Renwick:** Mr. Chairman, I would really ask the minister to put them into the record, not just send them. This is what is escaping the minister and certainly cannot escape the boroughs which are forced on the other hand to meet commitments of other departments on Social and Family Services, as an example, municipalities are strapped for money. It is not as though the municipalities are sitting out there with lots of money to meet the needs of the budget.

**Mr. Singer:** Scarborough is getting more money than it got last year.

**Mrs. M. Renwick:** It is getting more money, Mr. Chairman, as the member for Downsview says, than it got last year—

**Mr. Singer:** Yes, and North York is—

**Mrs. M. Renwick:** It is not getting—

**Mr. Singer:** —far better off than anyone else—

**Mrs. M. Renwick:** Well, Mr. Chairman, if I fail to make the point clearly for the member for Downsview—it is not getting *per capita* population figures according to the way they understood it right up until 10 o'clock this morning. In other words, they are going to be down some dollars, as are the other boroughs and particularly the city of Toronto. The member for Riverdale (Mr. J. Renwick) will not know that the minister is now basing it on the 1968 figures, but I would certainly like to look at Toronto because the member for Riverdale certainly shows some concern as to where the city of Toronto would end up. I think if the minister wants the co-operation and goodwill of the other boroughs, besides the borough of North York which got some consideration, and rightfully so, the minister should meet with those boroughs—or speak with them at least—before this bill receives third reading.

**Hon. Mr. McKeough:** Mr. Chairman, we have been in touch and informed by the

staff what the treasurer of Scarborough think we have to put this in some perspective—we are talking about the municipality of Scarborough which would have a budget. I do not know—

**Mr. Singer:** Twelve million dollars?

**Hon. Mr. McKeough:** How much? Twelve million dollars? Oh, I think it is—

**Mr. Singer:** No, far more than—

**Hon. Mr. McKeough:** Toronto's is \$60 million, the municipal portion, I do not think is quite as earth-shattering as the member is suggesting. We are talking about a change or an increase in last year's figures not something in the neighbourhood of \$25, or a decrease from what they have expected in the draft bill of something less than \$100 million. I do not—

**Mr. Singer:** They are getting more money than they did before.

**Hon. Mr. McKeough:** I do not think quite as earth-shattering as—

**Mr. Singer:** North York is losing.

**Hon. Mr. McKeough:** I would have to be of course, that if we meet with each one of the boroughs, each one of them would, of course, pick the kind of figures which would be going to produce the most amount of money for them and they would be good enough to admit that, I would think—

**Mrs. M. Renwick:** As they have a right to. They are entitled to—

**Hon. Mr. McKeough:** Beg your pardon?

**Mrs. M. Renwick:** I would like to say clearly that to me it is quite simple. They are entitled to this consideration on municipal population figures—not on some mythical figures—which, when the minister reduces the 1966, or now 1968, figure of population in order to meet his commitment to North York, he is reducing a 1968 figure, Mr. Chairman, he is not reducing a 1969 population figure. But it just really is not even fair. It is just not fair to the municipality.

**An hon. member:** If it is fair to one, it is fair to all.

**Mr. Singer:** I would rather have the other figure too.

**Hon. Mr. McKeough:** The point is that I heard somebody say if it is fair to one, it is fair to all. I am sure we could converge



meeting of the six municipalities. As it works out, I think there are four columns on this sheet and it happens that three of them do best on the first column, two on the next column, none of them does best on the column we have chosen, and one on the last column. Now, you know, it is—

**Mrs. M. Renwick:** Mr. Minister, kindly answer the question.

**Hon. Mr. McKeough:** It is not part of a card game. Beg your pardon?

**Mrs. M. Renwick:** I yield the floor to the minister in respect to when he would like to speak on the subject. I would just like to ask him, you have the three columns of figures. Would you clearly state, what now, under your new assessment of 1968 the losses and gains are for the municipality of Toronto, North York, Etobicoke, Scarborough, York and East York?

**Hon. Mr. McKeough:** Yes, I think I indicated those figures to the member.

**Mrs. M. Renwick:** The net loss and gain was not always indicated; Mr. Chairman, the gross figure was indicated, and occasionally interspersed was the gain-or-loss figure. I would like to ask the minister—

**Hon. Mr. McKeough:** Well, I do not have these all subtracted out, Mr. Chairman, and I would gladly send them to the member and—

**Mrs. M. Renwick:** All right.

**Mr. Singer:** Why did you not send them to her before?

**Hon. Mr. McKeough:** She did not want it.

**Mr. Lawlor:** What are the figures involved, such as for Etobicoke? Etobicoke loses on the swings; with respect to the present situation, \$192,000—\$200,000 over against the existing bill, the bill that was submitted to us originally and the one in the amendment today. The difference is negligible as to the increase; it is a small increase.

I would like to question the minister.

**Hon. Mr. McKeough:** I am not trying to be difficult about this. Let us give the Etobicoke figures; this is the dilemma we are in. They would have received under the old bill \$2,229,000.

**Mr. Lawlor:** Right.

**Hon. Mr. McKeough:** The way the bill is printed they would have received \$1,973,000.

The way the bill is being amended now, they will receive \$2,037,000.

**Mr. Lawlor:** They go up \$64,000.

**Hon. Mr. McKeough:** Right, and to do what the member for Riverdale would like us to do and to go to the 1969 assessed population.

**Mrs. M. Renwick:** The member for Scarborough Centre.

**Hon. Mr. McKeough:** —the member for Scarborough Centre, we will be down \$1,960,000 again. With great respect to the member for Lakeshore, he should buy the present amendment.

**Mr. Lawlor:** Nevertheless, I am interested in having a little brief discussion with the minister as to the general overall fairness he feels is involved in this section.

Etobicoke has lost by \$200,000, because the swing from the basis of assessed value being the denominator, over to this population concept.

**Mr. Singer:** The figures moved North York to 500,000.

**Mr. Lawlor:** Well, all right—

**Mrs. M. Renwick:** That is quite a population, is it not?

**Mr. Lawlor:** How did the minister answer that? Why do you think a simplistic population head count situation is a more valid base upon which to base these grants than the assessed values of the municipality?

**Mr. Singer:** That is pretty obvious.

**Mr. Lawlor:** I will let the minister tell me because I would like to see it in the context as to the swinging of it.

The second thing that I still have not worked through my head is, does North York using your base of 1968, nevertheless over the two-year period exceed the seven per cent? We have jumped the census base. I understand, from the year 1966 to 1968. So your seven per cent is based on a 1966 computation. Does North York continue to exceed the seven per cent figure two years later?

**Hon. Mr. McKeough:** I believe so, yes.

**Mr. Lawlor:** Then the same argument arises, that, in a way—I do not want to be too hard on this, but in a way which—

**Mr. Singer:** North York adds about 20 per cent to its population a year.

**Mr. Lawlor:** What you are doing is you are stealing from Peter to pay Paul, by giving in effect, what is a preferential status. Why do not you take them all on a uniform basis and then any excess population can be given the addendum on top of your grant? Why do you lump them all in together, then siphon away a little bit here, fork it over to North York and then leave the rest of the piece to be divided in this way? Why do you not, since North York continues to be the exception, set your lump sum grant and give them the surplus of it?

**Mr. Singer:** The member for Lakeshore does not understand this at all.

**Hon. Mr. McKcough:** Well, really, Mr. Chairman—

**Mr. Lawlor:** Do you understand what I am trying to say?

**Hon. Mr. McKcough:** Yes, I do.

**Mr. Singer:** But you do not understand what is being done here.

**Hon. Mr. McKcough:** The significant amount of money here, really, was the amount of money which the city of Toronto is not getting; which I think in fairness we should now admit they should have. The changes that flow from that do restore equity to them.

Really, I do not think we are talking about that great an amount of money here in relation to the total budgets of these municipalities. I do not think it is all that great.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask the minister if he would define something on the figures that he sent across the floor of the House. By the time I figure out these figures we will be well through the bill.

What I wanted to know is a simple amount, either a gain or loss for each of the six areas. The last column of the bill says "1969 assessed population." Is that the 1969 population figure, Mr. Chairman?

**Hon. Mr. McKcough:** "1969 assessed population" is returned by the assessor, and the assessment commissioner for Metropolitan Toronto does not return that figure; historically, he never has until July of this year. That figure is not available to us to use now.

**Mrs. M. Renwick:** So it is a 1968 figure.

**Hon. Mr. McKcough:** We would hope to change that next year so that we will be able to use the assessed population.

**Mrs. M. Renwick:** Would the minister in a position, Mr. Chairman—I assume must be—to tell us the percentage of population increase for each of these areas? North York is the only municipality with a seven per cent increase in population, but unless the figures are wrong, the borough of Scarborough has increased in population at six and a half per cent—6.9, 6.4; I have different methods of calculation. I would like the minister to say why he chose seven per cent, unless it was to make certain that he did not have to take into consideration any other municipality other than the borough of North York, which I think is very questionable politics.

**An hon. member:** Ethics.

**Mrs. M. Renwick:** Very questionable ethics but very questionable politics from the government in power.

**Mr. Chairman:** Does the minister wish to comment?

**Hon. Mr. McKcough:** I do not know the origin of the seven per cent. It has been in the old Act, and it is being used in the new Act. I suppose there must have been a reason for the seven per cent. None of the other municipalities has exceeded the seven per cent. Scarborough, as I understand it, is just about to point something, and I think if we deal with the seven per cent, which has been there for a great number of years, we will bring up the whole Unconditional Grants Act under this Act, which may be desirable, but that is not the purpose of what we are doing today.

**Mr. Chairman:** Shall the minister's motion be carried?

Motion agreed to.

**Mr. Singer:** Mr. Chairman, I wanted to talk on section 2. Now, the minister got up and quickly moved his amendment to section 3, so he just beat me to the floor with his amendment and then we went into section 2 amendment.

**Mr. Chairman:** Perhaps he was a bit quick on it, I will grant the hon. member for Downsview.

**Mr. Singer:** Mr. Chairman, the problem is that the members of the NDP were really addressing themselves to probably was not in the proper context. The problem was that no money comes to Metro this year. The problem is that Metro does not benefit by one per

out of this statute. They got \$14,011,410 in 1969 and in 1970 they are going to get exactly the same sum.

I think that is unfair, and I think it is unfair particularly in view of the fact that the minister is about to recognize in 1971 an extra grant to those municipalities that are deemed to be cities for purposes of The Police Act. Now, the basis for thinking out that grant makes some sense, where a regional municipality has one police force instead of 13, as Metropolitan Toronto used to have. It is probably a more expensive police force, and they should get some more money.

Metropolitan Toronto has had a metropolitan force since 1957. Niagara and Ottawa-Carleton are not going to get into this status—perhaps Ottawa-Carleton, but certainly not Niagara—until 1971.

It would seem to me that the whole problem of assisting regional municipalities, which is what the minister said he was attempting to do, should apply equally to all regional municipalities. To give Metropolitan Toronto some benefit out of this—they now get no benefit for this year; next year they will—I am going to suggest a very simple amendment, that section 2—

**Mr. Chairman:** I wonder if the hon. member would mind me interrupting for just one minute.

**Mr. Singer:** No.

**Mr. Chairman:** In order that we do not get confused, I have not yet put the question to the committee. Shall section 3, as amended, form part of the bill?

Section 3, as amended, agreed to.

**Mr. Chairman:** Now, the hon. member for Downsview.

**Mr. Singer:** I would now like, Mr. Chairman, to suggest a simple amendment to section 2, which would bring more into line the benefits that are going to be given to regional municipalities. My amendment is: "That section 2 be amended by deleting the figures '1971' in the first line of paragraph 4 and substituting the figures '1970'." I think that is in keeping with the principle, in keeping with what the minister has been trying to do, and I am sure the minister will hasten to embrace this amendment and urge his colleagues to vote for it.

**Mr. D. A. Paterson (Essex South):** Must have been a stenographic error.

**Mr. Singer:** Yes, he has just got the wrong figure there.

**Hon. Mr. McKeough:** Well, Mr. Speak

**Mr. Chairman:** Perhaps I could rule on motion.

Mr. Singer has moved that section 2 be amended by deleting the year 1971 and substituting the year 1970 in the first line of paragraph 4 of section 2.

It would seem to me that this motion would have the effect of increasing the amount of expenditure made by the province of Ontario and would, therefore, be out of order.

**Mr. Singer:** Well, Mr. Chairman, your reasoning is a little devious on that; however, I would think that the argument that is presented before introducing the amendment would have sufficient merit that the minister would be glad to move the amendment instead of me.

**Mr. Chairman:** That is a little better. Nevertheless, perhaps the hon. minister would comment upon the hon. member's comments.

**Hon. Mr. McKeough:** Two things. The point that it does not increase the \$14 million is well taken. I can only say to the member I would guess at this—but I would think that the 900-odd municipalities in the province, the seven per cent only comes into play in how many of them; very few.

I am not particularly happy with this system and I think next year, when we have updated census figures, we will undoubtedly move to take the figures up yearly. It would mean a little bit more calculating, but there is no reason we have to—

The reverse is also true, I might say. So small municipalities, rural municipalities where the population is declining, have gone through a jolt at the end of five years which has been very satisfactory either.

So I think that we will be making that kind of a change next year which is not possible this year. The bit about police is well taken. We start it next year.

**Mr. Chairman:** Section 2.

The hon. member for Scarborough Centre

**Mrs. M. Renwick:** Section 2, Mr. Chairman. I would like to ask the minister: the minister's assessment of what should be paid *per capita* is \$7, plus the 50 cents on population figure.

Does the minister really want to base that on current figures, if possible?

Would the minister consider whether he really wants to do that? And would he make a retroactivity to the boroughs, the way the province of Ontario does so well, picking up retroactive moneys from the federal government, allowing the boroughs to be assessed today on the populations that are actually current?

Would the minister give some explanation as to why not?

**Hon. Mr. McKeough:** The money to do it with; that is the simplest possible explanation. The amount of money which is available for unconditional grants was not calculated on that basis, neither for unconditional grants, nor for regional grants.

**Mr. R. Gisborn (Hamilton East):** You can stop building highways.

**Mrs. M. Renwick:** Mr. Chairman, is there no surplus likely to show up at the end of this session? There was — what — a \$90 million surplus in the previous session?

**Hon. J. R. Simonett (Minister of Public Works):** Try again.

**Mrs. M. Renwick:** I will have to try some other way.

**Mr. Gisborn:** He is going to starve the hon. member out.

**Mrs. M. Renwick:** I would like to ask the minister again then. In the light of the fact that in juggling these figures now, the borough of Scarborough, for instance, who thought they were picking up \$91,000 as recently as 10 o'clock this morning, will be, in fact, picking up \$30,000.

**Mr. Singer:** They do not have the figures. How could they know how much they were picking up?

**Mrs. M. Renwick:** They were basing them on their 1966 census.

Why not give the boroughs a chance to speak to The Department of Municipal Affairs and the minister regarding the minister's amendments to the Act?

**Hon. Mr. McKeough:** I do not think this has anything to do with section 2 at all.

I would say this; I have said it now three times. I am sure that if we convene a meeting, even with the presence of the member for Scarborough West.

**Mrs. M. Renwick:** Centre.

**Hon. Mr. McKeough:** —there, we would find that we would have six different points of view, each point of view within the area of \$14 million picking the figure that was for them.

I think we have arrived at a fair conclusion. I might also say that His Honour is standing by; there is some urgency about this bill; the member has pointed out. They would have to have it passed and given royal assent. His Honour is standing by to do that this afternoon and so they can get on with issuing tax bills. I really think, to bring the treasurers, or the six mayors, in and the members would be—

**Mr. Singer:** You have got more than 20 members. You have got about 20 members.

**Hon. Mr. McKeough:** —about 20 members would be an exercise in—perhaps not the most realistic effort in financing a municipality.

**Mrs. M. Renwick:** It would be participatory democracy, which you do not know about. That is what it would be.

**Mr. Chairman:** The hon. member for Welland South.

**Mr. Haggerty:** Thank you, Mr. Chairman. The other day, in the second reading of the bill, I mentioned the grant structure in the municipality of the town of Fort Erie. Your one looks at the prepared list here of grants that will be applied for this year and you find that Fort Erie will have a total of \$259,808, in comparison with the city of Niagara Falls, \$601,704.

The reason I take the matter of the city of Niagara Falls is in comparison to the population. The population in the town of Fort Erie will reach about 65,000 for a period of six months of the year—this is in the summer months. I understand that there are no conditional grants for Americans who own property in the township or in the town of Fort Erie. As you are well aware, in many cases the American residents now in the town of Fort Erie receive old age security pensions. They receive a basic shelter exemption tax. In other words the province, or the citizens of this province, are subsidizing Americans who own property in the province of Ontario.

I feel that this is an injustice in this area where we are applying the unconditional grants. The municipality suffers; one of the reasons is that it provides all the services that are required for a city, or for

municipality. This includes police, fire, health, and many other services that are required to operate a municipality. I think there is an injustice done to the municipality and town of Fort Erie, but also to the city of Port Colborne and to Wainfleet, for there are a great number of American homeowners in that vicinity along the lakeshore. I think that by all means this government should be subsidizing those persons who are American owners of property in the municipalities.

I speak particularly of my riding but I know there are other areas throughout the province of Ontario that are being hampered or discriminated against in the same manner. I would like the minister to give consideration to this: that these American homeowners in the municipalities will receive the unconditional grants.

**Mr. Chairman:** Does section 2 stand? Does the minister wish to reply?

**Hon. Mr. McKeough:** Well, that really has nothing to do with section 2. If you want me to answer it very briefly, the assessment, of course, is applied against the total assessment, so that in fact they do receive it, but it is not included in the *per capita* payment paid out by the province.

**Mr. Haggerty:** Mr. Chairman, I think this is wrong.

I have a letter here from the corporation of the town of Fort Erie and I would like to read this into the records here.

Re unconditional grants, per capita grants. This is the former village of Crystal Beach in 1969:

With regard to your telephone conversation of today's date with Mr. J. A. Sawyer, clerk of the town of Fort Erie, who asked me to reply to your questions on the above-mentioned. Firstly, we have always received our *per capita* grants based on year-round population which has been running approximately at 2,000 for the last several years. Secondly, our estimates for live-in summer residents, who own their own properties in the village and usually use them for four to five or six months of the year, amount to approximately 6,000 or 7,000.

Their unconditional grant, based at last year, was \$5.10 and was based on a population of 2,066, so there were no grants coming to the American property owners in the municipality.

**Mr. Chairman:** Does section 2 stand as part of the bill?

**Mr. Haggerty:** I would just like to see comments from the minister.

**Hon. Mr. McKeough:** I have commen

**Mr. Chairman:** Shall section 2 stand as part of the bill?

**Mr. Haggerty:** Are you not going to consider any changes at all, then? What are your reasons, then? I am not quite clear on your reasoning was for not allowing unconditional grants.

**Hon. Mr. McKeough:** This has nothing to do with section 2 and we debated this on the principle of the bill, Mr. Chairman.

Section 2 agreed to.

**Mr. Chairman:** Are there any other comments, questions or amendments to any section of this bill?

Shall this bill, as amended, be reported? Bill 67, as amended, reported.

**Hon. Mr. Welch** moves that the Committee of the Whole House rise and report that has come to a certain resolution, and report three bills with amendments, and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the Committee of the Whole House reports that it has come to certain resolutions, and reports three bills with amendments, and asks for leave to sit again.

Report agreed to.

### THIRD READINGS

The following were given third reading upon motion:

Bill 62, An Act to amend The Log Safety Act, 1962-1963.

Bill 63, An Act to amend The Forest Fire Prevention Act.

Bill 68, An Act to amend The Warble Control Act.

Bill 70, An Act to amend The Provincial Parks Act.

Bill 60, An Act to amend The Residential Property Tax Reduction Act, 1968.

Bill 64, An Act to amend The Municipal Act.

Bill 67, The Regional Municipal Grants Act, 1970.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, the Lieutenant-Governor is standing by for royal assent.

The Honourable, the Lieutenant-Governor of Ontario entered the chamber of the legislative assembly and took his seat upon the throne.

**Hon. W. Ross Macdonald** (Lieutenant-Governor): Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 67, The Regional Municipal Grants Act, 1970.

Bill 68, An Act to amend The Warble Fly Control Act.

Bill 70, An Act to amend The Provincial Parks Act.

Bill 60, An Act to amend The Residential Property Tax Reduction Act, 1968.

Bill 62, An Act to amend The Loggers' Safety Act, 1962-1963.

Bill 63, An Act to amend The Forest Fires Prevention Act, 1968.

Bill 64, An Act to amend The Municipal Act.

**Clerk of the House:** In Her Majesty's name, the Honourable, the Lieutenant-Governor doth assent to these bills.

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

**Clerk of the House:** The 15th order, House in committee of supply; Mr. R. D. Rowe in the chair.

## ESTIMATES, DEPARTMENT OF LANDS AND FORESTS

**Mr. Chairman:** Estimates of The Department of Lands and Forests. Mr. Minister.

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Chairman, it is a privilege for me to present the 1970-1971 estimates of The Department of Lands and Forests. The accomplishments which we plan to achieve in

the coming year will once again be the combined result of the co-operation and input of the members of this assembly, the skill and dedication of the department employees and the concern and participation of the people of Ontario.

In the presentation of the estimates for November, I outlined to you some of the important principles which guide the programmes of the department. I also discussed some of our major challenges and the plan for the department to overcome these challenges. This year I intend to deal specifically with the issues of current interest, keeping in mind that these fall within the general framework that I outlined last year.

One of the most important areas of public concern in the past few months has centred on the question of environmental quality. My interest in this topic reflects a change in values which are held by the residents of Ontario. Industrial growth and development, although still important, are now being regarded as something that we should strive to avoid only if we can assure that our environment will not be adversely affected by the attendant economic activity.

A large number of departments in the provincial government are concerned with this very important issue. Responsibilities for certain specific aspects of environmental quality lie outside The Department of Lands and Forests. For example, the responsibility for air and water pollution and waste management rests with The Department of Energy and Resources Management. The importance of these aspects of environmental quality to the work of my department is readily apparent when you examine the impact of pollution on our major activities. The production of wildlife and forest resources and the provision for outdoor aesthetics and recreation can be severely impaired by pollution of the natural environment.

The importance of pollution to the department has been highlighted during the few months by the spectacular loss of the commercial and the sports fishery on St. Clair and the commercial fishery on a number of other waters. The closure of the commercial fishery has resulted in a reduction in economic activity related to harvesting, processing and marketing. Some help in the form of loans is being provided jointly by the federal and provincial governments.

The loss of the sports fishery is also of great concern to the province and my department. I was pleased today to announce that the ban on the sports fishery had been lifted.

My staff estimates that Lake St. Clair has provided approximately two to three million user days of sports fishing each year. This represents a substantial loss to the people who use this lake to provide a satisfying outdoor recreational experience.

I would like to state that department staff have been, and are, active in the monitoring of the fish populations throughout the province. Because we are involved in management and research work on both the commercial and sports fisheries we have been able to do a thorough systematic job of sampling. The Ontario Water Resources Commission and the Fisheries Research Board laboratories are doing, and have done, most of the chemical tests. The perch and smelt from Lake Erie, which were originally impounded by the federal Department of Fisheries and Forestry, were found to be suitable for release for sale. We have more recently closed pickerel and white bass commercial fishing in western Lake Erie and pickerel fishing in southern Lake Huron because these fish were not acceptable in markets. We have also closed commercial fishing in the lower portion of the Ottawa and St. Lawrence rivers and at certain lakes in the Kenora district.

Since I have given you the impression that we are mainly concerned with crisis situations, I would like to briefly describe our ongoing work in environmental management for fisheries throughout the province, as an example of the kind of work being done by the department.

Each year approximately 1,000 lakes are now surveyed to provide information on their chemical, physical and biological features. When routine tests by department staff indicate that problems may exist in some of these lakes, further, more extensive work is done. For example, water samples may be sent to the OWRC from locations where the possibility of pollution requires a water quality check.

An extensive sampling of Ontario waterways is made possible by the presence of conservation officers and other department staff engaged in their regular work throughout the province. Frequently these employees discover evidence of pollution in the course of their field activities and report directly to the OWRC for action. Our co-operation with this agency provides a good example of joint action within the provincial department to reach common objectives.

Management of water is concerned with quantity of flow and water levels as well as quality. This is a less spectacular part of

environmental quality but is equally important in the management of the natural environment. The department is responsible for regulation of water levels and flows of much of the province. Proper water levels spawning time are critical to the maintenance of our fish species. In addition, water levels are important to a wide range of recreational activities including swimming and boating.

Concern in the department for a quality environment is not limited to the water bodies of the province. Our programmes in land management are equally sensitive to providing the proper environment for outdoor aesthetics and recreation activities and wildlife and forest growth. Several of our long-established activities of the department including planting trees, improving forest stands and controlling forest fires, contribute significantly to a quality environment. As we are aware, forest vegetation contributes to air purity through the consumption of carbon dioxide and the production of oxygen. In addition, well managed forest stands help control run-off and prevent soil erosion.

The department undertakes a number of activities aimed directly at pollution control on crown lands. The increase in the use of public lands for recreation has resulted in a corresponding increase in the litter problem. The garbage dump programme and the provision of plastic bags for canoeists and fishermen will be continued this year to assist with this problem.

The use of crown lands and waters for recreation purposes is expected to continue to increase rapidly in the coming decade. In addition to this pressure on our resources, we find increasing demands on land for resource mineral production, timber production, communication and energy transmission lines and water storage. It is essential that the quality of our natural environment is maintained when all of these uses are accommodated on our public lands and waters.

The staff of the department at all levels will intensify their involvement in government wide planning for the use of land and water, so that natural environmental quality considerations will be built in to development proposals. In addition, I plan to propose amendments to The Public Lands Act in order to ensure that the necessary safeguards to prevent impairment of the natural environment are included in all developments carried out on crown lands and waters. It is significant that this Act should be used to provide safeguards for society at the present time since it is one of the most historic pieces

legislation in Ontario and has its roots in the settlement of the province in the 18th and 19th centuries.

We are taking steps at the present time to insure that the productive capacity of our timber resources is used most effectively to provide economic benefit to the people of Ontario. The system of allocation of crown timber to private individuals and companies is under continuous review. Our objective is to develop licensing procedures which will provide the optimum level of economic activity throughout the province consistent with a concern for the resource base.

As you are aware, over half of the annual allowable cut in Ontario's exploitable forests is not being utilized. A large part of this allowable cut is composed of species or volumes for which a market is not presently available. For example, this includes wood which is inaccessible under present economic conditions. However, we are closely examining all of our surplus wood volumes and developing various ways to have this material fully utilized by current requirements. We are also attempting to group surplus wood volumes into blocks of timber which will be large enough to attract new industry.

Some of the unutilized allowable cut is found on presently licensed areas. It is composed of tree species or classes of timber for which the prime licensee does not have a current market. In the past, this material has been made available to other operators through third-party agreements. We are currently working with several large licence holders to negotiate volume agreements for the raw materials which they require. A volume agreement is negotiated between the Crown and an operator to cover only that amount of those species and classes of timber which the operator requires. Using this method, the area in question could provide for the needs of several persons or companies.

Negotiations to date have removed several areas from long-term licences. On one area the scattered blocks of merchantable timber will be better harvested by smaller operators under district forester's sales. Another area contains higher values for recreation than for timber production and, therefore, it has been returned to the Crown for future development.

Recently, the hon. Jean Marchand, of the federal Department of Rural Economic Expansion, announced the designation of part of Renfrew county and surroundings as a special development area and this was most

welcome. The department has promoted encouragement of forest industry in this part of Ontario for a number of years with full co-operation of the other Ontario government departments, particularly Trade Development, Treasury and Economics, Municipal Affairs, Agriculture and Food, Energy and Resources Management and the Ontario Water Resources Commission.

The federal government was convinced of the importance of providing assistance to this part of Ontario. The special development designation will permit expenditures for services, including water and sewage disposal, and will provide the government with important incentives to attracting major industries to the area.

The advisory committee on Algonquin Park has met regularly since its inception last year and is progressing steadily towards its objective of submitting recommendations for the management of the park. The committee has examined a broad range of background information on the resources of the park and their uses for outdoor recreation and economic development.

An inter-departmental committee of representatives, the Algonquin Park task force, is acting as a secretariat in compiling the information for the advisory committee. In order to guide the management of the park, pending the final recommendations of the advisory committee, interim guidelines are being developed jointly by the advisory committee and the task force. This will safeguard the recreational and resource values of the park while at the same time maintaining as much flexibility as possible to accommodate any future decision on the management of the park.

Advisory committees will be established for most of our major parks. An advisory committee on Quetico Provincial Park is now in the process of being formed.

Many of you will be aware that on several occasions during the past summer, some of our provincial parks were unable to accommodate all of the visitors who wished to visit the parks. We plan this year to have available by July 1, some additional park facilities throughout the province.

In northwestern Ontario, we will be providing additional facilities to better meet the needs of travellers using the Trans-Canada Highway 17 route between Thunder Bay and Dryden. A provincial park will be opened at Sandbar Lake which is located five miles east of Ignace on Highway 599.

Carillon Provincial Park, located 10 miles east of Hawkesbury on the Ottawa River,



be opened to campers, picnickers and bathers. This park is situated between Highway 17 and the Ottawa River and upon the shore of waters impounded by a Quebec Hydro power plant.

Additional campsites will be available at the popular Pinery Provincial Park on the shores of Lake Huron near Grand Bend.

The opening of new parks and the additional facilities and improvements in existing parks will increase services for both tourists and residents. We plan to add about 800 campsites this year to bring the total campsites available to about 18,800. We will install electrical outlets at about 800 to 1,000 campsites during this year. This will approximately double the number of electrified campsites.

By the start of the 1970 season, we will have trailer sanitary dumping stations located in 80 of our provincial parks, which is nearly all of our parks which have campgrounds.

A new facility being added to our provincial parks this year is the installation of showers. There will be nine comfort stations with shower facilities available for this season and eight of these stations will also have laundry facilities.

There has been considerable concern expressed recently on the adequacy of recreational facilities within easy reach of the large metropolitan areas in southern Ontario. In order to provide a better assessment of the problem on Lake Erie, the department has compiled data on all the shore and beach areas which are available for public recreation. These included municipal, national and provincial park lands as well as areas of beach which are open to public use. Our records show that municipal and conservation areas provide 1.6 miles of lakeshore with about 325 acres of land available in the backshore.

Point Pelee National Park provides 15 miles of lake frontage and comprises some 3,500 acres of land area. There are 13 provincial parks on Lake Erie which provide 25.5 miles of shoreline and 15,220 acres of backshore recreation. Six public beaches provide an additional 10.5 miles of lake frontage. The total shoreline available to the public on Lake Erie is approximately 52.6 miles. This represents 19.1 per cent of the total 275 miles of Lake Erie shoreline in Ontario.

I am pleased to report that we will be developing a new provincial park on the shores of Lake Erie near Port Burwell. This development will increase the capacity of publicly owned land on this lake to support additional use, and will provide facilities

within easy reach of several of our southern Ontario cities. It is anticipated that although this year will be one of development, many thousands of bathers and picnickers will be accommodated.

On May 6 a statement on conservation the Niagara Escarpment was presented the deputy House leader (Mr. Grossman) would like to elaborate on this statement briefly describing some of the activities of department which contribute to the management of this valuable recreation resource.

In the Effingham area in the Niagara Peninsula, work is continuing on land acquisition for a provincial park. Approximately 1,000 acres have been acquired to date. The Bruce Trail crosses this unique area which, in contrast with the main segment of the escarpment, is made up of deep valleys and meandering streams. The streams in the support natural populations of speckled trout and it is my hope that this fishery can be retained within the park. The proximity of this proposed park to the "golden horseshoe" will make it extremely valuable in meeting the needs of our urban areas for outdoor recreation.

In the Primrose area, which is about 10 miles northwest of Toronto, 1,400 acres of land and forest have been acquired. The property is at the headwaters of the Bruce River and is readily accessible by a number of highways from the Toronto-Hamilton area. We plan to develop a park on this site following some additional land purchase.

On the Bruce Peninsula, 12,212 acres have been acquired for general recreation parks. The Cyprus Lake Provincial Park which is located on 1,415 wooded acres immediately south of the tip of the Bruce Peninsula, was opened in July, 1969. Developments include camping and picnicking. On Cyprus Lake, a trailer sanitary station and interpretive trails. The park extends to Georgian Bay shoreline, which is the location of the Bruce Trail at this point on the escarpment. Within the park there is an overnight resting camp for those who use the Bruce Trail.

A second development is proposed at Wingfield Basin, a picturesque shoreland bounded by limestone bluffs which is located at the northeast corner of Lindsay town. This area includes a natural harbour whose mouth is immediately adjacent to the Cape Head Lighthouse. The area surrounding the harbour is being acquired and, with an additional adjacent area, will form a recreation centre to be developed at a later date.

Mr. Chairman, in concluding my remarks on the estimates, I would like to restate that the accomplishments which the department makes this year will be due in large measure to the co-operative partnership between the public, the members of this legislative assembly and the staff of the department.

**Mr. R. S. Smith (Nipissing):** Mr. Chairman, this is the first opportunity I have had to open the remarks for our party in regard to The Department of Lands and Forests and as a northern Ontario member I welcome that responsibility because I feel that this department, by its presence in northern Ontario, has been the government itself in many areas of that part of the province. In the more urban areas, the department is not so noticeable, but if you go to the rural parts, north of the French River, the establishment of the offices of The Department of Lands and Forests is the symbol of government and, therefore, we have, historically, in northern Ontario looked to The Department of Lands and Forests for the leadership from the provincial government that we require to develop and to move ahead.

**Mr. S. Lewis (Scarborough West):** We have not got it, but we look for it.

**Mr. R. S. Smith:** In the past few months, however, the most notable things that have been happening within this department have primarily been in the Lake Erie area in regard to the pollution, and secondarily, in northwestern Ontario. Much of the attention of the public has been directed to these two areas of great concern, and I would think that through the estimates, many of our members will be speaking in regard to pollution—just as the minister has in his opening remarks.

But to get back for a few minutes, at least, to the symbol of government in northern Ontario that I referred to earlier, I would like to suggest to the minister through you, Mr. Chairman, that this has changed over the past few months when we have had the interjection of the white charger from St. George.

**Mr. T. P. Reid (Rainy River):** North St. George.

**Mr. R. S. Smith:** And the people of northern Ontario really do not know where they stand.

For some years now — for three years now at least — we have had two ministers within the cabinet — the Minister of Lands and Forests and the Attorney General (Mr. Wishart). Because of the particular interests

of the Attorney General's department he not looked upon in northern Ontario as spokesman within the cabinet, but rather the Minister of Lands and Forests was given title, one way or another, by the people. They looked to him for leadership and to help their problems, and through his efforts they were brought to the attention of the government through the cabinet.

But it now appears that much of the possibility that perhaps the Minister of Lands and Forests had, whether he thought he had it or not, will be moving to the Minister of Mines (Mr. A. F. Lawrence), and the people really do not know what to expect. They do not know whether, if they have a lands and forests problem, they can still work with the Minister of Lands and Forests or whether they have to go to the Minister of Mines. They do not know whether, if they want to deal with Trade and Development, they should talk to the Minister of Mines. They just do not know where they are to go.

**Mr. J. E. Bullbrook (Sarnia):** Neither do I know where the minister does not go to either.

**Mr. R. S. Smith:** I think indicative of this was, last week, when I asked the Minister of Mines in regard to the Northern Development Corporation, he said that I should ask the Minister of Trade and Development (Mr. Randall). So the next day I asked the Minister of Trade and Development in the question period and he said I should ask the Minister of Mines.

**An hon. member:** Oh boy, that is confusion.

**Mr. R. S. Smith:** It is apparent that there is not only confusion among the people of northern Ontario. There is confusion in the cabinet.

Interjections by hon. members.

**Mr. R. S. Smith:** Out of this, I do believe, however, that the people of northern Ontario are going to be the losers because no one knows where they should go and no one knows to whom they should expect to get an answer. Up to this time we all thought that our spokesman in the cabinet would be the Minister of Lands and Forests, but apparently he has been usurped.

**Mr. W. Ferrier (Cochrane South):** The minister should be the minister of northern affairs.

**Mr. R. S. Smith:** I think this is indicative of the activities of the government in northern Ontario, and that they are not r

interested in the problems but rather they are interested in, perhaps, delegates to conventions and other things.

I should think that the Minister of Lands and Forests should have maintained his position as the spokesman for northern Ontario.

We, in the north, do not believe that a person from southern Ontario can speak for us.

**Mr. T. P. Reid:** And the minister from St. George has shown that he does not understand the problems already.

**Mr. R. S. Smith:** I think, further to this, that The Department of Lands and Forests, the people within that department, the civil servants within that department, who for years have looked to this minister, are not just quite sure where they should be looking right now. The Minister of Mines has indicated that he is going to set up 25 northern affairs offices across the whole of northern Ontario, and likely there will be a staff of two or three people with each one of those. So we will have a bureaucracy of at least 100 people set up within his department here and throughout the north.

**Mr. T. P. Reid:** Are there that many Tories left in the north?

**Mr. R. S. Smith:** The people of northern Ontario really question this because they believe that the money that is going to be spent on that bureaucracy could well be spent in the development of policies rather than an information service that perhaps will not work as well as what we have right now.

I would ask the minister: If a person has a problem in northern Ontario in regard to Lands and Forests, is he to go to the northern affairs officer who is responsible to the Minister of Mines, who will then go to the Minister of Lands and Forests, who will then go to some civil servant who might be a mile or two away from the person concerned in northern Ontario?

**Mr. T. P. Reid:** The Minister of Mines is not going to go to the Minister of Lands and Forests, that is the problem.

**Mr. R. S. Smith:** He is going to go right to the civil service within The Department of Lands and Forests. That is perhaps the real question as well.

**Mr. J. E. Stokes (Thunder Bay):** He can still come to his member if he wants any assistance.

**Mr. R. S. Smith:** Well, that is where will likely get it anyway, but—

**Mr. T. P. Reid:** If he wants the answer he will come to us.

**Mr. R. S. Smith:** But this is really a problem. The Minister of Mines, I understand, said last week in Sudbury that he is not sure if this is going to work, but we are going to try it anyway.

I should think that the whole program has been thought out quite hurriedly to provide something for the Premier (Mr. Robt. Brown) to say at the municipal-provincial conferece and he included that in the luncheon was held there which the Minister of Lands and Forests attended along with most of the other ministers. It was set up—it was supposed to be set up—so that everybody would be given an opportunity to discuss what the elected people at the municipal level in northern Ontario would like to see with regard to a minister of mines and northern affairs.

This really did not happen because of the arrangements, or overcrowding, or some other excuse. Everybody sat around for an hour then we had the dinner. The Premier got up and made a statement and the time was finished. There was no discussion. It was a statement of government policy by the Premier and there was no opportunity given for those from the area to speak to it. The Minister of Mines was telling us beforehand that this was a great opportunity for him to speak and to converse with the people and find out what they wanted. In effect, what they were told was what they were going to get and they were not given any opportunity to discuss it, either with him or with the Minister of Lands and Forests or with any other minister or even the Premier himself who made the statement.

I feel that many people came away from there feeling that something had been decided something was going to move ahead; but they were not too sure just what. It turns out that what we are going to have is 100 civil servants—maybe a few more or less—who will administer nothing because there is no programme involved. There is no policy involved. They will be strictly information officers.

Now the question is whether they are going to be propaganda officers, information officers or political advisers? I think the people in northern Ontario are just fed up enough with this government that they are not going to be fooled again.

It will be five years in September, 1965, that the Premier said—and he said it in my district—that within six months we would have a development programme for northern Ontario. We have yet to see any real development programme evolve within the last five years, let alone in those six months.

I would think that this minister, whom I still consider to be the voice of northern Ontario in the cabinet, should relay these messages to his cabinet colleagues, and indicate to them that what the people of northern Ontario really want is a policy which will bring forward a programme and not an information service. I am sure most of us in this House have served our people well enough to be able to provide them with the answers to the questions that they bring to us, and in

that I include the members of all three parties who represent northern Ontario.

I should think that if this is going to be the case—that these offices are going to be set up, as they presumably are, by July—the first thing the minister of mines and northern affairs should do is to work in co-operation with the members who represent those areas, and not go into them half-heartedly as the government usually does in that way. Making mistakes it cannot correct later.

Mr. Chairman, I think this would be a good place for me to stop.

Mr. Chairman: That is fine. Thank you.

It being 6 o'clock, p.m., the House stands in recess.







# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Thursday, May 14, 1970  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 14, 1969

The House resumed at 8 o'clock p.m.

## ESTIMATES, DEPARTMENT OF LANDS AND FORESTS (continued)

**Mr. R. S. Smith (Nipissing):** Mr. Chairman, before the supper hour, I was trying to make the point through you to the minister, about the feelings of the people in northern Ontario in regard to the leadership they expect from this minister and from The Department of Lands and Forests.

I think I indicated to you that they are not too happy nor too taken up with the idea that the minister of northern affairs is the minister from the paved streets of Toronto, and that they still look to The Department of Lands and Forests as the significant department that will act for them with the government, and particularly this minister as their spokesman within the cabinet of government. They certainly do have misgivings, and I would like to impress that upon the minister, as they look to him for the leadership that will bring policies rather than another bureaucratic system to the north.

Earlier in this session—no, perhaps last November during the estimates of The Department of Lands and Forests—there was some question of the decentralization of this department, and I think at the time the member for Rainy River (Mr. T. P. Reid) had indicated that perhaps it would be best if some of the civil servants within this department who are Toronto-oriented were moved out into the field, and I would certainly agree with his remarks at that time. You did not expect me to disagree, did you?

But, the minister, at that time too, indicated that he opposed the decentralization of government and the moving of the head office of this department into northern Ontario, because he felt that Lands and Forests dealt with the whole of Ontario. I certainly agree that they do deal with more than northern Ontario, but their main services, I should think, are to the northern part of the province and the resource area that is there in regard to forestry and to a great extent, fishing and recreational areas.

There is no question that there are other parts of the province that this department

deals with. But we have said for a good number of years that decentralization of government is important in order to promote economic growth and an economic stimulus to other parts of the province, as well as Metro Toronto.

We believe that The Department of Lands and Forests, should be moved into the northern part of the province—to that part of the province to which they supply a better service. I do not know of any other departments of government we could indicate that should go there and that would provide the services close to the people as these departments would.

The Minister of Mines (Mr. A. F. Lawrence) has been indicating that he is going to bring Queen's Park to the people of northern Ontario through these 25 northern appointments officers that he is going to appoint. Really, these are nonproductive people. I reiterate that we should look for people who are going to produce something in the way of policy and programme, rather than nonproductive civil servants.

I would then just like to move on perhaps to say a few words in regard to fishing licences. Last year, with the implementation of the \$3 angling licence in this province was indicated to the people who were buying these licences that this money would be spent in that area to provide better fishing and better hunting in our province.

I have gone through the estimates of this department, and it is very hard to tell where the money is going, although I realize that under the system that is followed by the Treasury, no money is earmarked. Yet, it is very hard to tell what extra expenditures have taken place in the fish and wildlife section of The Department of Lands and Forests.

The estimates increased for that department five-fold, I think, between 1968 and 1969, according to the blue book, but this was due to a re-appropriation of expenditures right through the department, and there was one section that was deleted and that money was spread right through.

So it is very difficult to really tell what is being spent on the fish and wildlife section, except to point out to the minister that in this area you likely would look for an increase in the number of professional people involved if there is going to be an increase in expenditures. I would suggest to the minister that he look at the number of people who are involved in the professional fields in his whole department.

In 1968, there were 88 biologists on staff. In 1969, after the innovation of the \$3 angling licence, there were 85 biologists on the staff of that department. So I should think that this would indicate a lesser degree of expenditure within that department. Also, the increase in the number of conservation officers who are directly involved with the control of the fish and wildlife population of the province was from 259 in 1968 to 282 in 1969. I would think that that increase of 23 people would not indicate any great increase in expenditure.

It is very hard to tell what the capital expenditure was or what the increase was in that year, but other than the establishment of one new fish hatchery, and perhaps the beginning of another, I do not think there was any dramatic increase.

As I pointed out, Mr. Chairman, it is rather difficult to tell just where the expenditures are made within the department as the estimates are presented to us. But I should think that the number of biologists on staff, as well as the total professional staff decreased in number from 388 to 375 between 1968 and 1969.

So I think those two areas are perhaps indicative of what is going on in the fish and wildlife section.

We can see that the extra \$4 million which the government said would be collected through the angling licences, as well as the increases in the gun licences and the hunting licences, have not been spent in total in the fish and wildlife section. I would ask the minister to break down for us what the increases in expenditures were, when the time comes for his reply.

Mr. Chairman, I would like to deal for a few moments with the question of our national identity—in fact, a nationalism that we must develop in this province toward the holding of our land mass and our land areas. I believe that we need a new nationalism and an end to foreign control of our land areas.

I should think that the bill that went through today and was given third reading

and royal assent indicates the direction this government wishes to take. They refuse to accept the amendment of this part of the amendment to the amendment of a third party in regard to the basic salary allowance being given to American owners in this province.

I would think that this is indicative attitude of the government toward our control of our land mass, in that they would rather give the Americans an incentive to own that land mass rather than using a method by which we could perhaps have control of the total land mass back to ourselves.

Mr. Chairman, the minister indicated this year, I understand, that 15 per cent of the cottage lots in this province are presently held by Americans. It is apparent to us that this percentage is increasing each year. As well, there are other large land areas of marginal farm land that are being chased by the American interest within this province.

Mr. Chairman, the whole question of foreign control and foreign ownership of our industrial complex and our economy is a question that this government, as well as the federal government, must come to grips with in the very near future if we, as Canadians, are to maintain control of our destiny. It is as important, if we are to have a Canadian control of our land mass, particularly the large areas of this province that are available for recreational pursuits.

It has become more and more apparent in the past few years that a large amount of foreign private capital is being allowed, mostly on an individual basis, to purchase prime recreational sites for cottages and productive farms, particularly in Ontario. Many of our citizens are not able to compete in the marketplace for purchase of these properties, because of the pressures of American capital and also the desire of many Americans to set up for themselves a refuge in this country.

It is estimated that along the shoreline of the Great Lakes, on the Canadian side, more than 50 per cent of the recreational areas in government hands is owned by non-residents and non-citizens of Canada.

Mr. G. W. Innes (Oxford): Fifty per cent

Mr. R. S. Smith: This trend is spreading into many areas of the province over several hundred miles away from the Canadian-American border. I am sure this is being felt in my area, as well as in the

in which the Minister of Lands and Forests (Mr. Brunelle) lives. These non-residents who buy and establish summer homes in our province contribute very little to our economy, either by way of actual spending or taxation. Generally speaking, they bring with them from their home city everything except those commodities they must purchase for immediate consumption.

Even their Canadian liquor is purchased at the duty-free stores before they enter Canada. We are, in effect, providing to them the finest recreational areas to be found in central North America at rock-bottom prices. At the same time, we are denying to our own citizens their right to access to the recreational grounds.

There is also a large amount of foreign capital being invested in larger land areas and marginal farm land for recreational use and future development.

Just two weeks ago, the minister announced the establishment of the Mattawa Wild River Park, which partially comes into the district that I represent. Within the boundaries of that park there is at least one area that is owned by foreign interests, who are proposing and who are still intent upon subdividing that property and selling cottage lots. The department must now either pay a very high price for this land, or allow the development to proceed to the detriment of the park that was announced a couple of weeks ago.

We cannot expect to maintain our country and control the decisions that are made for the benefit of our citizens unless the land mass is in the ownership of either our own people or the Crown, just as we cannot control our economy if the control of industry is within foreign hands. Because of the economics of agriculture, many people are being forced to leave the marginal farm lands in our province, and foreign ownership is fast controlling a large number of these properties. Land is being held in a non-productive state for future recreational purposes and speculation.

To overcome these problems before it is too late, I would ask the minister and this government to act quickly and establish a policy in regard to foreign ownership of our land mass areas.

Four steps, I believe, should be taken at once. A study should be initiated on a broad basis to establish control over all our land mass as to future purchases by foreign interests. The intent of the study should be to establish restrictions such as those that are now in effect in Sweden, Bermuda and Mexico and many other areas in regard to

land ownership. I understand, Mr. Chairman, that in Sweden, before a foreigner or a company that is controlled by foreigners can purchase any land, a special order-in-council must be passed by the government, and it has become very difficult to obtain. The same applies in Mexico, where the minister of foreign affairs must give his consent for the sale of any land, private or crown—not crown land in Mexico, but that belonging to the Mexican government—to any foreign interests, whether they be a limited company or a private individual.

I would suggest to you that it is time when this province looked at similar measures to protect what we have left of our land mass.

I would secondly recommend the immediate discontinuance of the sale of Crown land to non-residents, including cottage lots placed for auction by the department itself. I think, Mr. Chairman, that the member for Rainy River brought this up last year and there was some indication from the government that they were going to move in that direction. I expected in the lead-off speech of the minister tonight that he would make some announcement into the method in which these properties are to be disposed of and specifically the control that would be placed on them as to their future owners. I think the least the government can do in this area is to move on this at once.

**Mr. T. P. Reid (Rainy River):** Abdicate its responsibilities.

**Mr. R. S. Smith:** A third suggestion that I would have, and I would think that this is perhaps important in those areas where at the present time there is a large holding of land in foreign interests, is that immediate legislation be brought forward to give to the municipalities of our province the right to levy a "non-resident municipal property tax" on those foreign owners of recreational and summer cottage properties who are not residents in Canada.

In other words, I would suggest to you and to the government that legislation be brought in to allow municipalities to levy a special tax on cottage properties, and on recreational areas that are being held by foreigners, in order to provide at least a minimal amount of income from those properties to the municipalities involved. I would suggest, through you, Mr. Chairman, to the minister that this can be done and that it would provide to those municipalities an income above and beyond the regular source

To initiate this non-resident municipal tax it will be necessary to amend The Assessment Act so that all lands for recreational use and cottages with occupancy of less than six months, could be marked on the assessment rolls. I would suggest that this special tax should be a minimum of 50 per cent of the ordinary municipal and education tax that would be charged against this property.

In unorganized territories of the province the provincial land tax is applicable and it is controlled by the government and by this department. I would suggest that a minimum of \$100 provincial land tax be charged against any cottage site that is held by a non-resident foreign owner, and I would suggest that at least a doubling of the provincial land tax take place against those same owners.

The purpose of this tax, Mr. Chairman, would be three-fold. Firstly, it would discourage foreign ownership, which we must do, and at the same time it would extract from those people, at best, some payment for the use of their non-economic input in the community concerned, and their lack of participation in provincial taxation. There is no question that at the municipal level they depend not only on the taxation which they collect from the homeowner, or as a levy against property, but they also depend on the goodly number of grants that come from this provincial government, and those grants from the provincial government are usually as a result of provincial or federal taxation.

The foreign property owner who comes into our province contributes practically nothing to either the provincial or the federal Treasuries, so I should think that this would at least allow them to pay some fair share of what the responsibilities of the municipalities are. I realize that many people will say, though, they pay an education tax now and they do not use it, but this is only a part of the services with which they are provided in our province, and does not take into consideration the fact that they are using our natural resources.

The municipalities in which many of these foreign-owned cottage sites and development properties are located are usually those in the tourist regions of our province and in most cases they have very little industrial assessment. This new field of taxation that would be made available to the municipalities would be very worthwhile to offset the imbalance in their assessment ratio. I would urge you, Mr. Minister, to look seriously at these suggestions in light of what is happening at the present time, and in light of your responsibility to

the citizens of this province in regard to provision of recreational land and land

Make no mistake, Mr. Minister, as population doubles in the next 30 years will be looking for every inch of recreation area. We cannot afford to trade this precious space away to others nor can we afford to allow them to use it without paying their fair share.

Such a policy will only gain us respect from our friends who know well the value of a dollar. Let us be proud of what we have and protect it jealously and value it accordingly.

Mr. Chairman, I would like to speak for a few minutes in regard to the policy of the department.

Over the past year and a half—two I suppose—there has been an ongoing controversy with regard to the timber operation in our province, and this has been directed particularly toward the multi-use option which has been taken by the government in regard to Algonquin park.

We are all certainly aware of the provincial plan that has been brought forward by the government for the multi-use of that park by the minister almost two years ago. The controversy that this programme initiated spread right across the province, and the focus of public attention was brought to bear on the management of our forests for the diversified interests of all the people in the province.

Those who were interested in regard to recreation of all aspects, certainly had a full opportunity to have their say in the development of this park. The naturalists were very vocal in their opposition to the destruction of the park, mainly by the timber operators, and those who are harvesting resources which are contained in the park. There is, however, a good feature from this controversy and that is that the policy of this department of the government, in regard to the management of our resources, has been brought before the people and they have been given an opportunity to examine it and perhaps to understand it, to some degree, for the first time.

There is no question—and I believe peculiarly that The Department of Lands and Forests will be the first to admit this—the control of logging operations within the park over the past 20 to 25 years, as well as the enforcement of those regulations for timber woods operators, has been more stringent there than anywhere else in the province.

Even so, there has been a certain amount of destruction—unnecessary destruction—i

park. But if the same standards had been applied across our whole province, many areas such as the one I represent would still have a valuable natural resource that could well support a viable industry, particularly in the logging operations that have disappeared over the past 15 to 20 years.

I recall about two years ago when the Abitibi company in Sturgeon Falls announced that because of market problems they would be laying off 110 people. I was in touch with The Department of Lands and Forests and I indicated to them that perhaps some other industry based on the wood resources of the area should be brought into being.

I was told that there just were not enough natural resources left to create another job in the whole area. I think this is indicative of many parts of our province where the management of our forests has been neglected, by the operators of the pulp and paper mills and the logging operators and the government itself.

I should think that the management in Algonquin park has been much superior to that which has existed across the rest of our province. There is no question but that within the boundaries of Algonquin park a multi-use programme can be maintained for some period of time, but it must have the close supervision of The Department of Lands and Forests and the full co-operation of both industry and the recreational users of the park. There is no question that the renewable natural resource, if managed properly, and if harvested with concern for the other users of the park, can work to the benefit of both, and I think that this perhaps is the programme of the government.

Realistic restrictions on summer activities within the park by the timber operators is a necessity and I feel sure that all sides will agree that the experimental regulations that were used last summer were for the most part successful. There were, however, certain hardships placed on some of the timber operators, about which the operators had complained to the minister last fall. I know that it was well known throughout the whole area that some of the timber operators felt that some of the restrictions were not only too harsh but were unnecessary. As I am given to understand, they came to the minister last October and presented to him at that time a brief requesting some changes in those summer regulations.

That was in October—the 14th, if I remember the date. In December of last year, the Minister put forward the regulations which

would be used this coming summer and that was not much difference, if any, between those and the ones that had applied last summer. Some months later—I should think about a month or five weeks ago—the timber operators again came back to the minister with regard to this and they were told at that time by the minister and by his staff that they would again look at the regulations and that they would ask for the opinion of the Algonquin advisory committee.

The minister then came to the committee on April 25 I believe, and placed the problem before the committee. This was far too late because the regulations that are to be followed in the timber operations for the summer months have to be known within the next three or four weeks and the Algonquin advisory committee was in no position to provide any direction to the minister.

I believe that the matter should have been dealt with by the minister and his staff last fall, and if they did not feel that they were to make a decision, they should have brought it to the attention of the advisory committee then. The fact of the matter is that some of the people on the advisory committee brought it up last fall, and the chairman indicated that it was not of such importance that it should be dealt with, but that we would deal with it.

**Mr. T. P. Reid:** Who is the chairman?

**Mr. R. S. Smith:** Who is the chairman? The chairman is the hon. Mr. Frost.

**Mr. T. P. Reid:** What? He must need money.

**Mr. R. S. Smith:** He indicated that it would be dealt with in good time, I think he said—I do not know how they put it in things.

**Mr. T. P. Reid:** Nothing like an objective observer. Unbiased.

**Mr. R. S. Smith:** Anyway, I would think that if this is going to work, if we are going to have the multi-use of that park, it is the responsibility of the minister to make the decisions as they are required, although he may have the advisory committee. And if he is going to use the advisory committee properly, he should refer to that committee those problems that they can deal with. They are capable of dealing with, and are capable of providing him with advice in time to make the decisions. e!

I do not think the advisory committee should be used as an excuse not to provide a decision on a request from either the users of the park, the timber operators or the recreationalists. If it is going to work, and if these people are going to maintain their faith in the department and in the government, they must expect to have answers to their requests. Whether the answer is yes or no, negative or positive, it must be forthcoming. The questions cannot be avoided either by the staff of the department or the minister himself.

I think the minister had indicated about a year ago, I believe, that there would be a plan set up by November, 1969, for the park for the next five years until, in 1975, a definite programme would be laid out for a 25-year period. Is this what was indicated by the minister?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Chairman, I believe I said last year that I was trying, and hoped to have the revised plan within a year, and a final master plan by 1975.

**Mr. R. S. Smith:** The time for the revised plan has now passed. You said November, 1969.

**Hon. Mr. Brunelle:** Mr. Chairman, the hon. member is a member of this committee, and I am sure he will agree that the members find that the extent of the information required to plan the park is considerable, much more extensive than most of the members originally thought, and that is why more time is needed. We hope that some time this year we will have the revised interim plan.

**Mr. R. S. Smith:** I was of the understanding that the basis for the revised interim plan would not be the recommendations from the advisory committee, but rather the advisory committee would work toward the full programme to be implemented in 1975. But, you made the statement that it would be ready by November, 1969—I read that in *Hansard* within the last few days from a year or so ago—and the advisory committee was not appointed until—

**Hon. Mr. Brunelle:** I was out a few minutes.

**Mr. R. S. Smith:** I would agree with the minister that if the advisory committee is there to provide him with any good advice, the minister certainly needs to be provided with the in light and information that is available at time, and

I would just like to make a few more in regard to Algonquin park. I would like that if the government is going to toward the phasing out of the woods areas within that park over five or ten or whatever the period may be, that at the same time it has the responsibility of looking at that total area and the economic impact of that park, and replacing it with other programmes and other industrial secondary activities—if possible, not based on the natural resources—which will provide employment for those people who will be thrown out of the park through the phasing out of the timber operations in the park.

I am not thoroughly convinced myself that these operations have to discontinue in the very near future. I should think that there is another economic stimulus in that area it is necessary for those people involved to be able to depend on the park for dollars that are required in that area. The Kaplan report, which we received a couple of weeks ago, indicated that the total impact of Algonquin park in Ontario was somewhere in the excess of \$50 million and 80 per cent of the total economic impact was a result of the forest industry in the park.

The local impact of Algonquin park on those areas which surround the park, is approximately \$17 million. It is quite a fact that, within this poorer economic region of the province, they could not do without that.

We, in this party, feel that a general policy to cover all of the parks within the province must be developed and fostered so that every area in the province and every person within the province has an opportunity to take advantage of the recreational facilities that can be provided. The Algonquin Wildlands League has requested and recommended that the present advisory committee to Algonquin park be charged to study and consider the whole parks structure throughout the province.

We would disagree with that recommendation and suggest that the minister should set up a select committee of this Legislature to look at the whole parks policy, as well as the extended provisions within the park that are necessary, as well as the development of new parks within the next 10 to 15 years.

The question of a national park of national consequence in Ontario has, I believe, been under discussion between this minister and the federal minister concerned. Ontario has had no major national park established within its boundaries and over the last good number

of years I believe we have suffered economically because of that. The federal moneys that are available for the establishment and operation of such a park have been denied to the people of this province by the present government because of its reluctance to give over to the federal government a land mass large enough to serve its purposes.

This reluctance, however, I believe, has not been based on the fact that the federal government would, up to the present time, not share in the cost of acquiring such land altogether. I believe that parks in Ontario have been established in those areas where the province believes that no other natural resource-based industry could survive—in other words, where the forest products or the minerals were not sufficiently available to provide an economic industry. In those areas we established parks.

There is no question that there are large masses of land available in northeastern Ontario where a federal national park could be established and provide an economic stimulus that neither the mining nor the forest industry is able to provide in those specific areas. It is time that a decision was made by the province in regard to this. I would indicate to the minister that, as far as I could ascertain, the federal government is now sharing in the cost of acquiring land, if need be.

They have just signed an agreement with the province of British Columbia to establish a park on Vancouver Island and the cost of the necessary land that must be purchased is being shared between the British Columbia provincial government and the federal government. It did not say the basis of the sharing in the announcement that I saw from Mr. Chretien, but up to this time I do not really believe that to acquire a large enough amount of land to establish such a park would be that great a cost because there are many areas up there that belong to the Crown.

**Hon. Mr. Brunelle:** You mean several available—

**Mr. R. S. Smith:** I think that the reluctance of the government to take the timber licences off those areas, as well as the mining claims that have been made in those areas by private individuals, has been more of a drawback than the financial arrangements to be made between the province and the federal government. I have asked the minister before in the House, a couple of times, in regard to this, and I think it is time he made a public statement regarding negotiations with the federal government on the establishment of a national park.

In our province there are 96 provincial parks at the present time and they are divided into five classifications. From the distribution within these five classifications however, it is apparent that development meet what is called the broad spectrum present park requirements in the annual report of the department has been, to say the least, meagre.

Of the 96 parks, only one, Polar Park, is a permanent park in which large areas of natural landscape are preserved for recreation, education and scientific observations.

**Mr. T. P. Reid:** And they have changed the boundaries on that. Enlarged them.

**Mr. R. S. Smith:** They have enlarged them but they have taken some parts out of them as I understand it.

**Hon. Mr. Brunelle:** We have added to the coastline—210 miles of Hudson Bay coastline.

**Mr. T. P. Reid:** Why did you remove the other part, the part that you removed?

**Hon. Mr. Brunelle:** I will be glad to explain this to you.

**Mr. T. P. Reid:** Well, tell us now. You have just told us about the other part.

**Mr. R. S. Smith:** Well, anyway, there is only one permanent park that is under the control of the government at the present time and that is in an area, I am sure the minister will agree, that is accessible only to the people of means. I do not see the majority of the population of southern Ontario being able to travel to that area for a short period of time or to enjoy the resource that is there.

Perhaps in 25 or 30 years, the affluence of our province will allow us to do that, but at the present time I should think that perhaps only the members of this House and the cabinet could afford to go there, and usually we would likely travel on passenger jets there. So the use of the park is very limited because of the means of the people for whom it is supposedly provided. I would think that there would be as many American visitors, if not more, to that park than there would be residents of Ontario.

The second classification is the wild river parks and only one, up to this time, has been established and a second was announced two or three weeks ago.

**Hon. Mr. Brunelle:** More to come!

Mr. R. S. Smith: Well, they have not come, so we can only deal with what we have. There are 31 parks which are classified as natural environment parks, and in these parks resort users are permitted other than recreation, provided they do not conflict with the recreation. In other words, they are not going to be conserved in their natural state. Of the 96 parks, 62 are classified as recreational parks and there is no question that they are specifically for that purpose.

There is one other classification; that is natural reserves, and they are described as unique natural areas established for scientific and educational use. According to the annual report there is only one of them in the province, and that makes up the total of 96.

It can be seen from this, Mr. Chairman, that there really are only two natural areas in the whole province that are being protected as parks—the Polar Bear park and the natural reserve. If we are to preserve any large areas for the use of the average person within this province, in an area to which he can afford to travel, it is necessary that we move into a large national park where the federal government demands that some of the area at least be maintained in its natural state, and that no other resource activity be allowed to take place.

The provincial government has shown itself unable to provide this type of protection for our ecosystem and I should think that if they would move ahead with the federal government, perhaps we could obtain their funds to help out the government in the provision of what is a real requirement.

I would like to touch for a minute, Mr. Chairman, on the question of our recreational parks. From the annual report it is indicated that in 1968, the camper use of the parks decreased by three per cent from 1967, but if one looks more closely at it, you will see that the actual use of those parks as campgrounds in southern Ontario increased, whereas those in northern Ontario decreased by 19 per cent. There appears to be no programme within the department to direct people to those areas that are not overcrowded.

There are many parks in the southern part of the province that on weekends throughout the summer are far overcrowded and, as I understand, the department indicated a week or two ago that it will not allow this this summer. I should think that there should be an educational programme within the parks system for the people who use the parks, to

indicate to them where other parks located which are not overcrowded and which can provide reasonable accommodation and service.

Mr. Chairman, I have a few more remarks to make on the parks but I will save them perhaps, for under the different vote perhaps I would like to touch for a few minutes just the forest industry development.

The growth and preservation of our forest industry is dependent not only upon the decisions that are made within this department, but upon many decisions that are made by the government in many other departments. Indeed, the major economic growth in northern Ontario particularly is based upon the forest industry and has been for the last 60 to 70 years dependent on decisions made not only within this department, but also in regard to the growth of that industry.

Over the years there have been royal commissions and studies made of the forest industry of this department and many of them have been critical of the government, or its predecessor, the Liberal government. However, in the last few months the Ontario Economic Council has made a report on forest policy for Ontario and has been very critical of the policies of this government in regard to forest management and the establishment of a programme which would provide full utilization of the forest resource and at the same time preserve it as a renewable resource.

I would just like to quote a few lines from that report:

While the future world demand for forest-based products, related directly to advances in living standards, appears assured, there is no like assurance that the people of this province will obtain their share of the benefits of that demand. And until forest policies, both private and public, are properly attuned to the requirements. If we are to move toward greater employment opportunities in the wood-based industries, we will have to reduce our production costs through specialization of product, rationalization of harvesting methods, limits, and introduction of a greater degree of private motivation in the proper regeneration of this significant segment of our renewable resource.

In the summary of that report, and I quote, it says:

Under present conditions and practices, cut by allowable annual cuts, some two-thirds of Ontario's renewable forest resources are going unused.



I think the minister indicated in his remarks earlier, before supper, that it was 50 per cent. So we have a 16 per cent variation between the minister's opinion and the Ontario Economic Council.

**Hon. Mr. Brunelle:** Ontario is a huge province—412,000 square miles—and the variation—

**Mr. R. S. Smith:** Sixteen per cent. That is almost as big as your budget variation. At the same time wood-using industries in other parts of Canada are expanding rapidly. No new pulp and paper mill has been built in Ontario for 21 years, and I think this is indicative of the policy that this government has followed. I know you are going to say that you have announced one up in the great district of Rainy River.

**Mr. T. P. Reid:** It has been ready to go for three years.

**Hon. Mr. Brunelle:** I will have something to say on that later.

**Mr. R. S. Smith:** You are going to have a couple of other announcements, are you?

This is what the Ontario Economic Council says, you see—21 years. I suppose just after this report came out, you announced the one up in northwestern Ontario.

**Mr. T. P. Reid:** That was not due to anything that he would have said.

**Mr. R. S. Smith:** Industry must go in ahead of itself—

**Mr. T. P. Reid:** The industry started in spite of this government.

**An hon. member:** It was not the member from up there who helped.

**Hon. Mr. Brunelle:** No, that is true.

**Mr. R. S. Smith:** The report goes on to indicate that the costs of transportation and harvesting are limiting our competitive position and that many industries have failed over the years to carry out adequate reforestation and regeneration.

A similar lack of growth, Mr. Chairman, to that in the pulp and paper industry is apparent in lumbering and the secondary segments of the wood-using industries. The reasons for the restrictive growth in this segment, however, are somewhat different from those in the pulp and paper industry although some of the basic difficulties are present here as well. Availability and procurement are the greatest

current problems of the lumbering and secondary industries within the forest production range.

I think the minister also dealt with that some extent in his opening remarks in regard to third-party agreements and the use of limits and the restriction of some of the licences. I believe that these third-party agreements between the pulp and paper companies and the sawmill operators, that usually arrived at by bargaining between two should be done away with.

The pulp and paper industry shows a large margin of profit in some of these exchanges and, in fact, is trafficking in many areas the licences it holds through the goodwill of this government. I know that this was the case in my area until the licence was taken away from Abitibi. Many of the lumber operators had a very difficult time existing because they had to depend on the largesse of the Abitibi company, which—

**Mr. T. P. Reid:** A licence to exploit a little man.

**Mr. R. S. Smith:**—which, as this minister must realize, is very meagre. They held the licence in almost our total area for I do not know how many years. They have one industry in the area. They have not been, in consideration, what could be considered good corporate citizens. Their disregard for the resource, the late resource, and of late the interference in the control of our educational system by those we elect, has shown them to be less than good corporate citizens in that area.

I will just go on a little further, Mr. Chairman. The Ontario Economic Council recommends that a significantly greater degree of integration of wood supply for pulp and paper and sawmill operations is essential if returns from forest resources are to be optimized. I think this, again, has been dealt with to some extent by the opening remarks of the minister.

I would like him to indicate to me what company the Ontario Economic Council is referring to when it says:

One paper company, for example, reportedly has under long-term agreements more than 40 townships where virtually no logging has been done in 20 years. It owns in excess of 669,000 acres of public lands and holds cutting rights to the year 2010 on a further 850,000 acres.

**Mr. J. E. Stokes (Thunder Bay):** That must be the Algoma Central Railway.

Mr. R. S. Smith: I think it is bigger than that, is it not? What they hold? I do not know. I am sure the minister will be able to tell us and tell us under what conditions they hold—

Mr. Stokes: There are several. Take your pick.

Mr. R. S. Smith: —these licences as indicated by the Ontario Economic Council report and what he intends to do to put that area into productive use.

These are some of the recommendations that the Ontario Economic Council, in force in 1947, made to forestry operator companies. I think this is perhaps what the minister is referring to in his remarks—a similar type of setup, although they will likely operate individually under an agreement directly with the government rather than through a licensee.

A good example of what government can do to help develop the forest industry to its full potential, and in that way develop those areas of the province that are dependent upon it, is the use of the hydro-electric rates as an incentive in the growth areas of the province. I would like to point out, Mr. Chairman, that my leader has recommended on a number of occasions that the Ontario Hydro rates in this province should be used as a tool in the economic development of certain slow growth areas. This has not been accepted by the government nor by the Hydro officials and now support for the recommendation of our leader has come from the Ontario Economic Council.

The council reports that it should be noted that within the past year, a major foreign pulp and paper producer is reported to have advised The Department of Lands and Forests that a planned expansion into this province had been cancelled because operations in Ontario would not be economically viable *vis-à-vis* other provinces, primarily by reason of hydro power rates. I would like the minister to answer that and indicate if this is so. This should be of great concern to the minister and it is this area that I referred to earlier in my remarks, when I said a total government policy must be looked at in regard to the development of our forest industry.

In 1967, over eight per cent of the electrical energy produced in Ontario was used by the pulp and paper industry. Prior to 1966, many of the pulp and paper companies in the province enjoyed long-term contracts with low fixed rates from Ontario Hydro. There was a phasing-out process, as I understand

it, and finally, in 1966, all industrial consumers of hydro-electric power in the province had electric power; not only hydro-electric power but others—were placed on the uniform rate. In effect, I would suggest, Mr. Minister, that Ontario has eroded the competitive position of the pulp and paper industry of northern Ontario in world markets. One pulp and paper company has indicated that between 1953 and 1959 its hydro costs, on a rate basis, increased by over 100 per cent. And the 1971 increase for most will be 36 per cent in excess of what they paid in 1968.

Has the hon. member got something to say there?

An hon. member: He is mumbling in his sleep over there.

Mr. R. S. Smith: Well, I am quoting the Ontario Economic Council. Maybe the hon. member is able to provide—

Mr. T. P. Reid: We would agree to let him in on the debate if he can shed a little enlightenment.

Mr. Chairman: The hon. member for Muskoka is singing has the floor.

Mr. R. S. Smith: Anyway, with the dramatic increases in rates and the discontinuance of long-term contracts, no new pulp and paper industries have developed.

Mr. Minister, I would just like to point out to you again. There has been no new pulp and paper industry developed in northern Ontario, and one of the reasons is because of the increased hydro rates.

Interjection by an hon. member.

Mr. R. S. Smith: He is still mumbling in the back seat there. Would you tell him to speak up or shut up?

Mr. T. P. Reid: It is the member for Muskoka (Mr. Boyer) in the back there; the member for Muskoka's fault.

Mr. R. S. Smith: The areas of the United States with which our pulp and paper industry must compete are provided with much lower rates than our producers. In Tennessee and in Washington state, the competitive position of the pulp and paper industry is enhanced because of a much lower rate than ours, and in Canada itself, it is thought that Quebec, Manitoba and B.C., who are prime competitors for markets, have had rates between 10 to 15 per cent lower than those of Ontario Hydro.

**Mr. T. P. Reid:** The member for Muskoka, did you hear that?

**Mr. R. S. Smith:** I would suggest, Mr. Chairman, through you to the minister, who we hope is the representative of the people of northern Ontario in the cabinet, that because of the high hydro-electric rates that are being imposed upon the northern industries in order to subsidize and provide similar rates in the southern part of the province, we are being discriminated against, and the one industry on which our economic growth has been built and will be built in the future is being held back by the policy of the Ontario Hydro and the provincial government in conjunction with it.

**Mr. T. P. Reid:** Resign!

**Mr. R. S. Smith:** How much hydro-electric power do you have from southern Ontario other than from Niagara Falls?

**Mr. R. J. Boyer (Muskoka):** We will deal with that when the Hydro estimates come up.

**Mr. R. J. Smith:** Oh, you are going to answer questions this year, are you?

**Mr. Boyer:** There is a great deal of hydro generation in southern Ontario, of course.

**Mr. R. S. Smith:** Specifically, Mr. Chairman, I would ask the minister six or seven questions based on the recommendations of the economic council.

Firstly, what steps have been taken by his department to initiate a greater degree of integration of wood supply for pulp and paper and sawmilling operations on an equitable basis in a specific area?

Secondly, are adequate licensing areas being made available to new forest-based companies wishing to establish in Ontario, and are the tenancies of present idle licences being reviewed and revoked where they are being used as a method of trafficking or where their idleness is tying them up when other concerns are prepared to step in?

**Mr. T. P. Reid:** That has to be answered in detail.

**Mr. R. S. Smith:** Third, are the present companies which hold licences being directed by the government to initiate proper policies in regard to silviculture and land management?

And fourth, since the minister has had the report of the economic council for more than

three months, has he requested of the government the establishment of electric power commission rates that could be used within the framework of the provincial policy of regional development? Specifically, has he discussed with cabinet a request for longer-term power contracts at a rate that will allow pulp and paper industries to be competitive in world markets?

Fifth, is there planned or has there been a revision in Crown dues imposed by the government in light of the competitive production of our forest industry?

Sixth, is there an overall study being conducted in regard to transportation facilities for forest products from our forest industries in the northern part of the province to the markets of southern Ontario and the United States?

**Mr. T. P. Reid:** You drove the member for Muskoka right out; he has gone to write out his resignation.

**Mr. D. A. Paterson (Essex South):** He has gone for a ride in the big, black limousine.

**Mr. T. P. Reid:** He is writing out his resignation.

**Mr. R. S. Smith:** If nothing else, it would save the province about \$10,000 a year if he resigned.

Has the minister broached the subject with the federal government in regard to the rationalization of the fine paper and pulp board industries to encourage export specialization?

These then, Mr. Chairman, are the basic questions that I would like the minister to reply to, and there are many other areas. I am sure we will be covering through different votes as they come up.

**Mr. Chairman:** The member for Thunder Bay.

**Mr. Stokes:** Mr. Chairman, this is the first year that I have had the privilege of leading off for the New Democratic Party on an assessment of the way in which The Department of Lands and Forests operates, whether or not it is putting the money to its best use in the interest of the people of the province.

I noted with a good deal of interest the opening remarks of the minister just before the dinner break, when he made reference to the fact that the department belatedly became concerned about the quality of the environment. He says one of the most important areas of public concern in the past

months has centred on the question of environmental quality.

I would have thought that this department and its employees and, indeed, this government, would have become concerned about the quality of our environment much earlier than just a few short months ago. I think it is quite evident that such is the case, that this department failed to become involved and concerned about the quality of our environment. Thus, a good many of the problems facing us today need not have taken place at all, had sufficient interest and concern been shown by different departments of this government and particularly this one, which is responsible primarily, I think, for the protection of the ecology and the quality of our environment in the province of Ontario.

I think that had this statement, or even this attitude, prevailed two or three years ago, a good many of the acute problems facing the people of Ontario—our commercial fishermen, our anglers and hunters, anybody who is directly affected adversely by a lowering of the quality, and things that are happening with regard to the ecosystems in the province of Ontario could have been avoided.

He has also belatedly stated that the dollar sign should not be the overriding factor in the use of our natural resources. It has become quite evident of late that as a result of our preoccupation with the almighty dollar and the indiscriminate exploitation of our resources, a lot of these abuses and misuses have fallen down around our heads and we find ourselves having to take emergency measures, not only to rectify a lot of the problems that are facing us today, but to the extent that we have to take emergency measures just to protect our own very lives. I suggest, Mr. Chairman, to this minister, that we do not have too much time in order to correct many of the misuses and abuses that have been perpetrated on our resources in years gone by.

The minister goes on to state that:

A large number of departments in the provincial government are concerned with this very important issue. Responsibilities for certain specific aspects of environmental qualities lie outside The Department of Lands and Forests.

He says, for example:

Responsibility for air and water pollution and waste management rest with The Department of Energy and Resources Management. The importance of these aspects of environmental quality to the work of this department is rapidly apparent when you examine the impact of pollution on our major activities. The production of fish, wildlife and forest resources, and the provision of outdoor aesthetics in recreation can be severely impaired by pollution of the natural environment.

What else is new? We have been saying in this party for a good number of years all of a sudden The Department of Lands Forests comes to the conclusion that a good many of the things that are happening around us today, and the abuses that we have subjected our resources to in days gone by, had an adverse effect on the quality of and the life of those resources that we have exploited indiscriminately in the past. He goes on to state a little further on:

I would like to state that the department have been and are active in the monitoring of fish populations throughout the province. Because we are involved in management and research on both the commercial and sports fisheries we have been able to do a thorough, systematic job of sampling.

This sounds to me like a lot of window dressing. Had the kind of activities taken place that the minister suggested in his opening remarks, I do not think that it would have been necessary to close commercial fishing in the lower portions of the Ottawa and the St. Lawrence Rivers. I do not think it would have been necessary to restrict or close fishing in parts of the Kenora district. I do not think it would have been necessary to close fishing in western Lake Erie and the southern part of Lake Huron.

If this department, in concert with other departments of government, had concerned itself with what was taking place by industry by municipalities and by the public, generally to spoil our environment by polluting rivers and streams, I think that millions of dollars could have been saved that must be spent now to rehabilitate the hunting and fishing in the province of Ontario, and millions of dollars which must be spent now on pollution abatement equipment by industry would have come much cheaper had it been done at an earlier point in time.

He also goes on to state:

Routine tests by department staff indicate problems may exist in some lakes so further intensive work is done. For example, water samples may be sent to the Ontario Water Resources Commission from locations where a possibility of pollution requires a water quality check.

I would like the minister, when he has the chance to respond, to indicate to me and to the House when any officers of his department have ever taken water samples, put them on to the OWRC and demanded that they take action against polluters. I asked last year if he would look into the pollution that was taking place by a certain pulp paper mill in northern Ontario. In fact I think it was in his own riding. A year later I am told by The Department of Energy

Resources Management that this company is finally being put on a programme.

I think that if this department had concerned itself with the activities of the pulp and paper industry and other polluters of our rivers and lakes in the province of Ontario a good many of the problems facing us at the present time could have been averted and avoided.

He also stated that the department is responsible for regulation of water levels and flows over much of the province. Proper water levels at spawning time are critical to the maintenance of our fish species. I have brought this point to the attention of the minister; I have brought it to the attention of the chairman of Ontario Hydro; I have brought it to the attention of the vice-chairman of Ontario Hydro who is busy reading a paper at the present time.

I brought to his attention the fact that diversions of water on the Ogoki Reservoir were having a very adverse effect on fish-spawning grounds in Lake Nipigon. Fluctuations of water in Lake Nipigon caused siltation problems which adversely effected the spawning beds of the world-famous Lake Nipigon trout. Nothing has happened.

I also brought to his attention the fact that these fluctuations in water were having an adverse effect on the shoreline of the Gull Bay reserve on the west side of Lake Nipigon. Nothing has happened; the condition is still there. In fact, the problem grows steadily worse and yet the minister admits that the department is responsible for regulation of water levels that flow over much of the province.

The department undertakes a number of activities aimed directly at pollution control on Crown lands, says the minister. I have done a detailed survey of the activities of this department over the past three years and I do not know—maybe it is because I am not too observant—but I do not know of any action taken by this department or anybody in the department that has contributed significantly to a clean-up of pollution anywhere in the province.

He also said it is essential that the quality of our natural environment is maintained when all of these uses are accommodated on our public lands and waters. I do not know of any specific activities that are going on where it is possible for a sportsman to go out and fish anywhere near where effluent is dumped into our lakes and rivers by any major operator in the pulp and paper industry in this province.

I asked the minister two or three days if he would concern himself about the quality of effluent that was being dumped into Lake Superior, along the north shore, as a result of the activities of three or four pulp and paper companies. He said that he was aware that samples were taken on a continuing basis, but he was not prepared to say what the results of those samples were and really was not in any position to state whether or not it had an adverse effect on the aquatic life in Lake Superior, which is really the only Great Lake in the province of Ontario that is really a lake where close to its natural state, where you can go out and take a drink of water out of it without any fear of becoming ill.

It is the only massive water area in the province that still has a good deal of its original quality of water left. It is springing to a large extent, and I think that it is fortunate that this department concerned itself more directly in the quality of our environment and the quality of the water that we have in our lakes. It would be interesting to note how many of the 250,000 lakes that do have in Ontario are free of the ravages that man has inflicted on a good deal of our water resources in this province.

I would like, Mr. Chairman, to get in some of the remarks that I had prepared for this occasion. A good many of the things that I wanted to cover have already been alluded to by the member for Nipissing, and one of the first things that I would like to draw to the attention of the House and the minister and his staff, is land use, sale and acquisition.

During the past two years, when I had had an opportunity to speak to the estimate of this department, I drew the minister's attention to the need for the proper management of our land resources in the province of Ontario. On a previous occasion, the minister mentioned that there was a very close liaison between himself and various other ministers of this government to assure the people that the best use possible was being made of available land in the province of Ontario. He stated that there was a very close liaison and co-operation between himself and the Minister of Energy and Resources Management (Mr. Kerr) and the Minister of Agriculture and Food (Mr. Stewart) in the wisest use of the land in the province of Ontario.

It is interesting to note that the Ontario Institute of Agrologists have just made a proposal to the Ontario government, on March 26, 1970, where they state: "It is essential that a land-use policy be implemented in the province of Ontario." They propose a pro-

cial land planning agency to designate uses of land as guidelines for regional planning organizations; in turn, these organizations would work within these guidelines to investigate the alternative uses of their lands.

They also state that the public must be allowed full participation in planning decisions which may affect them and that land-use plans, developed by such an agency, must be implemented promptly by the appropriate department of government.

The minister has stated for the past two years that they really had one all along and that things were working out quite well. I think that from the debate in this House over the past several months, with regard to the acquisition of lands along the Niagara Escarpment, where a good many of the aesthetic qualities of different phenomena in the province of Ontario are eluding us, it can be seen they are getting into the wrong hands. They are being used for purposes for which they are not ideally suited; where we are using a good deal of our arable land for transportation corridors, for communication corridors, for uses, really, that they are not suited for.

It is common knowledge that we only have about a 60-mile-wide band of arable land in the province of Ontario and a good percentage of what is being pre-empted at present by uses which could very well be put elsewhere, and I am talking about transportation corridors; I am talking about industrial complexes and housing complexes, which could be located elsewhere in the province. It is always very, very disconcerting to a member such as myself coming from northern Ontario where we have such large expanses of land in one of the most sparsely populated provinces—in one of the most sparsely populated countries—on the face of the earth today, and yet we have people who are complaining about the fact that they have to spend \$17,000 to get a serviced lot. How ridiculous can we be when we are not able to arrange our daily lives and our economic, our social, and our industrial activities, any better; when we have to spend \$17,000 for a serviced lot; where we are building row houses where there is no need at all to jam people in together when we have such large expanses of land remaining where people could enjoy a high quality of life in the province of Ontario?

I am suggesting to the minister that he really become involved in a meaningful way with the proper use of land and putting such land to the purpose for which it is best suited

and where it will provide the greatest amount of return to the people of the province of Ontario, thereby improving the quality of life.

I would like to allude, just briefly, Chairman, to another problem that touched on by the member for Nipissing is a question I have raised for the past years in this House and it has to do with land that was allocated to the Algoma Central Railway. I have had considerable correspondence with the minister on this and I wrote to him again some months ago and asked specific questions about that intricate and complicated deal. I did not get the answers from the minister but he said that due to the fact that a good many of the problems I had raised were very complicated perhaps we should sit down and talk about it some time.

We have not yet had an opportunity to sit down and talk about it, so here I am raising it with the minister. I do not intend to take any great deal of time at this moment but I would like to draw the minister's attention to an article that appeared in the *Sault Ste. Marie Star* on Saturday, April 11, where the annual report of the Algoma Central Railway was written up. I would just like to show the House how generous this government is to the companies which happen to be in the business of this particular government and that particular department.

Their earnings for the year 1969 were 51 cents a share and the net income—after provision for income tax, but “before inclusion of”, then in brackets, “(special item)”—\$1,650,000, compared to \$2,045,000 in 1968, a decrease of 19 per cent. Earnings per common share were 51 cents, compared to 63 cents in 1968, and dividends totalling 31 cents per common share were declared. The company paid “after including the special item which arose from the donation of the company's interest in certain lands to the province, income for the year was \$4,619,000 or \$1.10 per share.” Enough said. That is how generous this department and this government are to their friends.

I would just like to refer briefly to another problem that is arising with regard to the proper use of land and acquisition of land and sale of land in the province of Ontario. I would like to draw the attention of the House to an article that appeared in the *Monday, May 4*, edition of the *Toronto Telegram*. I quote:

From coast to coast in Canada, a goodly number of American grab for vacation, retirement

investment land is on and mushrooming rapidly. Uneasiness among governments and even private real estate officials is growing because of the almost total lack of laws to prevent nonresidents from gobbling up this country's best vacation properties,

It went on to say that:

The Minister of Lands and Forests said, "The Ontario Government is considering improving restriction on the purchase of lands by nonresidents."

I hoped that the minister's opening remarks would have indicated that something was being done with regard to a curtailment of purchases of land by nonresidents but I understand that I was away off the mark.

He is going to bring in some kind of legislation with regard to the quality of life, I think it is, in the province of Ontario. I do not know what it is going to be, but I would have hoped that, as a result of this announcement, he would have brought in some kind of legislation that would have prevented foreigners from gobbling up large amounts of land that should be retained for the people of Canada and the province of Ontario. There are no restrictions now, but it is being actively considered and there could be legislation at the present session of the Legislature. Perhaps the minister might care to deal with that a little later on.

Americans hold large amounts of vacation property in the Muskokas; some have been there for 60 years, but such areas are now almost saturated. They also are the main vacation property owners in the Kenora-Rainy River areas of northwestern Ontario.

I happen to be a member of the recreation and land use planning committee of various forest districts in northern Ontario, one of them being the Port Arthur district, where we were charged with the responsibility of coming up with some recommendations to the minister on the best use possible of the border waters canoe route—that is the border between Minnesota and Ontario. It was interesting to find that of any property that had been alienated from the Crown in years gone by, 95 per cent of that amount was in the hands of Americans.

So that even in northwestern Ontario, which is very sparsely populated and which, to the present time, has not attracted tourists in large numbers such as you have down here in the more accessible and more heavily populated areas of the province, the same thing holds true. In that area, 95 per cent

of land that does not belong to the Crown belongs to Americans.

Along the border waters canoe route—the half-mile stretch that separates the state of Minnesota from the state of Ontario runs from Pigeon River to Quetico park, up into Rainy River—

An hon. member: The province of Ontario not the state.

Mr. Stokes: The province of Ontario the state of Minnesota. Right.

Another interest of Americans is to buy farms as an investment, rather than to operate them. They would sooner buy a straight acre of land and sit on it for a speculative price.

All I am suggesting to the minister is while there is still time, he had better bring in some kind of legislation, legislation as been introduced in the province of British Columbia, where they state that nonresidents are not able to acquire land in the province of British Columbia. Even the province of Nova Scotia has insisted that landowners be registered; that is, so that you know who the rightful owners are and how the state of things in their own province.

So I am suggesting to the minister that it is high time that he started lowering the boom on foreign people coming in to acquire a good deal of our vacation property. And I would just like to quote from the British Columbia Act, which states that:

No person who is not a Canadian citizen within the meaning of The Canadian Citizenship Act, and whose application for a disposition of crown land has not been allowed prior to the coming into force of this Act, shall be entitled to a cash grant.

It is happening in other jurisdictions; we realize what is happening to their land. I suggest to the minister and to this department that something be done and some action be done fast.

I would also like to ask the minister what were the results of a rural landowners' study that was conducted by The Department of Lands and Forests, when he asked a representative group of people—landowners in the south of the French River—questions pertaining to natural resources management, which covers wildlife, fisheries, timber, recreation and general land use—all this was included in the questionnaire. That was taken, I think, about a year and a half ago; I have not heard the minister mention anything about it. But it would be interesting to find out

what were the results of that and what conclusions the department has come to with regard to the wishes of the people with regard to the use of our land.

Mr. Chairman, I would like to get into the question of forest management and revenues accruing to the province as a result of our forest activity in the province of Ontario.

In our vigorous drive for ever greater prosperity during our comparative brief 100-year history, we have been governed in our activities only by the basic business precept of maximum immediate financial return upon our exploitive ventures.

It cannot be said that we have wasted our profits upon aesthetics or any activities which did not assure lucrative, quick returns upon the outlays required. It is only in the past few years that it has come forcefully to our attention that we have neglected to pay the full price of the affluence which we have enjoyed. The consequences of the "fast buck" philosophy, which has prevailed across the province, are now becoming so apparent that serious thought is finally being given here and there to the legislative and physical measures which must be implemented, if we would remedy the neglect and ignorance of our past performance.

Aside from the more obvious criteria of our past neglect, there is another problem which is not apparent and about which the public is largely ignorant. This problem is found in our rural areas and relates to the condition of one of our renewable natural resources and that is our forests.

In another country a forester described this problem as "the quiet crisis". This, I think, is an apt description of what we have confronting us. It may seem strange to you that there should be raised any question as to the condition of our forests, because to the casual observer the district seems to be almost entirely covered by forest.

From time to time across the past century there have been voiced predictions of timber shortages or famines in this country and we have been persuaded by the authorities that all was well in the woodlands. No such assurances today, however, can overcome the current actual shortage of such valuable woods as walnut, black cherry and white pine in the southern part of our province, species which have been almost exterminated in some areas; first, through the land clearings of the settlers and subsequently by logging unaccompanied by any effort at encouraging their regeneration.

In northwestern Ontario, there flourish pine, coniferous forests of black and white spruce and white pine, both in pure stands and in mixtures with the less valuable balsam fir, white birch and poplar. Less than a century later, what can be found over most of the area? As a result of the relentless pursuit of the spruce and pine with which we feed the pulp and sawmills, as well as our abortive attempt at farming, we have not succeeded in causing the disappearance of most valuable conifers.

To give you some example of what I am talking about, I am going to restrict my remarks to a 50-mile area surrounding two lakehead cities, which are now known as the city of Thunder Bay.

Within a 50-mile radius it is estimated that at least 300,000 acres of patented land is occupied by junk forest. This is a forest composed largely of off-site, defective poplar, white birch; of scattered patches of balsam fir, jack pine and occasional spruce; by an extensive thicket of alders, hazel and other shrubs. In addition to the area we add the many thousands of acres of municipal and Crown land in the same condition, we can fairly assume that we have in the district at least 500,000 acres of comparatively idle forest land.

Anyone who doubts that these conditions exist should take a slow, extended drive on a township road, noting the endless miles of defective, slow-growing poplar; the marginally productive fields; the dozens of abandoned homes and farms; the deserted fields slowly being occupied by shrub; the shacks which pass for the dwellings of those who are attempting to subsist in our rural areas. He will, perhaps, begin to apprehend the consequences of our abuse of the land and the unhappy portent for the future if we go on as we are.

**An hon. member:** You had to drive slow with all those potholes.

**Mr. Stokes:** Right. Now these conditions which I have described have developed because we have not, by any stretch of imagination, been managing our forests to ensure their future total productivity on either public or private land. So we have depleted and declining forest resource.

Now, what should we do about it? I must conclude, I think, that the economy of the north will continue to depend for many years upon the utilization of our natural resources and particularly upon our forests. Whether we like it or not, we shall



hewers of wood and drawers of water, provided that we shall have the wood to hew.

I have described to you the condition of our forest lands following many years of exploitation. Clearly, if we are to depend upon them to provide some part of the affluence of the future, positive steps must now be taken to bring them under intensive forest management.

Mr. Chairman, that goes to show you the neglect that has been prevalent with regard to forest industries and our forest resources in the province of Ontario, a condition that has been growing steadily worse. When one considers the demand there is going to be for our forest products—which they say will likely double by the year 1980, and likely quadruple by the year 2000, if we are going to maintain our relative position within world markets and domestic markets—we are going to have to get with it and demand more realistic management of our forest resources.

I would like to quote briefly from words written or uttered by the late John F. Kennedy. He said:

In the quiet crisis, we must expand the concept of conservation to meet the impervious problems of the new age. We must develop new instruments of foresight and protection and nurture in order to recover the relationship between man and nature and to make sure that the national estate we pass on to our multiplying descendants is green and flourishing.

He said that:

I hope all Americans understand the importance of this effort because it cannot be won until each American makes the preservation of the beauty and the bounty of American earth his personal commitment.

It is significant that Kennedy wrote this about the same time as his challenge to put a man on the moon. Man has done this. It is now time for man to meet his challenge for natural resources.

In this connection I would like to refer, Mr. Chairman, to a professional foresters' seminar in Thunder Bay on November 26, 1969, wherein a professional forester by the name of Mr. Hanley said:

In order to administer and manage our renewable resources successfully, a more meaningful dialogue must take place between people concerned; the manager and his staff, the supervisor and the supervised. Based on findings of the behavioural sciences, the proper motivation and in-

volvement of people in their work should be of greater concern to the manager.

Indeed, the personnel director of this department whose estimates are before us, Mr. Taylor, speaking on behalf of The Department of Lands and Forests, also stated:

A forester in the service of the government must broaden his professional skills beyond the timber production level. He must become a manager of all renewable resources in order that they may fit the multiple use concept. By communicating with others he must design and create an environment for all segments of society in the province.

I think those are very wise words, Mr. Chairman, and I would hope that the minister would heed them and take some concrete action to make sure that these policies Mr. Taylor enunciated are implemented.

I would also like, Mr. Chairman, to refer to the state of our forest industry as enunciated in a forest policy for Ontario by the Ontario Economic Council. The report for Nipissing did touch on some of the items, and I will not bore you by reiterating what I had intended to say on that particular subject, but a few of the things that I omitted I think are worthy of mention and should be put into the record with regard to this department should be doing to encourage greater use, greater utilization, of our forest resources for the people in the province of Ontario, particularly where so many people in the northern four fifths of the province are dependent upon this resource that we are speaking about.

They talk about the 105 million acres of productive forest land and they state that even today, within certain sectors, regrowth and overcutting appears to be taking place in certain species, as for example, black spruce. They also state that our total productive forest areas—90 per cent of which is held by the Crown, virtually all in the right of Ontario and 10 per cent patented private land—exceeds about 105 million acres in three distinctive forest regions in the province of Ontario.

When one considers that two thirds of our forest product—that is the allowable cut of the province of Ontario is going unused—it is high time that this department sat down and took a realistic look at where it is going.

I think it is high time that this department faced the fact, as was mentioned by the member for Nipissing, that not one new

and paper mill has been established in the province of Ontario since 1948.

I think that this department also must face the fact that 44 per cent of the allowable cut in the province of Ontario is in mature and overmature stand. I think it was the Brody Report that stated that an ideal balance would be about one third in mature, about one third in medium growth state and about one third in new growth.

When one considers the hundreds of thousands of units that are becoming overmature in the province of Ontario as a result of the way that we have handed out licences in the past, it becomes quite obvious that we must rethink our whole position with regard to the issuing of licences and in coming up with programmes that will foster the kind of development that is possible when we consider that the unused allowable cut in the province of Ontario at the present time will support six new pulp and paper mills as large as, or larger than, any we have in the province at the present time.

These figures become much more significant when it is realized that the surplus conifers alone, some five million cords, are in excess of total current annual consumption of pulpwood and could perpetually sustain the operation of several new mills as large as, or larger than, any in operation in Ontario.

As an addendum to that they state that U.S. Chamber of Commerce figures which could be equally relevant for Canada, show that a pulpmill with 600 new employees and 600 loggers, will create for a community a 3,590 increase in population; 910 more school children; \$7.1 million more in personal income; 1,000 more households; \$2.29 million in additional bank deposits; 30 more retail establishments; 970 more passenger cars; 650 more employed in nonmanufacturing, and \$3.31 million more in retail sales tax per year. And that is one mill, and the unused allowable cut in the province of Ontario could support at least six.

So what more need I say, Mr. Chairman, when I say that we are just not managing our forests wisely and we are not getting the maximum benefits from the forest resources in the province of Ontario.

Sure, some of you will say that it was the market problem that caused the dilemma that we are facing. But we are up to about 90 per cent of capacity in the pulp and paper industry in the province now, and it is common knowledge that we do enjoy a steady increase, year after year.

When one considers the number of pulp and paper mills that have been established elsewhere in Canada, particularly in Quebec and in British Columbia, it becomes obvious that there is something wrong with the system in the province of Ontario when we have overmature stands that are rotting, are being, are becoming diseased through insect infestation. For any number of reasons we are allowing it to go unused and I think it is a disgrace.

I think it is time that this government came up with plans that will foster the kind of economic activity that is so badly needed in the northern half of our province, based on a resource that is there for the asking. It can be exploited and will restore the forest resources to the healthy condition that they should be in, and it will accrue to the benefit of the people in the province.

**Mr. W. Ferrier (Cochrane South):** You do not think now that this government will come up with that kind of a policy, do you?

**Mr. Stokes:** They have until when, the spring of 1971 or the fall of 1971 to put themselves, at which time somebody else will take over.

**Mr. R. M. Johnston (St. Catharines):** You told you that?

**Mr. Ferrier:** Until 1972?

**Mr. S. Lewis (Scarborough West):** You want to hold on to Cochrane North a little longer, do you?

**Mr. R. M. Johnston:** Do not start to drift now.

**Mr. Stokes:** There are a good many recommendations put forward by the economic council and I am sure that the Minister of Lands and Forests has read a good many of them. As a matter of fact, he was good enough to send me a copy of a speech he made to the Ontario Lumber Manufacturers Association on April 28, in which he dealt with a few of the things that had been dealt with in the economic report.

One of the things that concerns me is the fact that this department pays lip service to the concept of integrated logging, but it really does not do anything about it.

A spokesman for a company with extensive logging operations in the Lakehead told members of a seminar at Lakehead University in March that multi-product integrated logging was a better solution to problems of timber

utilization than upsetting the present land tenure system. I think the minister agrees with that.

Over the years, various studies have recommended that any forest operator who does not use all the mature timber stands available on his forest limits, should lose those limits and his cutting rights. Tree species and sizes suitable for making veneer, for example, are not usually suitable for making the pulp required for making the paper and paper products. There are problems.

A better solution, a spokesman told the university audience, would be a system which encourages various operators with various specialities to work together and draw from the raw materials the wood each needs from the particular timber stand being harvested. The establishment of wood-using centres is not a new concept and to serve such centres integrated logging is the answer.

The Brody report went on at some length to talk about integrated woods operation. As a matter of fact, I think the Kennedy report, back as early as 1948, proposed the same thing, and yet we are still playing around with the same antiquated idea of harvesting our forest resources.

I even go back to another source, "Forestry Tenure and Taxes in Canada". It was put out by the Canadian Tax Foundation in 1957. They make an analysis of the forest products industries right across the Dominion of Canada, and they come to certain conclusions. One of them was the manner of disposition of Crown timber to serve the goals of optimum utilization of the existing stock of the mature timber which we are not doing; optimum utilization of forest land in the production of timber which we are not doing; realization of other aims which are usually grouped under the heading of conservation deemed desirable by provincial government, and capturing for the Crown the value of its natural resources.

We have had any number of studies, any number of surveys, and they all come up with the same conclusion, and yet we seem to get no action, nothing of a positive nature from this particular department.

The only report that has come out that was favourable—

**Mr. R. M. Johnston:** There is only one answer: good forest products.

**Mr. Stokes:** The only survey that has come out—

**Mr. J. Renwick (Riverdale):** And a new minister.

**Mr. Stokes:**—in the last number of year which tried to highlight the importance of the forest products industry in the province of Ontario, was the Hedlin-Menzies report which we dealt with at some length last year. Even that stated that six out of ten jobs in the forest industry were lost elsewhere than where the resource was taken from, that is, the raw material. Of 10 jobs in the province of Ontario created by the forest products industry, six of them are in southern Ontario. When you had the mass exodus of people from northern Ontario for the want of job opportunities—

**Mr. Ferrier:** Exploiting the north.

**Mr. Stokes:**—it makes one wonder—

**Mr. R. M. Johnston:** They are smart. I know where the action is.

**Mr. J. Renwick:** That will cost you a couple of more seats.

**Mr. T. P. Reid:** You come up to the north and we will show you some action.

**Mr. R. M. Johnston:** No way. I have no desire whatsoever. I live in God's country.

**Mr. Lewis:** No, no. Do not interrupt Mr. Chairman.

**Mr. J. Renwick:** We want to get all the interjections down.

**Mr. Lewis:** We want to send this *Han* around to a few hundred thousand people.

**Mr. J. Renwick:** What few Tories remain in the north, we would like them to have.

**Mr. R. M. Johnston:** There are good Tories there.

**Mr. Lewis:** The only good Tory is a—

**Mr. T. P. Reid:** They are all in Polar park right now.

**Mr. R. M. Johnston:** That is the last resort.

**Mr. Stokes:** I would like to deal briefly with Mr. Chairman, with the statement of revenues as opposed to expenditures of this department. It is common knowledge that the department spends about \$20 million more than it gives or take a million, than it actually brings in. We have, in this province, an abundance of natural resources. Some of them are of the mineral variety; some of them are of the forest variety; some of them are of the water variety.

**Mr. R. M. Johnston:** Give it away.

Mr. Stokes: I think that more jobs are created in the province of Ontario as a result of our activities in the forest products industry than in any other resource. Yet we find it necessary to spend \$20 million to keep that industry going—\$20 million more than we actually take in. It makes you wonder.

In the past year, our revenues from the forest products industry were about \$27 million—at a time when, for forest protection and for the timber branch, for the ranger programme, for firefighting equipment, for basic organization, we spent \$47 million, which meant that we had an excess of expenditure over revenue of \$19.9 million.

I am just wondering, Mr. Chairman, whether the people of the province of Ontario are aware that we are unable to at least break even on the forest resources in the province of Ontario.

I suggest that this department and this government, particularly the Treasury of this government, should sit down and look realistically at whether or not the people of the province of Ontario are getting dollar value as a result of the exploitation of the forest industry in the province of Ontario.

As in the case of revenue from mines, the Smith committee felt that revenues should not be related to cost, but rather the province should frame its policies so as to obtain the best possible long-term return from its forest and other commercial resources, subject only to the limits imposed by such considerations of public interest and the need to preserve scenic beauty and recreational areas.

Unlike the analysis of the revenue from mines, the committee failed to go into a detailed analysis of the appropriate rate of return for the use of the province's forest resources. They really have not come up with a solution to the problem of how we are going to get a fair return as a result of our activities in the forest products industry. Really, I am not competent to do so myself, but I think that there is enough evidence to prove that companies who are given these large land holdings should be forced to manage the total licence area in a way that the maximum benefits will accrue to the people of the province of Ontario, where they manage it realistically on a sustained yield basis, using the maximum of allowable cut, and become responsible for regeneration and reforestation, as they do in other jurisdictions.

I think it is common knowledge that every time somebody cuts a tree down in British Columbia, he must plant four others. In the province of Ontario we are not even keeping

up with the annual cut—that is, the reforestation—let alone doing something meaningful to take care of the huge backlog that built up over the years. All I am suggesting is that I think that there need be a comprehensive reappraisal by this department of ways and means at least to break even on its operations rather than to operate the forest aspect of this department at a \$20 million annual deficit.

Another topic that I would like to get Mr. Chairman, is the fish and wildlife branch of this department and the fish marketing board. Last year the minister, in concert with his counterpart over in Ottawa, decided in their wisdom that it would be in the interests of the commercial fishermen in the province of Ontario to market their fish through a board, which would upgrade the quality of the fish being sold on the Canadian and the continental market and thereby bring greater returns to the fishermen. In the feedback that I have been getting from commercial fishermen in northwestern Ontario, I find that such is not the case.

I have had several conversations with representatives of this department who represent the commercial fishermen on the fish marketing board, and I am told that our fishermen are not too happy. I am told that a meeting was held in the little fishing community of Macdiamiid the day before yesterday, which time representatives of The Department of Lands and Forests were there, along with representatives of the fish marketing board and a good many of the commercial fishermen, and I would like to quote part of the April 11, 1970, price list:

They were getting 52 cents a pound for whitefish exports, dressed; and, one month later, that is on May 11, it was reduced to 40 cents. Whitefish continental, dressed, jumbo, or over four pounds—one month later it was 40 cents; the price the day before yesterday was 34 cents. For three to four pounds, it was 30 cents, then down to 25 cents. Pickerel a month ago was selling for 50 cents; today it is down to 38 cents. Trout—which is a top-quality fish and which a commercial fisherman who happens to be a friend of mine fishing on Superior gets 50 cents the year around guaranteed right at the dockside—one month ago they were getting 36 cents in Thunder Bay; today they are getting 32 cents a pound. Now you just try to buy Lake Superior trout anywhere for 32 cents a pound. Better than that, go up and tell the fishermen—the commercial fishermen—that the

getting a better deal as a result of the activities of the fish marketing board.

I would like to read a letter in that connection from Gull Bay, where the economy of an Indian reserve is almost totally dependent upon fishing.

Last winter pickerel was 80 cents; medium whitefish was 45 cents; lake trout was 80 cents; and jacks were 16 cents a pound—this f.o.b. at the plant. It means clear money on price of fish. I ship fish to Toronto and Montreal lots of times. The f.o.b. plant pays for free. The cost of gas is very expensive, which is 60 cents a gallon. Also Skidoo oil, \$1.45 a quart. The head office is in Mantoba, plus I have seven children to feed and clothe which are all of school age excepting for one. With this marketing board I cannot get nowhere.

This is an Indian chap on the reserve up there. He says:

All the cheques I receive I share half with my brother. Please check the fish markets in Toronto or Montreal—see what the prices are. The Lands and Forests came and promised us that they are going to get rid of the middleman and that we fishermen would get full price of fish. I think the government is the big middleman now. The Lands and Forests did the same to the trappers in the year 1945. Now there are hardly any trappers. Always promising, never doing.

I am sure that the minister would like to speak on the operations of the fish marketing board. All I would like to say to him is that the fishermen I talked to are not happy with it. I suggest that possibly we had better sit down and re-assess our position with regard to the operation of the fish marketing board.

I would like to refer to the way in which we are managing our fishing resources in the province of Ontario. I know that we have had several meetings with the minister with regard to the way that our fisheries are being exploited by fly-in tourists in northwestern Ontario—how our fish and wildlife regulations are being abused, such as the case where your conservation officers intercepted a group of Americans taking in excess of 700 pickerel fillets across the border from Ontario to the U.S.

The minister has assured us in the past that he is trying to enlist the aid of more conservation officers to see that the game and fishing regulations are lived up to. We hope to get into that later on.

But I would like to draw the minister's

attention to a pamphlet that was put out by the Michigan Department of Natural Resources fish division, and they call it the Great Lakes zone management plan. I am not aware of any such plan in the province of Ontario as it applies to the management of our Great Lakes, but in a series of questions and answers they explain the operation of this zone management plan.

The basic idea is that you divide a tract of land or water into areas or zones and then manage each according to its special problems and needs. Actually the idea is far from new to Michigan. The state historically has been divided into three management zones for game management. There are presently 98 different deer management units in Michigan. Inland lakes and streams have been zoned according to the kind of fish in them, and different management methods applied to each type. Now the zone management approach has been extended to the Great Lakes.

Why was it done?

Approval of the zone management plan followed more than three years of intensive study of the Great Lakes and their problems by Department of Natural Resources' biologists. It was decided that zone management offered the best chance to restore badly depleted Great Lakes' stocks to their former levels of quality and abundance, develop the lakes' tremendous sports fishing potential and preserve fast-disappearing commercial fishery in some form.

What is the legal basis for zone management?

The Legislature has granted the department and commission broad authority to manage the Great Lakes fisheries in the best interests of the public. A nine-member advisory committee has been appointed by the governor to advise on Great Lakes problems.

Is Great Lakes fishing in bad shape?

They say a series of disasters has plagued the Great Lakes. The uncontrolled commercial fishery, invasion of sea lamprey, virtual extinction of lake trout, the alewife plague, pollution, pesticides and other problems all combine to create a sad situation. High value fish dwindled and low value fish replaced them. Something had to be done.

What has been done?

The lamprey control programme, begun in the 1950s was the first major rehabili-

tion step. Lake trout restocking is another. Then came introduction of coho and chinook salmon and plants of other species such as steel heads and brook trout. Zone management is the next major step.

They go on to say how many zones there are, and I will not bore you with that, but one particular thing that intrigued me was—

**Mr. T. P. Reid:** Why stop now?

**Mr. Stokes:** —what will be the effect of zone management on commercial fishing?

The plan will allow approximately 250 fishermen to qualify for licences in 1970 and catch an estimated \$2 million worth of fish. This will be a step toward stability in the industry. Thus zone management will help, rather than hurt, those who remain in the industry.

What about the future of sports fishing in the Great Lakes?

The potential is tremendous. The sport catch in the Michigan waters of the Great Lakes could in time exceed 30 million pounds annually of such species as trout, salmon, perch, walleye, pike, smallmouth bass and smelt. There is a good sports fishery in some places in the Great Lakes right now, and it involves more than coho and chinook salmon.

**Mr. V. M. Singer (Downsview):** Is there not some law against that?

**Mr. Stokes:** Quoting:

Sport trolling for lake trout is better than the good old days in some spots.

The person who sent me this, who happens to be a Canadian and who is involved in the tourist industry along the north shore, took advantage of the opportunity to go fishing there himself and was really impressed by it and asked me to bring it to the minister's attention.

Another thing that I would like to mention briefly is the meetings of the standing committee on tourism and resources, at which time we told about varying problems that were concerning people regarding fish and wildlife management—any number of problems that there have been—and I would like to call the minister's attention to the unfair advantage that American outfitters have in supplying equipment to tourists entering Quetico park. I am sure that the member for Rainy River will have something to say about that later on.

**Mr. T. P. Reid:** Probably.

**Mr. Stokes:** But it was recommended the Canadian Transport Commission, Department of Lands and Forests and Department of Tourism and Information and attempt to resolve this problem.

What was that interjection?

**Mr. Singer:** How many more pages?

**Mr. Stokes:** I am not doing it by page, I am doing it by programme. And if you do not want to listen, I sat here all afternoon waiting to get on with these estimates—

**Mr. Singer:** Did you?

**Mr. Stokes:** —while you were battling a few paltry dollars between North York and Scarborough. Now, if you do not want to listen to me, you can beat it.

**Mr. Singer:** Thank you very much. I have been on for three hours now.

**Mr. Stokes:** I have not been on as long as your colleague, and I will be on as long as it is necessary to say what I think must be said.

**Mr. Lewis:** Right.

**Mr. Singer:** That is very good.

**Mr. Stokes:** And if you do not like it, you can just scram.

**Mr. Singer:** I do not like it, but I will scram.

**Mr. Stokes:** I am not a bit impressed by your interjection.

**Mr. T. P. Reid:** Is that parliamentary, Chairman?

**Mr. Singer:** My goodness, you are screaming tonight. Did you lose your place? Page 7.

**Mr. Stokes:** Another area that I would like to discuss, Mr. Chairman, is the fact that hunting and fishing licences and access to parks are having an adverse effect on our senior citizens. I think it became quite obvious that the majority of the members of the committee on natural resources and tourism felt that the \$3 fishing licence that was imposed upon our senior citizens, and the cost of access to our provincial parks for our senior citizens, was an undue burden on our senior citizens and they voted in favour of abolishing those for our senior citizens.

The minister said he would take it under advisement. He has not made any reference to it in his opening remarks, and I v

hope that at some time during the estimates he may be able to tell us just what his intentions are in that regard.

I did intend to spend some time on parks and recreation, but because the member for Downsview is becoming a little bit touchy; he is a little bit tired; he is becoming a little bit cantankerous—

**Mr. Singer:** Well, I achieved some purpose if I am shutting you down.

**Mr. Stokes:** However, I do want to refer briefly—

**Mr. Singer:** No? I thought I had made an impression.

**Mr. Stokes:** —to the minister's remarks, when he issued a statement with regard to the establishing of Polar Bear Provincial Park, where he states that:

These natural resources will be reserved from exploitation, except in respect of our continuing recognition of the traditional hunting, fishing and trapping rights of the Indian people in that general area, none of whom are resident within the park.

Now that is no longer true because—

**Hon. Mr. Brunelle:** Those were the old boundaries again.

**Mr. Stokes:** Those were the old boundaries. That is right, so that—

**Mr. T. P. Reid:** Oh, that is the reason?

**Mr. Stokes:** Yes.

**Mr. Singer:** There were polar bears, too, were there not?

**Mr. Stokes:** The observations he made when he made his initial announcement are no longer valid, and I think that the member for Riverdale asked a series of questions of the minister within the past week wanting to know whether there had been proper consultation and what the nature of these consultations was, and whether the best interests of the Indian community of Winisk were served at that time.

When he finally gets around to establishing how the park is to be managed and how these people are going to have to conduct themselves within the park, I hope that the minister takes into account the fact that their livelihood must be preserved and they must be given every opportunity to take full advantage of the resources that are in the area, resources that they have relied upon for such a good length of time.

He did not go into any detail as to how he was going to resolve this apparent conflict, but I hope at some time during the estimates he will take the opportunity to comment on that aspect of the operation of the park.

I would also like to prevail upon the minister to intercede on behalf of members of this House and anybody who is in any way concerned or interested with the operation of parks in the province of Ontario. I am referring specifically to the fact that there are a great many parcels of patented land within the confines of our parks, particularly Queen's Park, where we do have the assurance of the Minister of Lands and Forests and his colleagues, the Minister of Mines, that no mining activity will be permitted within our parks, but they are continuing to renew these licences and it just does not seem to make any sense.

**Hon. Mr. Brunelle:** But they are not carrying out any specific—

**Mr. Stokes:** No, but if you are not going to let them carry on any activity within the park, why do you continue to renew the licence? Why do you not just say that at a certain date they will lapse and revert to the Crown?

**Hon. Mr. Brunelle:** Look at the money they are making out of the taxes.

**Mr. Stokes:** But at some point in time somebody is going to slip up, and before you know it, they are going to have mining operations in our parks.

**Hon. Mr. Brunelle:** No.

**Mr. Stokes:** And it just does not make sense to a good many of us on this side of the House that you continue to renew them when you have stated categorically that you are not going to allow any mining operation within our parks. I think that you are taking money under false pretences, if you think you can justify taking money from people when you know very well that they are not going to be able to carry on any activity within the park.

The final topic that I would like to discuss, Mr. Chairman, is the use of Indian people in the activities of The Department of Lands and Forests. I know that there are a good many Indian people in my riding and, indeed, I think all over northwestern Ontario, who look to The Department of Lands and Forests to assist them when the going gets rough. I would like to provide employment with regard to your tree fighting programme and your tree planting programme; to assist them to relocate to take advantage of the trapping in a good many areas where they can make a living.

I would like to refer to a letter from the vice-president of the Union of Ontario Indians in which he highlights some of the problems that confront the native people. He states that The Department of Lands and Forests in the Geraldton district has for a number of years been using Indian people from the far north as a labour force in both firefighting and in tree planting. He says:

I am aware of instances where they have either given a contract to a private individual or at least hired him, a non-Indian, to supervise a tree planting job and have used the department aircraft to fly a few trips to pick up these Indian chaps for the contractor. I feel that this is good, not only for the contractor but also for the Indian people involved in these projects, in that it is of no cost to the contractor or to the Indian worker.

Earlier this year, in February, I received from The Department of Lands and Forests a notice of tree planting jobs that were going on tender. I do not remember the exact date that I received this notice. I do remember that it was about 10 days before the deadline of the tender. There was also a \$2,500 deposit requirement as a performance bond. This was definitely not enough time, for sure, to notify all of the bands that are in my region of the impending tree planting contract.

If a band wanted to bid on the contract, they probably could have negotiated for the \$2,500 performance bond from their respective band funds. However, this takes up some time, thereby lessening their chance of a successful bid. I believe that a longer time of notice should be given. I also wonder if at some future time should a band make a successful bid, would The Department of Lands and Forests provide their aircraft to pick up and return Indian workers from the far north to work on these projects.

I have also had many comments from Indian trappers with respect to the fact that many people hold trap lines and use them only as a hobby or as a secondary source of income, while many Indian people with no source of income at all wait to try to get a trap line. Also many trappers with means of travel have trap lines that are relatively close to an urban centre, while Indians with no means of travel have trap lines that are situated some distance from their homes. Should there not be some regulation that would correct this situation?

This past winter, one trapper, receiving estimates from local fur buyers that he thought were too low, shipped furs to the North Bay fur sale and received a cheque in the mail that was \$100 less than the estimate. He immediately telephoned North Bay and requested the return of his pelts and upon request would return the uncashed cheque. He was told, "I am sorry but your fur is entered all over from here to Japan". I believe that The Department of Lands and Forests should insist that no furs be put up for auction until the trapper is satisfied with the price. The trapper should not be without recourse.

In the commercial fishing on Lake Superior, there is a situation that is similar to trapping in regard to people holding licences and not utilizing them, except in a very small way—returning a minimum amount of fish, just so that they can continue to hold the licence while many people who are unemployed could use that licence to try to better their economic situation. Apparently, many are using their licence as a means of selling their old equipment. They will only sell their licence in an all-inclusive deal including old equipment at high prices. Something should be done about this.

I believe that the aircraft of The Department of Lands and Forests could be put to good use, as conditions permit, to deliver Indians to and from the far north and to the equipment that is needed by Indian bands but may be too expensive to deliver through regular commercial means.

What about guides? Should it not be mandatory for American moose hunters to use guides? This could stop unnecessary waste of game, debris in campsites, and, more important, lessen hunting accidents.

Those are the observations of a representative of Indians in the north. I think they are appreciative of what the department is doing on their behalf, particularly as it seems that the only department of government that they have any rapport with, or any association with, or has somebody that they can talk to on the scene and get whatever assistance the department is able to provide them with.

However, nothing is perfect. I do think that the minister will prevail upon his staff at the district level to co-operate to a greater extent with our native people and attempt to bring them into the mainstream of the economic, social and industrial life of the province of Ontario.



I do have other things that I would have liked to have mentioned in my lead-off, Mr. Chairman, but, because of the time element I will desist and attempt to bring them up at a later time.

Hon. Mr. Welch moves the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will carry on the consideration of these estimates.

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

The House adjourned at 10:30 o'clock.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Eighth Legislature

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Friday, May 15, 1970

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**

**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 15,

The House met at 10 o'clock, a.m.

Prayers.

**Mr. Speaker:** This morning we shall be having numerous guests in the galleries. Among others, will be students from Preston High School in Preston, from Chapleau High School in Chapleau, from Christ the King School in St. Catharines, from Cobourg District High School, Cobourg, from Precious Blood School in Scarborough, and from John G. Althouse Public School in Toronto.

Statements by the ministry.

Oral questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I would like to ask the Premier, following the opinion delivered to the cabinet by the Attorney General (Mr. Wishart) on the legal aspects of entering a suit against Dow Chemical on a pollution basis, if a decision has been taken as to whether or not there will be an action entered into by the government or the OWRC?

**Hon. J. P. Robarts (Prime Minister):** No.

**Mr. Nixon:** No decision?

**Hon. Mr. Robarts:** Mr. Speaker, this whole matter is under consideration and there is no decision.

**Mr. Nixon:** Another question: I wonder if the Premier might clarify a statement made to the mayors and reeves, that the province would be prepared to revert the responsibility for assessment to the municipalities after five years? This has been an established policy, I understand, for some time, but were there any conditions on that reversion?

**Hon. Mr. Robarts:** No, none at all. I have made this statement on several occasions, apart from the remarks I made in Windsor. There were no conditions on it. I am inclined to doubt that they will want it back at that time.

**Mr. Nixon:** They can have it on the conditions they want?

**Hon. Mr. Robarts:** We will wait and I cannot say what will happen five years now. It is going to take five years for reassessment to take place. All I am saying now is that if the municipalities want it at that time, we will be prepared to give them.

**Mr. Nixon:** A supplementary question. Would the Premier agree that the reason we would not want it back is that the cost of assessment would have increased so tremendously? In fact, they have gone up a great deal since it was transferred from the municipalities to the government. Would that be the main reason?

**Hon. Mr. Robarts:** No, I do not think that would be the main reason at all, but I am prepared in my place in this House today to decide what might happen five years hence.

**Mr. Nixon:** That is a good thing, as probably will not be deciding.

**Mr. F. Young (Yorkview):** Mr. Speaker, supplementary question. Does the Prime Minister mean then that even small municipalities of 10,000 to 15,000 people would have assessment function handed back to them in five years time?

**Hon. Mr. Robarts:** We are conducting a reassessment across the province. When it is complete, we will discuss with the municipalities whether they want us to do assessments on a continuing basis, or whether they want this function returned to them. When that time comes, of course, it will be a matter of discussion with the municipalities involved. All I am saying is that we did not take this function from the municipalities with the idea that we would keep it forever. If they want it back, we are quite prepared to give it back to them. But I think we have to wait until that time comes to see what the municipalities want at that time. Any discussion of what they may or may not want five years hence must at this time be speculative. In the meantime—

**Mr. Young:** In the meantime it is a political ploy.

Mr. Nixon: You initiated it when you were down in Windsor.

Hon. Mr. Robarts: No. I initiated it months ago. I made the statement.

Mr. D. M. Deacon (York Centre): Would the Premier be considering that any move to offer them back the responsibility for assessing would include a grant, which would offset to a major degree the cost of assessment the province is now bearing?

Hon. Mr. Robarts: Mr. Speaker, here again the member is talking today about something that is going to happen five years hence. I could not tell him what grants might or might not be associated with it. It will have to be dealt with at that time.

Mr. Deacon: A supplementary: Would not the grant and the ability to pay for the assessment be a major consideration at that time?

Hon. Mr. Robarts: It might be, Mr. Speaker, in the hon. member's thinking today. Whether it would be in the thinking of the municipalities five years hence, I could not really say.

Mr. Deacon: You do not change the importance of money.

Hon. Mr. Robarts: The hon. member may be able to make up his mind what the municipalities are going to think five years hence, but I do not think that I can.

Mr. Deacon: Grants would have some bearing.

Mr. Nixon: Another question of the Premier, Mr. Speaker: I wonder if he can report to the House how the conferences to reconcile the projections of the white paper, brought down by the federal Minister of Finance, are coming along? Are these conferences continuing, or have both sides drawn back from this confrontation?

Hon. Mr. Robarts: It is not a confrontation, Mr. Speaker.

Mr. Nixon: The Premier says he is wrong.

Hon. Mr. Robarts: We are more than ever convinced that our figures are right.

Mr. Nixon: Who is convinced? You and the Treasurer, that is all.

Hon. Mr. Robarts: Mr. Speaker, we will in due course document our figures and we will stand by them.

Mr. Nixon: What is "this due course" was four months ago that the Premier—

Hon. Mr. Robarts: Mr. Speaker, we propose to make a submission to the committee that is sitting. We are not finished with comments on the white paper. Wait for it will come along.

Mr. Nixon: I wonder if the Premier would agree that his statement made at Christ Church time about the white paper and about the balance of tax powers really was, in the window dressing—the Premier would agree with that?—and that, in fact, with the budget of the province moving forward 1 per cent instead of the projected deficit of 1 million the statement was grossly misleading.

Hon. Mr. Robarts: Mr. Speaker, it was grossly misleading. I documented it in the House. If you go back to *Hansard*, when the member raised this matter before, I quote from the document signed by Mr. Benson, the chairman of the committee studying the white paper, which was the basis upon which our estimates were put forward. It is all there. The member chooses to disregard this, but it is still there and we still stand by it; and we will make more comments to make.

Our position in regard to the white paper is not window dressing. It is a position which I think is valid and, as I say to you, we are not yet finished with our comments. I do not think the discussion of the white paper in the House is yet complete. It is, as the federal government has stated on many occasions, the white paper put forward for discussion and discussion is not yet complete. We will make more comments to make about it.

Mr. Nixon: A further supplementary question dealing specifically with the attempt by the federal and provincial governments to reconcile the projections of the effect of the effect of revenue, what has happened to the conferences that were so much in the air originally—there were charges on each side, as the Premier well knows, that the other was not meeting their commitments; we have not heard much about it any more—is this going to be forgotten, or in fact is there going to be some continuing negotiations?

Hon. Mr. Robarts: I assure you it will not be forgotten.

Mr. Nixon: Well, I bet you it is.

Mr. Speaker, a question of the Minister of Correctional Services. Further charges made in the editorial pages of the press this morning with regard to the

of Mr. Herrell in the Don Jail. The charge is made that the hypodermic syringe and certain other apparatus must have come, or probably came, from the jail itself or from the medical facilities there. Has the minister undertaken any further investigation in this case?

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, I read this just a few moments ago, and I intend to make a statement on this on Monday or Tuesday. Hopefully we will be able to have a transcript of what transpired at the coroner's inquest.

The hon. Leader of the Opposition will recall, in answer to his question the other day, that I said all we could deal with was the report of the inquest—and we did deal with that, I thought, quite fully. In fact, some here thought I had dealt with it too fully.

However, while I have the opportunity, I want to take exception to the implication in the editorial that I was in any way callous toward the death of this man. As a matter of fact, immediately upon receipt of the coroner's report of the inquest, that same day I bypassed cabinet meeting and went down to the Don Jail myself, with my deputy and the director of medical services. We spent, I think, about three hours there; we went through the whole procedure two or three times and reported that day, in answer to a question from the hon. Leader of the Opposition, what my findings were and, for example, the editorial states that I have not answered the question about where the syringe came from.

Well, I do not intend to manufacture any answers. On that day I said, Mr. Speaker, that we did not know where it came from. We investigated, we tried to find out and the only conclusion that we could come to was that it must have come from the outside and it was a very well-used syringe. The markings on it had been worn off and that was the conclusion we had come to.

Now if *The Globe and Mail* or any of its employees has any information that I do not have, it is their duty to let me have it so I could find out, in fact, where the syringe did come from. I pointed out, I believe at that time—I have not even had time to go over the transcript to find out precisely what I said, on Tuesday—I think it was, in answer to the question, that it is a syringe that can be bought at any place for a nickel or a dime, and they are all disposed of. I satisfied myself they are disposed of in a way that they could not be used again. It had been brought in or, if it was got in the institution, which is quite possible—all these things are possible—we have not been able to find out how it happened.

I have said on numerous occasions, Speaker, in this House that I would be prised if at any given time in any of institutions there was not some contraband hidden somewhere. It is very difficult to let it out and I think I said on that occasion I repeat it now, the only possible way that could avoid it completely, if even then—of slightest possibility of any contraband getting into an institution—was to run a system, was of such maximum security that the public and certainly the members of this Legislature and this government, would not condone

I went into all that the other day. The thing that I can see in this editorial, which am flattered by, is the suggestion that I, as they call it, my "skill at oratory." That something I did not know I had.

Now I was quite frank with the hon. members. I told them I could not find out, could not find out, in investigation how the syringe got into the institution. What else could answer to that I do not know, and I do not intend to manufacture any answer.

**Mr. Nixon:** As a supplementary question perhaps, in two parts. I think one thing caused us the difficulty—would the minister again to the Legislature that a full investigation was undertaken at his direction besides the coroner's investigation? Second, there is a problem in the minds of many that this is just an ordinary institution. That, in fact, a naked search takes place when the prisoner is taken into the jail and when he comes before court. It is difficult to imagine that contraband of this type would get in under those circumstances.

**Mr. Speaker:** The hon. member is making a statement. He must only ask questions.

**Hon. Mr. Grossman:** Mr. Speaker, I am too sure that a naked search takes place every instance. The staff are very careful about known drug addicts or even suspected drug addicts. I must say parenthetically to Mr. Speaker, that we were under some criticism in this House; there was some implication some time ago that some person, a few had been searched in a manner which somebody thought was undignified.

You know, we are in difficulty no matter what we do. If it is suspected that this person may be trying to get some drugs into the institution and a thorough search is made it turns out that person does not have the drugs and somebody believes there was no reason for us to suspect it, then we are in difficulty too.

In this particular instance, the hon. leader of the opposition has asked whether we had our own investigation. Immediately this person passed away an investigation was started by staff. But the minute there is a coroner's inquest involved, our staff is pulled off the investigation, because we do not want any implication that we are attempting to interfere with the inquest of the coroner. We leave that entirely in his hands and await the result of his investigation.

I repeat again, the report we got said nothing about darvon, for example; it said nothing about Darvon at all. It said they believe that the substance used by this person was morphine or heroin.

**Mr. Nixon:** One of the minister's officials referred to darvon.

**Hon. Mr. Grossman:** At the inquest? That is what the member is telling me. But at that time, we did not have the transcript. All we could go by was the report of the coroner's inquest.

Now darvon really is, I do not think, of any consequence in this case anyway. I think the important thing was to find out how he got hold of a syringe. Incidentally, Mr. Speaker, inmates, particularly drug addicts, are pretty ingenious at manufacturing syringes. It is most difficult. We are constantly on the alert in order to make sure that something like this is not available.

Unfortunately, this man got hold of a syringe, a cheap syringe, which can be bought at any drug store I think, for a dime. It is a plastic one. It is the type we use. They are broken immediately after using; they are put into a receptacle which you cannot get a syringe out of and then they are put into the furnace and burned.

Outside of that, maybe the hon. member can suggest any other kind of investigation. There was an investigation which I took the trouble to engage in myself, I was so concerned. Naturally, we do not like a death occurring in one of our institutions.

Again, let me close by saying I resent very much the implication of an editorial writer sitting in his lofty aerie someplace, suggesting that I am callous to the death of an inmate in my institution.

**Mr. Nixon:** A supplementary question: Does the minister not agree that when the coroner said that he was "disturbed"—and those were his words quoted—he was disturbed that he could not find the source of the syringe and whatever was injected—morphine it is suspected—that the minister should be as con-

cerned? I would say, of course, that he would be. But he cannot sit back and say, "we are going to come in anyway."

Surely there is some way whereby you exhaust all possible means of investigation. If you have exhausted them all, then probably your security is inadequate down there. You do not know enough about what is going on.

**Hon. Mr. Grossman:** Mr. Speaker, I think that security is inadequate. Considering, as I have said, that the only alternative would be to put so many locks and keys and bars there that I would be just as criticized for that. I would not want to do it anyway.

And I did not slough it off, Mr. Speaker, by suggesting that it would come in any other way. If I had felt that way, we would not have caused this investigation to be carried on.

**Mr. Nixon:** It was a routine investigation.

**Mr. Speaker:** If the hon. member wants to ask a question, he will wait. The minister is on the floor.

**Hon. Mr. Grossman:** Mr. Speaker, I suggest that, in addition to the original investigation by staff, in addition to the investigation by the coroner's jury, that the minister has taken the trouble himself to take his own case down to the institution and go through the whole procedure himself—now if he calls that a routine, I can assure him it is not.

There are investigations going on all the time by the jail inspection staff. We have a jail inspection staff which visits the institutions, it is constantly visiting them.

If the hon. member suggests that my going down there with the director of medical services, the administrator of jails and others going through the whole procedure, spending three hours at that particular institution—if he suggests that it is just mere routine investigation, I cannot agree with him.

**Mr. Nixon:** As far as the minister is concerned, is the case closed?

**Hon. Mr. Grossman:** It is never closed, Mr. Speaker, as long as we have not been able to find out how he got the syringe into the institution. We would like to know how he got that, or if in fact—

**Mr. Nixon:** So would the coroner.

**Hon. Mr. Grossman:** So would I.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, by way of further supplementary: Does



minister not agree it is equally important where the drug came from, whichever kind of drug it was?

Would the minister not also agree that there should perhaps be an autopsy done to find out what kind of drug actually killed the man, in case the drug came from within the jail itself?

**Hon. Mr. Grossman:** Mr. Speaker, I am sure the hon. member does not think that I have the authority to order an autopsy. And it would not make any difference what kind of a drug it was. Whatever drug it was, we would like to know how the inmate got hold of that drug. And this is what we have been attempting to establish.

Incidentally, I still do not have the transcript of the evidence; that has been ordered and is still not available. We will go through all of the details and see if we can get some hint from it. But, aside from that, I do not know what we can do that any human being could do to find out the source of this.

**Mr. Speaker:** A supplementary?

Leader of the Opposition, have you completed?

The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Agriculture and Food regarding the testing of pesticides: Are all pesticides tested for their mutagenic propensities, as well as their toxicity and persistence?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** What is the first word that was asked, Mr. Speaker?

**Mr. Burr:** I am sorry. Are they tested for their mutagenic propensities?

**Hon. Mr. Stewart:** To confess, I do not know whether they are. I do not know what that means, but I will find out.

Interjections by hon. members.

**Mr. Burr:** I mean, can they cause mutations—are they tested to make sure that they cannot cause mutations in animals or humans?

**Hon. Mr. Stewart:** Well all pesticides that are registered—

**Mr. Speaker:** I would ask the hon. member to resume his seat when the minister takes the floor to answer.

We must have some reasonable arrangement here and that is the normal custom in parliamentary procedure.

**Mr. Burr:** Mr. Speaker, on a point of order I sat down as soon as I saw the minister arising.

**Mr. Speaker:** I regret to say that the hon. member does not agree with that. The hon. member sat down when he saw Mr. Speaker arising to his feet.

The minister has the floor.

**Hon. Mr. Stewart:** Mr. Speaker, all pesticides that are registered for use in Canada are registered through the federal government. They are not registered until they have had extensive testing done. Whether the testing that is done reflects all of the possibilities which the hon. member suggests, I cannot answer.

I do know that it is very difficult to test any pesticide registered without extreme care. Testing that goes on over a protracted period of time. So any testing that has been done, I think, been done in full awareness of problems that might develop.

However, it has been indicated that in certain instances, there may have been some problems arise with certain pesticides that were not known at the time of their registration and introduction for use. These particular pesticides have been banned, as we are all very well aware.

**Mr. Burr:** Mr. Speaker, sir, a supplementary question: Inasmuch as the geneticists have been advocating for years that these pesticides should be made mandatory, would the minister get in touch with the authorities in Ottawa and press this point?

**Hon. Mr. Stewart:** Yes, I will be very glad to do this.

**Mr. Speaker:** Has the member completed his question? The member still has the floor. He is the leader member for his party.

**Mr. Burr:** As the unofficial leader today

**Hon. G. R. Kerr (Minister of Energy and Resources Management):** Mr. Speaker—

**Mr. Speaker:** The member has the floor until he has completed his questions.

**Mr. Burr:** A question of the Minister of Energy and Resources Management: Is waste disposal branch promoting composting as a desirable means of garbage disposal because of its ecological advantages?

**Hon. Mr. Kerr:** Well Mr. Speaker—

**Mr. E. Dunlop (York-Forest Hill):** We are promoting that.

**Hon. Mr. Kerr:** In many areas, and in many circumstances, composting is the best method of disposal. I think it is probably the oldest method of disposal. The problems we are having so far are locating suitable sites and certain problems resulting from incineration. I would assume that all encouragement is given to municipalities and to private operators to use this method of disposal.

**Mr. Pitman:** May I ask a supplementary question?

**Mr. Speaker:** Supplementary?

**Mr. Pitman:** Supplementary question, Mr. Speaker: I wonder if I could ask the minister if he has the power, under his department, to set up a provincial garbage disposal area so that townships which do not have adequate facilities, nor adequate land nor land conducive to garbage disposal, can actually get services in that way?

**Hon. Mr. Kerr:** Not at the present time, Mr. Speaker. I would doubt, really, if the proposed new legislation that will be coming forth very shortly would provide this power, either. This would be a matter, I suppose, of the province actually acquiring land—

**Mr. W. G. Pitman (Peterborough):** In other townships?

**Hon. Mr. Kerr:** Right—and setting up some form of a reasonable disposal site. I am not sure if the hon. member is suggesting that we, in fact, operate this site or if we turn it over to the municipality or to a private operator or some sort of a reasonable body. These are things we are considering because of the difficulty we are having in acquiring and establishing sites, and the difficulties that municipalities are having in doing this. We may have to do this, but at the present time we have no legislation or power to do it.

**Mr. Pitman:** I wonder if I would ask the minister whether or not he might consider the legislation in terms of introducing and taking on that kind of power, in view of the fact that many municipalities are indeed setting up garbage disposal dumps on rivers, streams and in every way are carrying out policies which are in violation of what the minister is attempting to do?

**Hon. Mr. Kerr:** At the present time, and after we have this legislation, it is hoped that by working with municipalities, by working with private operators and with the assistance of our technicians and our engineers and the expertise that we have in the branch,

it will not be necessary for the province actually get into the job of setting up the sites and operating them. The programme will be outlined will, in fact, indicate where these best sites are, and the fact that they will be safe from all angles; in other words, from the point of view of health, pollution, contamination, sanitation—every aspect of this way we hope to overcome a lot of the objection to the establishment of these sites. In that way, the municipalities will be helped, and will be aided in establishing sites as well as private operators.

**Mr. Pitman:** A further supplementary, Mr. Speaker: Could I ask the minister whether he can do if there is not a single site in a township or municipality where a garbage disposal properly be carried on because of the nature of the land?

**Hon. Mr. Kerr:** Right. The only other alternative, of course, is some other township or some other area. If there is objection in one neighbouring township, to say collecting garbage of another township—which they do from time to time, it seems to be a matter of principle more than anything else—and it is impossible for either a private operator or a county or municipality to establish such a site, the answer is obvious: we have to get into the business.

**Mr. Speaker:** There have been sufficient supplementaries on this matter. The member for Sandwich-Riverside has the floor with the question.

**Mr. Burr:** Mr. Speaker, another question of the Minister of Energy and Resources Management regarding waste disposal: Is the waste disposal branch exploring the possibility of use of the Japanese-designed system—called the Tezuka Kosan—of disposing of solid refuse by compression into solid blocks which can then be used for foundations, buildings, roads and landfills?

**Hon. Mr. Kerr:** Yes, Mr. Speaker, we are aware of this system. There are, in fact, several American systems that are quite similar to this. We have had representatives from these companies who have agents in Canada who are interested in promoting the same type of system in Ontario. However, the Japanese have a bit of an advantage apparently because of their diet; apparently rice is so binding so this makes a very good building block.

**Mr. Speaker:** A supplementary? The member for Sandwich-Riverside has the floor

**Mr. Burr:** A question of the Minister of Lands and Forests regarding the—

**Mr. T. P. Reid:** We will explain it to you later.

**Mr. Burr:** A question of the Minister of Lands and Forests regarding the herbicide 2, 4, 5-T: Has the minister decided to ban or restrict the use of this dangerous herbicide, which was reported some time ago to be a potential dangerous teratogen, that is a monster-producing chemical; a monster-producing, mutation-creating element?

**Mr. S. Lewis (Scarborough West):** Anyway, it does not sound very good.

**Hon. Mr. Grossman:** Members are not supposed to hear anything good here.

**Hon. R. Brunelle (Minister of Lands and Forests):** It is a very good question, Mr. Speaker. We feel that the forestry use of 2, 4, 5-T in remote areas would not appear to present any hazard. Until such time as there is some clarification of the situation, the departmental programmes involved in these materials should continue on a carefully chosen priority basis. Our programmes include release of young spruce and pines from competing birch and hardwood, and control of the white pine blister.

I would say, Mr. Speaker, that we are watching that very carefully, and if it has harmful effects we certainly will discontinue it. The information, so far, is that we can use it under proper control.

**Mr. T. P. Reid:** A supplementary, Mr. Speaker.

**Mr. Speaker:** The hon. member who asked the question has the opportunity of asking the first supplementary.

**Mr. Burr:** Is the minister aware that there is a contaminant in this herbicide, called dioxin, which is much worse than the herbicide itself, and that this—

**Hon. Mr. Brunelle:** I was not aware of it, Mr. Speaker, but I will certainly look into it.

**Mr. Speaker:** The member for Rainy River, a supplementary?

**Mr. T. P. Reid:** Mr. Speaker, a supplementary of the minister: How does the minister reconcile his attitude with the fact that the herbicide has been banned by the federal government in the last few days, as I understand it?

**Hon. Mr. Brunelle:** I am surprised to hear this, Mr. Speaker, because our people have dealt very closely with the federal authorities on these matters. Again, I will look into it.

**Mr. Speaker:** Has the member for Southwich-Riverside completed his questions?

**Mr. Burr:** Yes thank you; of all the ministers that are here!

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

**Mr. J. P. Spence (Kent):** Thank you, Mr. Speaker, I have a question of the Minister of Agriculture and Food. Has his department approved of the method used to carry out the vote of the wheat producers in order to determine whether there should be a higher deduction per bushel for the marketing of this year's wheat crop?

**Hon. Mr. Stewart:** Mr. Speaker, this method of determining the right to deduct the higher levy was discussed by the wheat marketing board and the Ontario Farm Products Marketing Board. I believe they reach mutual agreement on the method of procedure. The meetings are proceeding this week to determine whether or not the producers who attend those meetings are in favour of the higher deduction, or opposed to, the higher deduction.

Each producer was advised in writing before the meeting to be held in the locality which would be closest to him in order that he might attend and express his opinion one way or the other.

**Mr. Spence:** A supplementary: Do you know if they are voting at these meetings, Mr. Minister? These meetings are called, and what is the method used to vote?

**Hon. Mr. Stewart:** Mr. Speaker, the purpose of the meetings was to have the vote of the producers who attend the meetings there, that is of the producers who attend the meetings.

I must confess I had a discussion last week with members of the wheat marketing board, the past president as a matter of fact. We discussed the meeting because as the members may recall there was a television show on Sunday afternoon at 1 o'clock, over the Jewell programme in London, which focussed entirely on the project and how it would be carried out. It was indicated by the television programme that the vote would actually be held in the respective places across Ontario where the meetings were held.

Later that day I had further discussion with the past president of the board, Mr. O'Shea, and he advised me that they were

expecting to vote at each place. I have no idea how the votes have been going. I have no idea about that at all.

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

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Is the minister aware of the dropping of the five cent bottle deposit by the Seven-Up and Orange Crush bottling companies in the Windsor area? Can the minister assure the House that there is no pressure applied by the large bottlers in the Windsor area to prevent continuation of this five cent bottle deposit?

What plans has the minister to encourage other bottlers to adopt the five cent bottle deposit?

**Hon. Mr. Kerr:** I did not quite—Mr. Speaker, did the hon. member say that there was pressure placed on some of the bottling companies to reduce the five cent deposit?

**Mr. B. Newman:** I am asking if the minister is aware of any pressure being applied to the local bottlers to drop the five cent bottle deposit?

**Hon. Mr. Kerr:** No. Mr. Speaker, I am not aware of any such pressures. I am not exactly sure where it would come from; possibly from the manufacturers. I would think the larger deposit would greatly facilitate the handling and the returning of returnable bottles.

In some cases, I understand, many of the retailers are charging an extra five or 10 cents, but are not giving this whole deposit back. In other words, they may be charging a couple of cents as a handling charge. I certainly hope that any retailers who are now paying a five cent deposit will continue to do so and that there is no discouragement to do this.

**Mr. B. Newman:** A supplementary of the minister, Mr. Speaker: Would the minister not consider it unfair to ask a bottler to require a five cent deposit for the return of his bottle? Would he not consider it more practical to require all bottlers to do this? One bottler may find that he cannot compete for the sale of his product if the purchaser has to pay a 30 cent deposit per carton.

**Hon. Mr. Kerr:** I do not want to get into the position where the government should become involved in the bottling industry, or the beverage industry, as far as the paying of deposit on returnable bottles is concerned. I

would think that it would be a good idea to have a uniform policy which should be really, at the manufacturers' level.

If they are sincere in getting these bottles back and not having them end up as litter on a beach or in a park, and doing their part, shall we say, in keeping the proper movement of these bottles and reuse of these bottles, I would think that the bottling associations, if they have one, or the industry itself, on an industry-wide basis, should establish a policy so that there is no war, shall we say, as to the payment of deposit; and at the same time, without losing the effectiveness of an adequate deposit.

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

**Mrs. M. Renwick (Scarborough Centre):** A question of the Minister of Social and Family Services: In the minister's higher grant program for the charity homes, would the minister say if the \$0.5 million is included in the winter budget? Or is it something that the provincial Treasurer's battered budget will have to deal with?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, when I made the announcement I pointed out that there was a sum of \$577,000, give or take a dollar, in the estimates for that amount. I am sure that is \$577,000.

**Mr. Lewis:** Your normal discrepancy.

**Mr. Speaker:** The member for York Centre.

**Mr. Deacon:** A question of the Minister of Municipal Affairs: In view of the fact that the Minister of Energy and Resources Management has undertaken to have the province take over garbage disposal sites where municipalities cannot locate them in other municipalities, would the minister consider removing the clause in The Metropolitan Toronto Act which now gives it power to dump in other municipalities subject to the approval of the Ontario Municipal Board?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** I really do not see that the things follow at all.

I was not aware that my colleague had said just exactly the words the member put in his mouth, in terms of the province getting into this business.

**Mr. Deacon:** He certainly implied that.

**Hon. Mr. Stewart:** He certainly did not.

**Hon. Mr. McKeough:** He said no such thing really, and I do not know that the two

necessary follow in any case. Presumably, what is the difference between Metropolitan Toronto establishing a site, or the province of Ontario establishing a site?

**Mr. Deacon:** A supplementary question: Would the minister consider that the power of one municipality to impose garbage disposal on another could involve lawsuits, whereas the power of the province is over all municipalities in the province and therefore no unnecessary lawsuits would ensue?

**Hon. Mr. McKeough:** The power is not nearly as broad as the member has made it out to be. It is subject to the approval of the Ontario Municipal Board. I suppose from the hon. member's point of view it would be a great way to play politics, because you could blame a site in Markham and Vaughan, if that is what we are talking about, on the province rather than on Metro. But the site has to be there.

**Mr. Nixon:** The minister is getting paranoid.

**Hon. Mr. McKeough:** Stop playing politics!  
Interjections by hon. members.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have a question—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Deans:** I have a question of the Minister of Energy and Resources Management. Could the minister indicate what provisions have been made for the pumping out of marina facilities in the Georgian Bay area? What has been done by the department to bring to the attention of the marina operators whatever provisions there are for the pumping-out of their facilities? Third, what happens to the effluent that is pumped out, if it is pumped out?

**Mr. Young:** The department just did not have them there last year. They were not there, despite the minister's promise.

**Hon. Mr. Kerr:** Did the member finish that last question?

**Mr. Deans:** Yes. What becomes of the effluent once it is pumped out, if it is pumped out?

**Hon. Mr. Kerr:** Mr. Speaker, at the present time, OWRC is compiling a list of all the available pumpout facilities in the province. It is my understanding that there has been an addition to the facilities in the Georgian

Bay area over last summer's. We hope to have a map, similar to the one we had last year, showing the location of these pumpout stations; we are going to try to have that done there this year.

What happens to the effluent? Why does the effluent, of course, goes into a sewage treatment plant.

**Mr. Young:** The former minister promised to do that a year ago.

**Mr. Deans:** Can I ask the minister if any provision has been made for the clearing out of the holding tanks at the marinas?

**Hon. Mr. Kerr:** This is the responsibility of the person or the marina or the club which operates the holding tank. The marina operators are getting paid for pumping out holding tanks from boats, so I would assume that the responsibility is part of their operation. They must have the tanks hauled away.

**Hon. S. J. Randall (Minister of Trade and Development):** They call in the hold-dippers.

**Mr. Deans:** Is the minister aware that in the area there are few, if any, operations pumping out of the marinas? Therefore, the marinas are in a bit of a bind, starting now, with the boating season beginning.

**Hon. Mr. Kerr:** I have not heard this complaint, Mr. Speaker. To my knowledge, wherever there is this pump-out facility, the operator of the facility has to make arrangements to properly dispose of the effluent some way or another. A lot of this is done by truck through a municipal or private operator. Certainly there is going to be a stage where that tank is going to have to be looked after.

**Mr. Deans:** If the department waits another year, the bay will not be fit—

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

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, I have a question of the Prime Minister. I was wondering if the Prime Minister could tell us the total cost of the conference held *vis-à-vis* the province and the municipalities last April?

**Hon. Mr. Roberts:** If that goes to the order paper, Mr. Speaker, I will obtain that information.

**Mr. Lewis:** Mr. Speaker, a question of the Minister of Labour: Is the minister's department considering taking Honeywell Controls Limited before the Ontario Labour Relations Board to be charged with a breach of bargaining and good faith under section 12 of the Act?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, negotiations in that collective agreement are continuing and the department is not considering any charges at the present time.

**Mr. Lewis:** With respect, Mr. Speaker, a supplementary: Is the minister aware that conciliation processes terminated at the request of his department some time ago and that absolutely no negotiations have been under way for some considerable period?

**Hon. Mr. Bales:** That is not true.

**Mr. Lewis:** Mr. Speaker, if it is not valid, would the minister be kind enough to inform the House the state of the procedures at this point; not necessarily their contents, but the contacts that have been had and what the prospects are before the picket line erupts into an unfortunate incident?

**Hon. Mr. Bales:** In the course of conciliation there are many meetings which are private and of a different nature involving senior officials of my staff, and I do not divulge those nor discuss those in this House because that would be detrimental to the solution and of no assistance to either side in resolving their dispute.

**Mr. Lewis:** Mr. Speaker, by way—

**Mr. Speaker:** The oral question period has expired.

Petitions.

Presenting reports.

Mr. J. R. Smith, from the standing committee on university affairs, presented the committee's report which was read as follows and adopted:

Your committee recommends that its terms of reference be extended to permit it to initiate studies in education and in the economics of education and to report thereon.

Report received.

**Hon. T. L. Wells (Minister of Health):** Mr. Speaker, it gives me great pleasure today to table the annual report of the Addiction Research Foundation for the year 1969.

I would just like to take a moment, Mr. Speaker, to point out to the members of the Legislature the new and exciting format of this year's report. I feel it reflects the desire of the foundation to experiment and to use contemporary methods to communicate with the public. The format, I think, will be easier to read and it will be possible for us to distribute many more copies than usual of the report to the people of Ontario.

**Mr. Pitman:** Like the council for the arts?

**Mr. Lewis:** The minister has copies for members?

**Hon. Mr. Wells:** They are coming.

**Mr. Lewis:** It would be nice to have some new and exciting stuff this morning.

**Mr. Speaker:** Presenting reports.

**Mr. Nixon:** Mr. Speaker, on a point of order, having to do with the report that was tabled by the chairman from the standing committee on education. Might we assume that that committee can now proceed with the investigations referred to in that report?

**Mr. Speaker:** Well of course I have seen the report. I knew there must be a report, but it would be my view that the report from the committee, having been received, would go on the order paper for debate, as the report of any other committee.

**Mr. Nixon:** I am not aware that the committee reports do go on the order paper for debate, Mr. Speaker. Perhaps you might clarify that position.

**Mr. Speaker:** As far as I am concerned there has been a report received; no further action has been taken. The chairman of the committee presented his report, but its adoption was not moved. Therefore, the motion which I put was that the report be received because it was presented.

Now I will be glad to check with the Clerk of the House as to exactly what happened to it after that, but I would assume that, in other reports, it would be subject in the same course for further discussion in this House. But I will be glad to check to find out.

**Mr. Nixon:** Well Mr. Speaker, further on the point of order: Perhaps you would at the same time advise me as to how we might proceed and perhaps move that the report adopted by the House, because the standing committee has recommended certain actions and we want to see that it does not die in

minds of the administration; I think such an examination is necessary.

**Mr. Speaker:** Presenting reports.

Motions.

Introduction of bills.

### THE TELEPHONE ACT

Hon. Mr. Stewart moves first reading of bill intitled, An Act to amend The Telephone Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Stewart:** Mr. Speaker, by way of re-explanation, the amendment will permit the issue of municipal debentures for the purpose of the provision by a telephone company, that is an independent company, to provide communication services other than telephone services alone.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 12th order; House in committee of supply, Mr. A. E. Reuter in the chair.

### ESTIMATES, DEPARTMENT OF LANDS FORESTS

*(continued)*

**Hon. R. Brunelle** (Minister of Lands and Forests): I listened with great interest to the remarks of the critics of the parties on my estimates last night, and I must say that I was somewhat surprised at some of their remarks. For instance, the member for Nipissing (Mr. R. S. Smith) referred to the—

**Mr. V. M. Singer** (Downsview): Fine fellow!

**Mr. R. F. Ruston** (Essex-Kent): Great fellow!

**Hon. Mr. Brunelle:** He referred to the fact that the Minister of Mines (Mr. A. F. Lawrence) was now responsible for, in addition to his responsibilities, for the northern affairs branch. I would say that our department, The Department of Lands and Forests, will work very closely with this new northern department of mines and northern affairs. There will be close liaison between our regional and district office.

I am surprised, Mr. Chairman, to hear that the members were questioning our role in this. I have a hunch that they do not always read the speeches of the Prime Minister (Mr. Robarts).

**Mr. T. P. Reid** (Rainy River): Bad enough we have to listen.

**Mr. S. Lewis** (Scarborough West): That is a safe lunch.

**Mr. T. P. Reid:** He says a lot of things but never does anything.

**Hon. Mr. Brunelle:** I will just read three or four sentences. This speech was given at a municipal conference, and this is what the Prime Minister said when he introduced the branch.

The purpose of the new branch of the organization will be to make all the services at Queen's Park more readily available in all communities in northern Ontario, no matter how remote. An important purpose will be to—

And listen to this, Mr. Chairman,

—to co-ordinate and correlate the many existing services available for citizens in the north, so that they will be aware of what is available to them.

**Mr. T. P. Reid:** And yet the Minister of Trade and Development (Mr. Randall), the Minister of Mines do not know who is responsible for the development—

**Mr. Chairman:** Order!

**Hon. Mr. Brunelle:** Mr. Chairman, I am very optimistic that this new northern affairs branch will work for the betterment of the north, and the people who have problems concerning lands and forests will still continue to bring their problems to the attention of the various offices in the north.

**Mr. T. P. Reid:** Lands and Forests office.

**Hon. Mr. Brunelle:** That is right!

**Mr. Chairman:** Order!

The hon. member for Rainy River will have the floor at a later time.

**Hon. G. R. Kerr** (Minister of Energy and Resources Management): You want to go to your basement.

**Hon. Mr. Brunelle:** Also I would like to say, Mr. Chairman, that the member, and also other members inferred that this department should be more involved in the north.

This department is the most decentralized department in government. More than two-thirds of our personnel are located in northern Ontario. Out of 21 district offices, 13 are in the north; out of 51 chief ranger's offices,

38 are located in the north; and out of a budget of close to \$70 million, more than half is spent in northern Ontario.

**Mr. R. S. Smith (Nipissing):** Why is the head office not there?

**Hon. Mr. Brunelle:** Why is the head office not there? With reference to this question, Mr. Chairman, we have a task force at the present time making a study, and they will bring in recommendations, I believe, by July 1 of this year on ways to decentralize the department more. As time goes on, we will see more decentralization and more authority to field offices. Mr. Chairman, I am sure that this will work out for the betterment of the north.

The member also made reference to the fact, in discussing the revenues and the expenditures of the department, that the expenditures were not sufficient in comparison to the revenues, in view of the fact that we had brought in an angling licence and had increased hunting licences.

I would say to him, Mr. Chairman, that, for instance in 1968-1969, we received in revenues—fish and wildlife revenues—\$8.691 million and we spent \$9.025 million. In the fiscal year 1969-1970, we received \$11.146 million and we spent \$11.681 million. This fiscal year, 1970-1971, our revenues are estimated to be about \$12 million but we are spending more. We will be spending \$12.483 million.

So, Mr. Chairman, we are spending a lot of money on fish and wildlife revenues, as much as we are able to under our budget allotments. I could give the member the various areas where we are spending this money, if he wishes additional information.

The member for Nipissing asked why Ontario does not restrict the sale of land to residents as does British Columbia? Mr. Chairman, we have authority in this province only over the sales of crown lands. We have no authority over private lands.

**Mr. T. P. Reid:** Ninety per cent of Ontario is crown land.

**Hon. Mr. Brunelle:** That is right, 90 per cent is crown land and, in view of the various comments that have been made that we in Ontario should, maybe, restrict the sale of crown lands for summer resorts to our own people, we have a study at the present time.

**Mr. T. P. Reid:** Another study?

**Hon. Mr. Brunelle:** Well it is a very complex matter. It is not only cottage lands. It

involves all land and it also involves companies. It is a very complex subject. I would like to say that at the present time we have not discriminated against non-Canadians. However, this question is being looked into.

Someone suggested: Why do you not limit land to non-Canadians? Certainly this is part of the aspect to which we are giving serious consideration. At the present time, 15 per cent of our cottage land is owned by Americans.

**Mr. T. P. Reid:** But it is concentrated in certain areas.

**Hon. Mr. Brunelle:** I will admit that in your area, in the Fort Frances area, I believe about 37 per cent. Are you against this?

**Mr. T. P. Reid:** Yes, I am.

**Hon. Mr. Brunelle:** Also, Mr. Chairman, we have very large tracts of land and a lot of this land is composed of abandoned farmland. The government is buying these continually. A part of this land is being bought under the AFN programmes. We will study the member's request for an increase in provincial land for non-residents. But I would like to remind the hon. member that the provincial land is a tax on property, not on people.

**Mr. R. S. Smith:** I am suggesting that the tax be on the property owned by non-residents.

**Hon. Mr. Brunelle:** We are also looking into this aspect as part of our overall study. The member also referred to provincial parks and their multiple use. He mentioned Algonquin park in conjunction with this. As the member knows, being a member of the Algonquin park advisory committee, this committee has had many meetings. The Algonquin task force which is composed of civil servants from our department as well as other departments has had more than 50 meetings. At the present time, the Algonquin park advisory committee is meeting in Algonquin park. They were there yesterday, and they are meeting again today. They are gathering additional information. As I mentioned to him last night, some time this year we hope to have the revised interim plan.

With reference to the logging companies, I would say that we have met with them several times and we tried to deal very fairly with them. We have said to them "Where you have difficulties in the regulations that have been established, you make us aware of those areas and we will try to see if we cannot accommodate you." We have done this in the past.



I have written to everyone in the last few days, saying it again; reiterating the same policy. I am sure that we can try to come to a system to solving some of the difficulties they are experiencing in certain areas.

With reference to the Quetico advisory committee, I have written to the leaders of the opposition parties in the last few days, asking for names of their members to become members on the advisory committee that we are in the process of forming. We do not believe that it would be advisable to have, say, a select committee to study the overall park policy.

We feel that each park is an entity by itself; it has different characteristics and therefore we should have an advisory committee established for all our large, major parks. The Quetico committee, as I just mentioned, is being formed. Probably the next one could be Killarney.

As the hon. members know, who are familiar with these various parks, they vary considerably. At the same time, the information that is being gathered by the secretariat of the Algonquin park advisory committee will be made available to the future advisory committees.

The hon. member also referred to national park policy. I would say, Mr. Chairman, that we have worked very closely, and we are still doing so, with the federal minister responsible for national parks and his officials. We met with them in January of this past year. I am meeting the hon. minister, I believe it is on June 5, for the official opening of Wye Marsh and our people have consultations continually. At the present time we have 12 areas that are being considered and there is a very active one in northern Ontario.

The hon. member referred last night, I believe, to a national park that may be established in British Columbia. My understanding is that with national parks on the sea coast, there is a possibility that the federal government may share in the acquisition of private lands. Until now, in the province of Ontario, the acquisition of private lands must be by the province and handed over to the federal government free of any encumbrances.

I would like to say that we in Ontario have some very large parks. Algonquin park is 3,000 square miles; Quetico, slightly smaller; Killarney; and these are large natural environment parks. And they serve the needs of the people.

The member for Nipissing said that areas should be taken out of forest harvesting to

make possible the formation of national parks. I am sure he has read the Kaplan report on Algonquin park. This was the economic study whereby it said that the economic return could be a loss of \$3 for every dollar gain, as per the results indicated on the value of the logging industries. We maintain proper logging under the proper supervision and control is compatible with recreation and is what we are trying to show in Algonquin park, and we believe that the same can apply to other parks. We had announced Bear park about two years ago, I believe, and about two weeks ago I announced the re- boundaries whereby the park will be larger instead of 7,300 square miles, it will be 10 square miles. We are taking a large area on the Hudson Bay coastline; this is the area which is most attractive, containing large colonies of blue, snow and Canada geese.

With reference to the Indians, we delineated the area around Winisk and removed the community of Winisk and the airport from the park. I believe there are a couple of other areas, a total of about 10 square miles, that have been removed within the park boundary of 9,000 square miles.

With reference to wild river parks, we established two at the moment—one in the member's riding, the Mattawa Wild River Provincial Park, and the other one is the Winisk Wild River. We will have five more recreational areas; they are presently being surveyed and documented and we hope these will be established sometime this year. As time goes on, we will have more. We are in the process of gathering information on those rivers which have historical as well as recreational value.

The member asked, "Why are there no nature reserve parks?" Well, last year, Speaker, we announced the formation of a nature reserve committee composed of people who are specialists in various disciplines, including biology, recreation, forestry and so on, and they are in the process of gathering information and recommending to us the various areas.

Mr. T. P. Reid: How do your people have any time to carry out their day-to-day duties?

Hon. Mr. Brunelle: Well, the chairman of this committee is Dr. McLulic of Waterloo University. I believe there is a representative from the Lakehead University—most of the persons on this committee are from the universities—and there is a representative, I believe it is Dr. Pye, a geologist, from the Department of Mines, and of course there is a representative from our department. But

need this information, Mr. Chairman, in order to properly manage and to establish these nature reserve parks.

The member for Nipissing made reference to timber: what steps are being taken to integrate the wood supply operations? A lot of steps are being taken in this matter. For instance, in the last year or two a large number of the pulp and paper companies have built sawmills. This also acted in conjunction—reference was made to the forest policy of Ontario by the economic council. This was their first recommendation—that there should be more integration of wood supply for pulp and paper in sawmilling operations.

Just to remind the hon. members, at the present time the following companies—Boise Cascade, Domtar, Abitibi, Dryden, Kimberly-Clark, Northern Forest Products and Consolidated-Bathurst—have all established sawmills in the past year or two. Also, the following companies have established either particle board or veneer plants: the Weldwood Company, Cochrane Enterprises, Weyerhaeuser and Multiply Plywood operations at Hearst, Timmins and New Liskeard.

Also with reference to mills, it is continually being said that there does not appear to be much expansion in new pulp and paper mills. Again, I must say to the hon. members that there is a new mill in the process of being built at Fort Frances by Ontario-Minnesota, a kraft mill at a cost of \$45 million.

About two weeks ago, Great Lakes Pulp and Paper Company announced a feasibility study into the possibility of adding a 250,000-ton-per-year kraft mill at Thunder Bay. There are also some very active negotiations to establish a large kraft mill in southeastern Ontario, which would probably consume initially as much as 1 million cords of wood a year—and it could be increased substantially.

Aside from this we also have indications of other new mills, so the prospects for additional mills look brighter today, I would say, than they have looked for quite some time.

There has been considerable expansion in existing mills, rising from \$65 million in 1960, to \$130 million in 1969. As the hon. members know, there have also been many new sawmills and particle board mills built.

I have asked my people to put on the map where new mills have been built in the last 10 years, and, Mr. Chairman—

Mr. T. P. Reid: We cannot see them.

Hon. Mr. Brunelle: I know you cannot.

Mr. J. E. Stokes (Thunder Bay): I am glad you are holding it up, anyway.

Hon. Mr. Brunelle: But most of the mills have been built on the Pacific coast, it is the Pacific ocean, and most of these mills have been built there.

Why? First, a lot of these mills are entirely owned by Japanese, or partly, and naturally this is the shortest distance from Canada to Japan and water transportation is the cheapest transportation.

If you look on the Atlantic Ocean you will again see where most of the mills have been built—Newfoundland, Nova Scotia, New Brunswick, and Quebec. Mr. Chairman, I do not take time, but if one would read the deals that have been given to some of these mills I think you would say that Ontario is wise to take its time and not to enter into deals which in certain areas public money is being spent to the detriment of the people.

Again, in the issue of the *Financial Post* I read last night, in Manitoba—those of you who have a chance to read it should read about this new mill—I believe it is north of The Pas where the—

Mr. Stokes: That is the sweet deal that Dr. Roblin negotiated.

Mr. T. P. Reid: It was the Conservative government that gave that one away.

Mr. Kerr: Is Schreyer going to confirm

An hon. member: I hear Schreyer is going to close it up.

Mr. Stokes: He is still trying to find out what it is all about.

An hon. member: It will take him a couple of years.

Hon. W. A. Stewart (Minister of Agriculture and Food): What about the Indian land that he told us he was not going to flood?

Is that not right? I hear he is going to flood them now.

Mr. Stokes: No, I do not think so.

Hon. Mr. Brunelle: Mr. Chairman, reference has been made to this forestry policy by the economic council. I would say that we were very pleased to receive this report. We agree with a lot of the recommendations. There are some we disagree with. The second one—I have made reference to the first—deals with ways, that more adequate licensing and

should be made available to new forest-based industries wishing to establish in Ontario, and with existing idle licences in areas being reviewed and revised. Our licensing system is under continual review. In the past year or two, there are large companies who have reverted part of their licences to the Crown. Also, on all long-term licences, there is a clause that says that at the end of so many years, usually it is three years, the surplus unused allowable cuts can revert to the Crown.

Also, we have entered into many third-party agreements whereby wood is being made available. So, Mr. Speaker, I feel that we are making steps in the right direction in this area.

The member made reference to a reduction in transportation costs. Mr. Chairman, the question of, say, freight rates and so forth does not come directly under this department. But again, I am very optimistic that the new revised department of mines and northern affairs will give consideration to the area of transportation.

As a result, also, of the three meetings that were held in northeastern Ontario, we in this department feel that one area in which we can help is to build more roads, more access roads, especially for taking out our raw materials. Under the chairmanship of the Minister of Mines, the NORT committee, that is the northern Ontario resources transportation committee, has a budget of \$5 million. It used to be \$500,000, then it was increased to \$1 million. Now it is \$5 million. In this past year, several roads have been built by this committee.

With reference to a reduction of Crown dues in remote areas, this, again, is a recommendation of this committee. We agree that there is merit in this recommendation: that wood in remote areas is certainly more costly to bring to the mills than wood that is closer. But I think the members would agree the problem is where you draw the line. Do you use the CNR railway; do you use the 49th parallel? This is one of the problems that we are trying to resolve to try to find an equitable way of assisting those operators who have high transportation costs.

I am sure, Mr. Chairman, I am missing some points here, but I am sure the hon. members will remind me.

With reference to the fine paper industry, the problems facing the fine paper industry have arisen as a result of the reduced tariffs which were part of the Kennedy Round. In discussions with the industry, it would appear

that there is little the department can alleviate the present situation. However, where an industry requires assistance to modernize facilities, it can get an Ontario Development Corporation loan. As well, we are ensuring that this industry has an assured wood supply, so that it need not be concerned about this aspect.

The hon. member for Thunder Bay brought several things to my attention. He started by saying that it appears that it was recently we appeared to be concerned about the quality of our environment. I would like to say to the hon. member that we have been concerned about the quality of our environment and our natural resources for many years. For instance, just to give you an example of a few items, we have had a forest resources inventory, the Canada-wide Ontario land inventories. These have been done under way for several years. We used to do 300 to 500 lake surveys and now we have doubled that figure; we are doing about 1,000 a year. We are doing pollution monitoring and reporting to the OWRC, land management planning, recreational zoning, timber management plans, wildlife management plans, research surveys and a variety of other environmental problems.

Again, with reference to environmental interest in the environment has been developing for many years. For instance, our fish samples with reference to DDT and mercury in relation to lake trout reproduction were taken in the fall of 1964. An increased concern has been developing since, and Ontario has led the ban on DDT. I am surprised to hear the member's remarks on mercury. Mr. Chairman, because I thought I had seen every member of the House a brochure put out by the state of Michigan on mercury. That brochure, it said that Ontario was outside the jurisdiction that initiated these studies.

Mr. T. P. Reid: I did not get one.

Hon. Mr. Stewart: Led the way?

Hon. Mr. Brunelle: That is right.

Mr. T. P. Reid: Well, we did not get one.

Hon. Mr. Brunelle: Our first samples were sent to California—

Hon. Mr. Stewart: If you got one, you would never read it.

Hon. Mr. Brunelle: —where expert advice was made. We probably have more samples

over a vaster area of water than any other agency on this continent.

In co-operation between the Ontario Water Resources Commission and the federal laboratory, we are getting good analyses of fish and game in a very competent manner.

**Mr. T. P. Reid:** Why was Lake St. Clair such a surprise to the government?

**Hon. Mr. Brunelle:** Lake St. Clair was a surprise, Mr. Chairman, because—I think I shall have to send these members a copy of that. Mercury, not only to ourselves in Ontario, but the United States also, is something new; something we were not aware of.

**Mr. Stokes:** Japan and Sweden knew it years ago.

**Mr. T. P. Reid:** I thought you just said you have been testing?

**Hon. Mr. Brunelle:** Pardon?

**Mr. T. P. Reid:** I thought you just said you have been testing?

**Mr. F. Young (Yorkview):** The member for York South (Mr. MacDonald) told you about it in 1964.

**Mr. T. P. Reid:** He did not.

**Hon. Mr. Kerr:** In-plant mercury contamination, not water.

**Hon. Mr. Brunelle:** Again, Mr. Speaker, with reference to—

**Mr. T. P. Reid:** You notice he did not say the leader of the NDP. He said member for York South.

**Mr. D. A. Evans (Simcoe Centre):** Yes, temporary leader of the NDP. A new fellow has now been chosen.

**Hon. Mr. Brunelle:** Mr. Speaker, in addition, in the past five years, we have gradually developed systematic interest in para-psychology of fish and wildlife—bacteriology and virology—written over by our department and on contact with experts at the University of Guelph and the Ontario Veterinary College. Ontario has led Canada in placing embargoes on the import of first, bait fish, and second, all other native species to prevent the spread of bacterial and virology diseases, as well as parasites and undesirable species of fish themselves, or strains of imported species.

Our embargoes, which have been difficult to enforce, have been strengthened by recent federal legislation doing the same thing.

The hon. member for Thunder Bay, as well this is in reference to mercury. I have just spoken on that. We got in touch with OWRC as soon as this was discovered—this was only last fall.

He asked what we are doing to control water fluctuations in Lake Nipigon and Lake St. Clair. Mr. Chairman, for at least two decades the department has been dealing with water control agents, cottage associations, anglers and others, to assure that water levels do not affect fish production or survival. Water levels affect boating, transport and fish production, so we also have attempted to coordinate needs and provide for the optimum conditions for all concerned.

Also, two studies are presently under way related to fisheries production, one on Lake Simcoe and one on Lac Seul. Studies have been completed on the construction of artificial spawning beds where water level fluctuations are severe and cannot be practically controlled.

The hon. member also mentioned land-use planning, and he sort of intimated that we had not done too much. Well, Mr. Chairman, again we have been leaders in this field and we have done a lot of work.

This land-use planning has been done under the Canada land inventory and also more detail, under the Ontario land inventory programme. These land inventories are very important, because this is where we gather information on our land or fish and wildlife resources and so forth. I wonder if the member missed the very interesting lecture that was given for the members about two months ago on this very important subject.

Also we—

**Mr. Stokes:** I was there.

**Hon. Mr. Brunelle:** Also, Mr. Speaker, are working very closely with The Department of Treasury and Economics, who have regional studies on this, and, of course, other departments—Highways, Municipal Affairs, Agricultural. Sometime this summer, I believe the land-use and regional plan on the eastern Ontario will be made available.

So there is a lot of work. A lot of information has been gathered and these reports are coming out in the very near future.

The hon. member referred to ACR, and I remember correctly he said something about looking at their balance sheets and their profits. Well, Mr. Chairman, I am not concerned about their profits, but I do like to reiterate

that the agreement we made this year with ACR was a good agreement.

And when I say good, I mean that it was in public interest. On the lands that the ACR own, where they own the fish and wildlife rights, we exchanged those for the pine rights. On the other lands—the lands where they own the five species—we acquired right of access, as well as the five species. I do feel, Mr. Chairman, that this is in public interest, that now we have use of those areas for the management of fish and wildlife programmes.

The hon. member said also that there should be laws to prevent non-residents from buying land. As I mentioned previously, this matter is being looked into.

The hon. member mentioned our forest management policies and revenues from forest operations in southern Ontario species—walnut, cherry and pine. Where soil conditions are suitable, these species are planted. Under The Woodlands Improvement Act which was introduced in 1966, we are doing a lot of forest management on private land, and we are doing a lot of these things. We are encouraging private woodlot owners to plant all these species. He made reference to 500 acres in Thunder Bay—

**Mr. Stokes:** Five hundred thousand acres.

**Hon. Mr. Brunelle:** Five hundred thousand acres? I am sorry; 500,000 in Thunder Bay within 50 miles. I am told that a lot of this land is in private ownership, and I would be glad to provide the member with the results of our land acquisition programme in the Thunder Bay area.

The following figures are significant of the department's activity in land acquisition in this region. Mr. Chairman, since 1964, and within a 50-mile radius of the city of Thunder Bay, the department has acquired 42,700 acres, while in the district of Thunder Bay the total is around 59,000 acres. The uses to which the land acquired is put, includes parks, timber management and wilderness areas. Also the member—

**Mr. Stokes:** About 10 per cent of the scrap land—

**Hon. Mr. Brunelle:** Pardon?

**Mr. Stokes:** About 10 per cent of the scrap land has been—

**Hon. Mr. Brunelle:** Mr. Chairman, I agree with the hon. member that we should be acquiring more and we will do so, but it is a matter of the funds available for these purposes.

The hon. member also made reference to the Hedlin-Menzies report, the Ontario Economic Council report and the Canadian Foundation report. I would say that people have been studying all these reports and a lot of the recommendations in the forestry report—Mr. Brody was the man—had been implemented; others are in process of being implemented. I believe that the revenues of this department are less than the expenditures, and I believe that there was a difference of about \$20 million.

Mr. Chairman, coming back to the Hedlin-Menzies report, the hon. member referred to the number of jobs that the industry provided, and so forth. The contribution of the forestry industries to this province is enormous. I believe that they produce about a billion in tax revenues to the provincial Treasury—I believe it is actually \$1.3 billion—and to the federal Treasury it is twice that amount. So the contribution of the forestry industries is tremendous. I do not believe that we can equate the revenue, say, from the timber branch, and from hunting dues and the game rent with the amount of money we are spending on tree planting and regeneration and so forth.

The same applies to wildlife. The total value of our fish and wildlife programmes is certainly substantial. The hon. member referred to the fish marketing board. The prices referred to the prices. Well, the prices set by the board are set four times a year. They may vary if there are major changes in the market. In addition to the present price, payments are made.

Last year I was in Winnipeg at a meeting of the fish corporation, and it was very interesting to see the bonuses that were paid at the end of the year; in addition to the payments that the fishermen received, there were substantial bonuses paid. Fishermen may get as high a price as they did for certain periods previously. But they will also not get the lows so often experienced in the past. Sometimes in the past the price was high and fishermen did not get their money; some times they did not get their money at all, and some times they had to wait very long periods. They are paid periodically.

The objects of the board, well described by the member for Thunder Bay, can be reached in time, and as I mentioned to you on a previous occasion, it is only one thing that this board has been in operation, and I am very optimistic that it will help the fishermen considerably. It is quite true that in some areas where they were close to

market, perhaps their prices would be a little depressed. But, if we look at the overall picture and especially with reference to our Indian commercial fishermen, there is no doubt that they will substantially benefit from this board.

Also, as I mentioned, I will be pleased to attend the meeting with him some time in the future and see if we cannot iron out some of these difficulties.

The member made reference to the question of the perennial problem of flying in tourists from northwest Ontario. I know the member for Rainy River is very interested in this problem. It is good to reiterate that the control of aircraft is under federal jurisdiction, and up until December 31, 1959, all foreign aircraft operating in Canada were required to report outward at an authorized customs airport at the time of departure from Canada.

As of January 1, 1960, this procedure was no longer required. The customs and excise division of The Department of National Revenue felt that the requirements were of no worthwhile purpose from their viewpoint, creating problems for the department as well as imposing a hardship on the operators of such aircraft.

We have made representations to Ottawa on several occasions, and again I have received a letter as recently as two weeks ago from the Minister of National Revenue, saying that they do not want to change their position. Therefore we in the province—and I should add, Mr. Chairman, this is a report that is not public yet—have a report that my colleague, the hon. Minister of Tourism and Information (Mr. Auld) has asked to be made on this serious problem of flying tourism in northwestern Ontario.

**Mr. T. P. Reid:** I asked for that.

**Hon. Mr. Brunelle:** Pardon?

**Mr. T. P. Reid:** I asked for that.

**Hon. Mr. Brunelle:** You asked for it?

**Mr. T. P. Reid:** When is it going to be made public?

**Hon. Mr. Brunelle:** Well, there are many others who asked for this, and I can say to you, Mr. Chairman, that we in this government will come forward with recommendations that will help to solve the problem.

**Mr. T. P. Reid:** When?

**Hon. Mr. Brunelle:** Well, in the very near future.

**Mr. T. P. Reid:** When will that report be made available?

**Hon. Mr. Brunelle:** Pardon?

**Mr. T. P. Reid:** When will that report be made available?

**Hon. Mr. Brunelle:** Well, this is under the authority and jurisdiction of my colleague, and you should ask him that question.

**Mr. T. P. Reid:** I did. He said two weeks. That was a month and a half ago.

**Hon. Mr. Brunelle:** But it is a good report. It just outlines the problems.

**Mr. T. Reid (Scarborough East):** How do we know if it is good or bad?

**Mr. J. B. Trotter (Parkdale):** They must be hiding something, they will not print it.

**Hon. Mr. Brunelle:** Mr. Chairman, it is a report by the very well-known consulting firm of Kates, Peat Marwick and Company, and I can assure you, Mr. Chairman, and members of this House that this government is very aware of the problem and that we will do everything we can within our own jurisdiction. But, as I said to you previously, the federal government just does not want to change its position.

**Mr. T. P. Reid:** Would you like to lend me that report for a few minutes?

**Hon. Mr. Brunelle:** The member made reference to the standing committee on tourism and natural resources, also to the senior citizens being relieved of purchasing an angling licence. Well, as the hon. member knows today is May 15 and many of these senior citizens have already purchased the licence, therefore, it is not possible to do anything at this time of the year. The matter is under very intensive review, and we may have something to say on this matter at a later date.

**Hon. Mr. Kerr:** How about a fish fry in the fall as a tentative date?

**Hon. Mr. Brunelle:** My colleague says a fish fry in the fall would be a good time.

**Mr. B. Newman (Windsor-Walkerville):** How about extending that licence for a year?

**Hon. Mr. Brunelle:** Extending it? Well, that is a good point, but I think there would be some administrative problems.

Reference also is made to mining licences in Quetico. This will be of interest to several of the members. At the present time there are 100 mining claims in Quetico Provincial Park. They were all established prior to restrictions being imposed upon staking in 1956, and of these, 36 claims are patented, giving surface rights to the owners. Some of these patents predate the formation of the park and go back to the turn of the century. All are owned by American citizens. Three patented claims recently reverted to the Crown because of non-payment of acreage tax for the years 1967-1968, and as of January 1, 1969, this annual acreage tax has been increased from 10 cents to 50 cents per acre.

**Mr. T. P. Reid:** Make it \$5 per acre.

**Hon. Mr. Brunelle:** This is, as you know, under the jurisdiction of my colleague, the Minister of Mines, and as times goes on, it becomes more onerous to hold on to these claims and more are reverting to the Crown.

You may ask why we do not purchase these. We have considered this, but to purchase the mining claims in Quetico park, in Lake Superior Provincial Park and other parks would cost several million dollars. We feel that at this time that money is not available, and what money is available we use to purchase park land in areas of a higher priority.

The member made reference to the Indians. As the hon. member knows, in this department we work very closely with the Indians, and under the federal-provincial resource development programmes we spend more than \$200,000 a year.

**Mr. Stokes:** Is that over and above what the federal government spends?

**Hon. Mr. Brunelle:** We share this.

**Mr. Stokes:** No, they give you \$200,000. Do you spend any of your own money?

**Hon. Mr. Brunelle:** No, I believe this year we could spend \$215,000 and they give us, I believe, \$100,000, so we will be spending more ourselves. I have a long list here but I do not want to take the time, and if the member is interested I could send him a copy.

**Mr. Chairman,** I am sure there are a lot of questions I have omitted and the members will remind me.

**Mr. Chairman:** Vote 1101. I understand we are going to deal with this vote in total, so I imagine you can speak on any of the 11 items.

On vote 1101:

**Mr. R. S. Smith:** Mr. Chairman, I would just like to make a couple of comments on what the minister said this morning. First, he indicated that two thirds of the people in his department are in northern Ontario. I think he is incorrect in that, in that one of them are in the Toronto head office and two thirds are in the rest of Ontario. In the remarks that he made, I would think that there would be nobody in the rest of southern Ontario other than in Toronto, but I think he made a mistake in that and meant to say that two thirds were in the rest of Ontario outside of head office, is that correct? Perhaps we should just make him put that straight.

In regard to the remarks that I made yesterday about the ownership of land remaining in Canada, I presume we will take from remarks of the minister this morning that he is opposed to any restriction on the ownership of cottage and recreational property by non-citizens or non-residents of Canada.

Third, there was the question of a national park. When I stated yesterday that the federal government was interested in sharing the costs of acquiring land, I noticed that the member was rather surprised by that, and he came back to that and indicated that that was not the case. I would like to read a press release of The Department of Indian Affairs and Northern Development from Mr. Chretien's office in which he says that:

An agreement has been signed with the government of British Columbia for the establishment of a national park on the coast of Vancouver Island. The two governments will share the cost of acquiring the lands, which will be transferred to the federal government beginning immediately.

As some of the lands they are going to acquire are on the coast, the minister indicated this might be a different agreement but there are inland properties indicated that will be purchased too.

I would indicate further that within the last year or so I understand that the federal government has signed agreements with the province of Brunswick and is in the process of negotiating with the province of Quebec. In both of these areas there will be participation by the federal government in the sharing of the costs of the lands.

The minister also indicated that he was not—I think he indicated this by his comments—be prepared to give over to

federal government lands on which there were present timber licences and, in doing that, he spoke about—

**Hon. Mr. Brunelle:** I did not say we would not. I said we would give consideration to that.

**Mr. R. S. Smith:** The minister quoted from the Kaplan report, indicating that the economic productivity of our forest industry precludes the giving over of those areas to the federal government for a national park. I think this is the point you were trying to make, and I would agree with you that perhaps Algonquin park, or some other area that is as economically productive as that, should not be given over to the federal government as a national park. But there are many other areas in northern and northwestern Ontario where there are licences that are non-productive and these lands—I think I indicated this last night—could be given over and those licences cancelled. I am not saying that we should do away with one industry or any industry to create a national park, but regarding those areas that are non-productive—and there are many of them under licence—I think that the province should be prepared to clear those lands of those licences in order to give that land to the federal government for the establishment of a national park.

**Hon. Mr. Brunelle:** Some of these areas are non-productive at this time.

**Mr. R. S. Smith:** That is right. But we cannot wait for the government to decide whether an area is going to be economically productive for any other purpose before we decide whether we are going to make it a park or not. I said last night that this is what our parks policy designation is based on, and I think that is wrong. We look at every other purpose for which a piece of property can be made use of; then, finally, we decide that it is no use for anything else, so we will make it into a park, and I think this is the mistake that has been made within the policy of the department.

Parks should be in some areas that perhaps could be used for other purposes, but we must make a decision as to which would be to the most benefit of the people of the province, and I think all the decisions up to now have been based on the economic values, as to the production of the forest or mining industry, instead of looking at the use that could be made by the people of the province of that area, perhaps to a greater economic

extent, as well as for the personal use of people concerned.

I think, Mr. Chairman, those are the three or four points I wanted to make. There is one more in regard to the establishment of the budget for the fish and wildlife. The reason I made the point last night was that in the 1968-1969 budget for the fish and wildlife branch was just over \$1 million. In 1969-1970, according to the estimates, it went up to \$6.3 million, and in 1970-1971 to \$9.5 million. But, at the same time, there was a large expenditure called basic organization that disappeared between 1968-1969 and 1969-1970.

I would think that the expenditure of a lot of the money within the different departments is based on a decision, really of allocation—not on where the money is actually spent, but on a percentage basis of the whole expenditure, and this is perhaps a judgment decision based on the knowledge of some people within the department. But it can be shown where it is actually the case, because you are breaking down on the percentage on—do you have work time studies and all this type of thing done on all people within the department in order to break this down? I think it is important that you are going to try to pin down what is spent where.

**Hon. Mr. Brunelle:** I can give you a breakdown if that is what you want.

**Mr. R. S. Smith:** Well, there is a percentage breakdown in your annual report, but I do you arrive at a percentage like that?

**Hon. Mr. Brunelle:** Mr. Chairman, with reference to the acquisition of lands for national parks, this can be negotiated with us. We have a meeting with Mr. Chretien and his officials in January. They have indicated an interest in the north, a much stronger interest than in southern Ontario, and that is the area they are most interested in. Of course, this is the area where most of the land is private land and I have indicated to the minister that land acquisition is very costly.

As far as northern Ontario is concerned, we have several areas that we have submitted to them and that they are considering. With reference to the fish and wildlife revenue, I think this will be of interest, Mr. Chairman, as mentioned in our book here. The amount of \$6,915,400 is mentioned, but in addition to this, there is programme administrative activity; these are the salaries of our se-



staff here, our biologists and so forth. This is \$906,900.

And then land acquisition; this is land acquisition for public hunting purposes as well as for fishing. We are doing more of this in southern Ontario where most of the land is private and we are spending \$660,000 on this type of land purchase.

Resource protection and development programme, research activities; these are fisheries and wildlife and research projects. We are spending \$1,002,000.

Land activity; this includes \$96,000 for the Canada land inventory. We are spending \$409,200.

Forest protection activity; now this is our air service which is used, say, in the winter-time for surveys on moose and deer. We use our aircraft considerably for the management of our fish and wildlife. This comes to \$1,600,700.

Timber activity; you recall about two years ago, we introduced a Bill 115 whereby we can enter into agreements with industries, mainly forest industries, to share the cost of maintenance on their forest roads. We have \$50,000 that we will be spending on this.

Department administration programmes; these are information booklets and so forth which are very important. For instance, there has been an example recently, this little book "Let's Go Fishing"; Lake Simcoe brochures and so forth. This comes to \$948,000. In addition to this, \$12,483,200 in funds is provided in the estimates of my colleague, the Minister of Public Works (Mr. Simonett), for the construction of fish and wildlife facilities such as fish hatcheries.

We opened one and we spent, I forget how much—it was north of North Bay—I forget the amount; it was close to \$1 million. We are spending considerably more than appears to be showing in the report.

Mr. R. S. Smith: Mr. Chairman, the difficulty is that I fail to see where the increase in the revenue has been placed within the expenditures of this one branch, as was indicated by the minister would be done. You know, the fishermen are looking to see where their \$3 is being spent. You cannot find it from the information that is available here.

Hon. Mr. Brunelle: Yes, that is right.

Mr. R. S. Smith: If you can show me where there was a \$4 million increase in your expenditures on fish and wildlife between last year and the year before, that is fine; but

there was not that big an increase. In words, the moneys that came in from fishing licences and the increase in the hunting licences and the gun licences have been used to supplement other programmes. That is where the real problem is. The people have told that this increased revenue would be spent in this one area. I do not think it is being spent there and I do not think the minister can show us where it is being spent.

Hon. Mr. Brunelle: All our money, Mr. Chairman, goes into the consolidated revenue funds.

Mr. R. S. Smith: I realize that.

Hon. Mr. Brunelle: It was very difficult, but we are certainly spending more money. Plans are underway now, though the construction may not start this year, but we plan to spend \$1 million building a fish hatchery in southeastern Ontario. We are planting 70 million fish a year close to 70 million fish and our catch operation has risen. At the same time, we introduced angling licences, the economy became depressed. All our budget—

Mr. T. P. Reid: Do you think it is a relationship?

Hon. Mr. Brunelle: No relationship. I am sitting in the place of the provincial Treasurer (Mr. MacNaughton) when he makes these demands for schools and health, and so forth, it is a question of priority. But I believe—

Mr. T. P. Reid: We will accept responsibility.

Hon. Mr. Brunelle: —we are getting a fair share. If we had not introduced angling licences, and if we had not raised our hunting licences, we would not be getting the amount of money that we are spending.

Mr. R. S. Smith: Mr. Chairman, I don't know what the minister is saying, in effect, is we are getting a little more, but we are not getting as much more as \$4 million.

Mr. T. P. Reid: Right. That is what I meant.

Mr. R. S. Smith: I should think from the way he went around the whole question that this is what he has indicated. If that is the case, then I think the people in Ontario who are paying the \$3 should be told that the extra money that is coming into the revenues of the province is not being spent in the area in which they were l

believe that it would be spent. I think this is the whole point.

**Mr. T. P. Reid:** Right.

**Mr. R. S. Smith:** I think the people have the right to know that what was indicated to them would be done is not being done.

**Mr. B. Newman:** Short-changed, that is what. Short-changing the old folks.

**Hon. Mr. Brunelle:** We are spending \$12,-463,000 this year. Our revenues are about \$12 million. So we are spending more money than we are taking in. I would say, Mr. Chairman, that we have not received one single letter objecting this year to the angling licence, except from old-age pensioners—old-age pensioners and a few blind persons.

**Mr. T. Reid:** And they do not count?

**Hon. Mr. Brunelle:** Sure, they count. But what I am trying to say is that we have not received one letter objecting to the angling licence. Why? Because people are seeing that we are doing something.

**Mr. T. P. Reid:** How many letters did you receive the first year when you introduced—

**Hon. Mr. Brunelle:** Oh, naturally; sure! Who would not object?

**Mr. T. P. Reid:** Nobody writes letters complaining about income tax any more either, but everybody objects to it.

**Mr. R. S. Smith:** That is just like the Premier (Mr. Robarts) running around talking about the white paper. Nobody is listening to him any more, you know, because it is the same thing. After you do a thing so often, I mean, people are just not going to write to complain.

**Hon. Mr. Brunelle:** Mr. Chairman, if we had more money—sure we would like to get more money, but we are spending our money wisely. Also, I do not feel that the people have been short-changed, because they are getting restocking programmes. We are doing 1,000 lake surveys a year. We have maps now and, as time goes on, we will have maps of all those areas. Also, salaries have been increased, and so forth. So you cannot—

**Mr. R. S. Smith:** Can the minister tell me unequivocally that all the moneys that were raised by the instigation of the \$3 angling licences, plus the increases that took place

in the hunting licences and the gun licences that a similar amount of money is being spent within this one branch for last year and for this year? Is that increase actually going into these programmes, or is it not? That is the question, because that is what the indication was from the government, that the moneys would be taken and would be spent within that area.

**Hon. Mr. Brunelle:** Mr. Chairman, we do not operate that way.

In the States, I am told, if they collect, say, \$6 million, then they spend about \$4 million.

**Mr. R. S. Smith:** That is not the question.

**Hon. Mr. Brunelle:** We have long-range programmes. It is very difficult, as I outlined to you a few minutes ago, to say where the moneys are being spent. They are spent in various areas. It is very difficult to say. You have collected \$3 million less whatever amount, say, \$30,000 or \$40,000 for administration, for the cost of the licences. Where did that \$2.75 million go? It is possible to say.

**Mr. R. S. Smith:** Why is it so difficult to find where \$2.75 million goes. It must be an awful loose system if you cannot find \$2.75 million.

**Hon. Mr. Brunelle:** Well, I just explained it.

**Mr. Stokes:** Mr. Chairman, on a point of order. This has been going on for half an hour, with two people exchanging remarks. They are engaged in a dialogue, both of them sitting down. When are you going to bring some order to this debate?

**Mr. Chairman:** Right about now. Does the hon. minister have any further comments?

**Mr. T. P. Reid:** On a point of order, Mr. Chairman. Is there something out of order about a member asking the minister a question and the minister replying—especially a lead-off speaker, the critic of that department?

**Mr. B. Newman:** It is in order.

**Mr. Chairman:** As long as one person has the floor at one time, everything would be in order, as far as I can determine.

**Mr. R. S. Smith:** He can go ahead now.

**Mr. Chairman:** Does the hon. minister have any further comments?

Vote 1101. Carried?

**Mr. T. P. Reid:** Now wait, Mr. Chairman.

**Mr. Chairman:** The hon. member for Rainy River.

**Mr. T. P. Reid:** We are still talking about general policy, I believe, and there are a couple of subjects I would like to broach. Perhaps the minister would prefer if we got into them under the various votes? I would like to speak about the sale of crown lands and about the fly-in problem. Would you prefer we talked about them under the separate votes?

**Hon. Mr. Brunelle:** It would be preferable, Mr. Chairman.

**Mr. T. P. Reid:** All right. Fine. I would just like to ask one question. No. 11, training and development, \$1,646,000; we are here to discuss the spending programme of this department and whether or not that money is efficiently spent. I wonder if the minister could enlighten us as to just what programmes or what kind of training this money is being spent on?

**Hon. Mr. Brunelle:** Part of this expenditure, Mr. Chairman, the large part, is the junior ranger programme. This year we will be taking in 1,860 junior rangers; and it is over \$1,646,000.

**Mr. T. P. Reid:** That is for the summer programme?

**Hon. Mr. Brunelle:** That is for the junior ranger programme. Also, we have at Dorset a training school for our own personnel. We have the following courses—three-week keeling courses; fish and wildlife courses of seven weeks; timber courses of six weeks; and so forth. This again is part of this expenditure.

**Mr. Chairman:** Vote 1101.

**Mr. T. P. Reid:** One further comment, Mr. Chairman—did you want to speak?

**Mr. T. Reid:** Could I ask the minister a couple of questions about the junior rangers?

**Mr. Chairman:** The hon. member for Scarborough East.

**Mr. T. Reid:** Did I understand correctly that there are only 1,860 young people involved in the junior ranger programme this summer?

**Hon. Mr. Brunelle:** That is correct, the junior rangers. In addition, we are employ-

ing 1,300 students. Most of these students are taking, say, forestry or biology at universities, and some are taking the two-course as a forest technician.

**Mr. T. Reid:** Thank you very much. 1,300 students in the other summer employment area are mostly university and community college students. Is that correct? Are not junior rangers mostly high school students or university students?

**Hon. Mr. Brunelle:** The junior rangers must have Grade 12 and they must be 17 years of age. Therefore, the great majority are secondary school students.

**Mr. T. Reid:** Could the minister give some idea on how these 1,860 junior rangers were chosen?

**Hon. Mr. Brunelle:** I am sure that if you ask your colleague in front of you he could give you some pretty good advice on that. They write to us. They can either write directly to the department, to the personnel office or they can get in touch with the district offices. Quite a number get in touch with their local member and the local member makes available to them application forms; they give them directly the address where they can get the application forms.

**Mr. T. Reid:** Once the application forms are received and duly filled in, what criteria does the minister use in selection?

**Hon. Mr. Brunelle:** We use the criteria of first-come, first-served. We feel it is the fairest way. This year we are receiving substantially more applications than previous years and only 1,860 will be able to be admitted.

**Mr. T. Reid:** Will the minister let me know the date on which the quota of 1,860 was filled? Was it January 1, 1970? March 1970?

**Hon. Mr. Brunelle:** I am not too sure that I am answering this correctly. We have a certain budget for this—it is \$1.3 million—we are limited to the number we take. The main limitation is the funds; of course, there are limitations as to the physical accommodation. We have so many camps, but if we had more money, we could look after a larger number. The junior rangers, I believe, have an eight week programme starting shortly after July 1 and running until the end of August. If someone is interested in next year he would write—in fact, we are taking applications now for the 1971 summer programme.

**Mr. T. Reid:** Mr. Chairman, just so I can make my position clear, the point I am trying to drive at is that there is a tremendous teenage unemployment problem this summer, among young people who are in the labour force permanently and temporarily. As the minister knows, in January the teenage unemployment rate in the labour force was 15 per cent—and there are over 130,000 young people coming out of the universities and colleges without degrees or diplomas who want jobs for the summer. By my calculations, there are another 350,000 young people who will shortly leave our secondary schools and who will be wanting jobs this summer.

So I forecast, putting together the fulltime teenagers over 15 and the summertime teenagers over 15, that the provincial unemployment rate of those teenagers will be about 35 per cent this summer.

I am very concerned with this, and in that frame of reference, I am now questioning the minister. He informs me that he takes as many junior rangers as possible, given the budget. On the other hand, we hear from the Prime Minister of this province, the Minister of Education (Mr. Davis), the Minister of Labour (Mr. Bales), and so forth, and indeed, I believe, more recently from the Minister of Lands and Forests, that they are concerned with the implications of such a high teenage unemployment rate in this province in the summer. And I say, that it is ridiculous to find that his department is really the only one making very much of an effort to meet that teenage unemployment crisis this summer. I think it is doing better than any other government department, but the other day we were told that the government only creates 9,000 jobs in total. Now a 9,000-job creation for the summer, compared with 350,000 students from the high schools looking for jobs in this province, is a very marginal type of programme, in my personal opinion.

My questions are these, Mr. Chairman: On what date was the minister's budget for the summer 1970 junior ranger programme booked up? In other words, at what point were 1,860 qualified applications received by the ministry? Was the deadline March 1?

The reason I am asking, Mr. Chairman, is that the minister said the junior rangers are chosen on a first-come, first-served basis; therefore, I would like to know when the quota was filled. Having a deadline of March 1 is absolutely meaningless if it is on a first-come, first-served basis.

**Hon. Mr. Brunelle:** I was just discussing this with my personnel here. They tell me

our quota probably was filled some time in January or February.

**Mr. T. Reid:** So I come back to the minister, Mr. Chairman, and I say that if he knew—and I must assume that he did know—he is in charge of his department—that the quota for junior rangers was filled in January or February of this year, did he communicate this to the cabinet?

**Hon. Mr. Brunelle:** Communicate to the cabinet? We know how much money we are going to get.

**Mr. T. Reid:** Let me clarify—

**Hon. Mr. Brunelle**—and we are therefore limited to this amount.

**Mr. T. Reid:** Let me clarify the purpose of my question, Mr. Chairman.

If the quota for the junior forest ranger—17-year-old youths—was filled in January of this year, surely that was a significant indication of the number of teenagers in this province who would require work for the summer? It is not like having that quota filled on March 1.

In other words, if you look at the number of applications to the minister's department for the position of junior forest ranger in this province and that quota is filled in January or early February, that is an indication of a crisis coming up in the summer. Now if the minister is not aware of this simple statistical fact, then I feel very sorry for the teenagers in this province.

Therefore, I would expect of this minister as he has made note of in this House, to have said, "Here is a serious indication of a crisis we are going to face in this province with teenage unemployment," and he would have communicated that to the Minister of Labour, because I reminded the Minister of Labour that the teenage unemployment rate in the fulltime labour force in January was about 15 per cent.

What I am saying is that I find it very hard to believe that this government takes seriously the question of teenage unemployment in this province in the summer.

I would ask the minister if there is any way in which this particular programme of junior rangers can be increased by even 10 per cent, hopefully by 50 per cent, or doubled for this summer, so that instead of having fewer than 2,000 positions open for the youth of this province, in this very good programme—I am not criticizing the programme—

could at least get another 2,000 students off the plazas this summer, including the one student I recommended to the minister who was turned down.

What steps is the minister taking to help solve the teenage unemployment crisis in this province of about 35 per cent? Or is he just going to sit here content with this miserable estimate he has brought in for the junior forest ranger programme?

**Hon. Mr. Brunelle:** Mr. Chairman, may I say that we have found over a period of years that, out of a certain number who apply, there is always a certain percentage—and it varies between 20 to 25 per cent—who, for various reasons, health or they find other jobs, do not accept. They accept and then, a week or two before, they write and say they are not interested.

**Mr. B. Newman:** A lot of them have to go to summer school.

**Hon. Mr. Brunelle:** Right. I would say, Mr. Chairman, that we know now, we knew last year, that if we had more money we would have the work, but it is a question of budget.

One does not have to be much of an economist to know that, at the present time, there is serious unemployment with students and with others. Sure we are trying to cope with it, but overall it is the general picture throughout Canada. They are trying to combat inflation and the high interest rates and therefore it is causing serious dislocation in the economy.

As I said, Mr. Chairman, we would welcome more money and we like to employ these students; they give us good value for the money. It is good for them; quite a number of them return and become foresters or biologists and come and work for us in the department.

But, even if I would get on my hands and knees and plead to the provincial Treasurer, I do not think it would do much good. It is a question of money. We knew several months ago that we could use more of it. There is no money available.

**Mr. T. Reid:** Mr. Chairman, the minister has just now condemned his own government and I admire him for it and I support this programme. I am arguing—I cannot do this, I realize—for an increase in what he asked for. I cannot argue that, but I simply say that if his colleagues in the cabinet, and particularly the Treasury Board and the

Treasurer, do not put the question of a per cent teenage unemployment rate in the province at the top of the list in terms of the crisis, then I feel awfully sorry for the type of government this province is getting.

**Hon. A. Grossman (Minister of Corrective Services):** How about the federal Liberal government?

**Mr. T. Reid:** They stand condemned.

But we are talking about this minister's programme and he can do something special about it. Instead he simply apologizes for his colleagues in the cabinet.

Mr. Chairman, I will close with these remarks: This summer is not going to be the last summer. This summer, heroin is coming into our urban centres and unless those kids find jobs that they think are worthwhile and meaningful, such as a junior ranger job—these kids love it; they have applied for it unless they find something worthwhile to do, I am awfully worried that the pedlars are going to find easy prey on our plazas, particularly out in Scarborough and North York.

I simply urge upon the minister that he give my support if he will come in with a supplementary estimate and say that this government is taking it seriously. He is one of the leading members of government because he has some programmes which can do something about it. Perhaps he might even propose to his colleagues in the cabinet that there might be a central Ontario youth corps and this part plugged in on a co-ordinated basis.

I simply urge the minister, Mr. Chairman, to try to understand the seriousness of the summer problem among 14- to 19-year-olds in this province, particularly, I think, in the urban areas. I urge him to take this seriously and at least to get all the DBS statistics and try to convince the Minister of Labour that those statistics are dangerous statistics.

**Hon. Mr. Brunelle:** I agree, Mr. Chairman, with the member's comments. I intend to make a representation to the Treasury Board because we could use these students and

**Mr. Chairman:** Does the hon. member from Thunder Bay want to talk on this particular programme?

**Mr. Stokes:** No, I want to get back to my remarks that the minister made with regard to the quality of life.

**Mr. Chairman:** Perhaps we can see if there is anything more on the forest ranger programme and I will call the hon. member

there anything more on the forest ranger programme? The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, if I may, on a point of order, before the member goes ahead. I did have the floor and I yielded on this junior ranger programme, I think—

**Mr. Chairman:** I am sure the hon. member for Rainy River will recognize the validity of attempting to keep some order on this particular programme and not range all over.

**Mr. T. P. Reid:** Yes, I am just pointing out that I was recognized next.

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

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

The minister knows how I have been attempting to promote the programme in the Essex county area and he likewise knows that for quite a few years, I have asked him and his department to expand the programme. The select committee on youth studies, which were tabled in the House in early 1967, if I am not mistaken, made recommendation at that time that this programme be greatly expanded.

We visited various junior forest ranger facilities. We found them the best. We found them very well run. We thought the programme was an extremely good programme. There may have been room for improvement but it was a satisfactory programme as far as the 17-year-olds were concerned.

The difficulty, we understood, was that the facilities were taxed to the limit, but, Mr. Minister, your department has had sufficient time to expand the programme. I think over the last three or four years, you could have increased the number of junior rangers that you could take in to, maybe, one and a half times what you are taking now; 2,400, even 3,600, if there was a vigorous programme on the part of the department. I think that your officials have not tried to emphasize to you the value of the programme, the need for expansion.

After all, it is only a \$1 million expansion, Mr. Chairman, and if it is going to prevent a lot of the problems that the hon. member for Scarborough East mentioned, I think \$1 million is a very very wise investment. It is a very paltry sum to be spending if we can save hundreds and possibly thousands of our youths from getting into the drug habit that he made mention of earlier in his remarks.

The facilities are used only during months of July and August so the facilities could be put to use all May, all June and possibly, the month of September. I would like to see the minister come in next year and tell us that he will have those facilities available for a five-month period so that we can accommodate our university students—first- and second-year university students—some type of worthwhile project developed either by The Department of Lands and Forests or in co-operation with a series of governmental departments so that we not only put the facilities to use but we provide gainful and useful employment to hundreds of students—I should not say hundreds, I should say thousands of students—that we are going to find, from now on, have a most difficult time to obtain summer employment.

I happen to have *The Windsor Star* newspaper on my desk. One of the headlines on page 3 is: "Summer Job Prospects Dim for 5,000 Windsor Students." We know that we cannot accommodate all of these students in the province of Ontario in a programme of this kind, but you can definitely make a little difference in the labour surplus picture when it comes to student employment.

I would, once again, like to urge upon the minister to expand the programme. Do it now, Mr. Minister, or in the near future before it becomes too late.

Why should we have that generation gap? Why should we keep alienating our youth who at a time in life come out and say, "Look, no one is worried about me; no one is interested in me; no one is attempting to provide some type of employment for me." Mr. Minister, if they get that attitude at that time in life, you know what is going to happen to them.

We have had enough problems, or we have heard of enough problems on the campus in the United States. We do not want a lot of those problems imported into the province of Ontario. They are serious enough that we do not want our youth alienated to that point where they are going to resort to similar tactics, simply because government has not taken the concern for them that it should have taken.

I think, Mr. Minister, you can pioneer this. You can lead the way—you can show the way to the rest of your colleagues that you, as one minister, are more concerned than they are about the youth of the province of Ontario.

I hope that you, Mr. Minister, take seriously the recommendation, or the suggestion,

tion, that I made concerning a greater use of your facilities for at least three more months during the course of the year and expanded facilities for the future.

As I said earlier, I sell the programme in my community. I think it is a good programme, a worthwhile programme. The youths that return after having spent eight weeks in the programme speak most highly of it and most highly of the staff that you have in the programme. They are very well pleased.

I think if you want to do the youth of the province of Ontario a favour, you should expand your programme.

**Mr. Chairman:** Anything further on this particular programme?

The hon. member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, the point of the programme that really appeals to me is not just the fact that it provides employment and occupation for youngsters, but that it is a remarkably effective way of teaching them about conservation practices—about the future need for the preservation of the most important parts of our country, the green lands and the forests. I have found those who do come back from the programme have become much more aware of their responsibilities as citizens.

I have often recalled that, during the war period, those of us who went through it, an organization which had a common purpose, gained something in the way of an *esprit de corps*—an interest in our country's welfare far beyond the main purpose for which we supposedly were there. I think that those who are involved in this junior ranger programme derive similar benefit. But it is not nearly broad enough.

I think it is a shame that it is not opened up far more. I am amazed at how small an amount it costs us, in relation to the benefit we already gain and I would urge the minister to really expand the programme. There are so many ways that we could clean up our woods, clean up our parks, and at the same time, as a result of their involvement in the work that is assigned to them, they are going to be far more aware of what we can do to preserve our heritage that we have been so generously granted.

I urge the minister, not just because of the employment side of it, which is a very strong case, but also because of the impact that it will have on our young people and their whole interest and attitude toward our

heritage, that he increase the scope of programme.

**Mr. Chairman:** Does the hon. member Etobicoke wish to speak on this programme?

**Mr. L. A. Braithwaite (Etobicoke):** I wanted very briefly to add my comment on the comments of the member for Scarborough East and the member for Windsor-Walkerville.

I know just a little bit about this programme. But the reason that I felt that I should say a few things this morning, Mr. Chairman, is that we in Etobicoke are having a problem with drugs and with teenagers that is as bad as any that can be found in Metro or anywhere else in Ontario. I know many young children—I should not call them children—young people who have come to my own office and asked me about getting them jobs.

I know of this programme of the minister's from the past. A very good friend of mine, a neighbour's boy, went some years ago. I must compliment the minister on the fact that when this young fellow went away he could not play cards, but he could play poker when he came back. Besides that, he did learn to eat different things that he never would have eaten at home. He learned something about roughing that he never would have learned, unless he went to some thing like the junior rangers. His father was extremely pleased. His father did not know what to do with that boy. That was several years ago, and we did not have the programme that we do now to get employment, for high schoolers in particular.

What led me to say a few words today, Mr. Chairman, was the fact that the son of a secretary in my own office is going to be in a particular year. I know the young lad, David. She told me that she had written and that she had used my name and did I mind said, "Not at all", because we are always glad to help any young people. I asked her just the other day how things were working out. She said he spoke to his friend who had friends that had been there and his friend could not speak too highly of it. He is dying to go.

I do feel that if this minister's department can generate that type of interest in young people who know nothing about the nature of the country, nothing in particular, I think that is most worthwhile. To me it would seem a small sum, even if it cost \$1 million or \$2 million, to expand this programme.

It is money well spent, as the member for Windsor-Walkerville has said. I do not think

you could spend it any better. If our teenagers get in trouble, teenagers hanging around plazas, particularly in Metro, teenagers who have nowhere to go, by the time you add up what it costs to arrest them, to take them perhaps to the juvenile court and if not to the juvenile court, to the adult court, to take the time of the court and take the time of the judge, and take the time of the lawyer—it does not matter whether it is a legal aid lawyer or not—take the time the probation officer might have to spend on any one of these kids if he should get in difficulty, and add it all up, it would seem to me that a programme such as this could not save more than merely the waste of a child or a youngster getting in trouble. Besides, there is the impact on his family. It could save all of that and still produce something which would be of value to this province, by giving him something to do in the north country where the air is fresh, and where he can learn something about our traditions. He can learn something about how bad the roads are. He can learn something about many things, but I do feel that the minister should assist this programme. He could assist youth in general if he would use all of his persuasive powers at cabinet to get more money to expand this programme.

I endorse heartily the member for Scarborough East and the member for Windsor-Walkerville in the comments that they made in urging the minister to do something—and to do it this summer, not next summer.

**Mr. Chairman:** Anything further on this programme, junior forest rangers? The hon. member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Just one word, Mr. Chairman, in case it should be overlooked, that the New Democratic Party is also in favour of such matters. I thought I would say a word.

As the minister knows—I will just say one more word—I was speaking to him a few days ago on a programme having to do with a young man from my constituency. I think your age limitations are too narrow, and also your educational qualifications. You should expand the programme for the very many reasons given.

One could talk forever about the court-houses of the province and the problems of delinquency, but I hardly think we want to prolong this unduly.

**Mr. Chairman:** The hon. member for Essex-Kent on the junior forest ranger programme.

**Mr. R. F. Ruston (Essex-Kent):** I will speak briefly on this, but being a man of sod, where we have lots of green grass and trees growing, I think it is rather pitiful when you come into a city. In the area in which I live, a little over to the east, by Yonge and Bloor, all you see is high-rise apartments with no place to really enjoy the summer. That is where people have to be raised.

It seems pitiful that there are not more areas available similar to those this department runs. I think that this department has one of the more capable ministers to assist in operating a wider range of these services.

I think this minister—and I do believe very sincerely—is one of the better-quality ministers for this type of work. I would hope that he could convince the hon. member of the Treasury Board, sitting two seats away from him, to speak for him in another year. I think we are talking about \$1 million of money and you have about 1,800 youths in it. This. We all know money has to come from somewhere, but an investment like that would think, if it could be doubled, I am sure the people of Ontario would be prepared to furnish the funds because I think the investment would be well worth it.

What really bothers me is that problem. This goes back years to the facilities planned in our large cities. I hope we are not making a mistake in the rural areas that will be cities in the future; that we do leave plenty of green area so that we have more lands and things available for our people which indirectly have some bearing on the problem.

**Mr. Chairman:** Could we get back to 1101? Seven of the last eight speakers have been from the Liberal Party—

Interjections by hon. members.

**Mr. Chairman:** I therefore recognize the hon. member for Thunder Bay.

**Mr. T. P. Reid:** All the expertise is on the side.

Interjections by hon. members.

**Mr. Stokes:** Thank you, Mr. Chairman. I would like to reply briefly to some of the observations made by the minister in reply to the two lead-off speeches by the member for Nipissing and myself.

He got a little uptight when I mentioned last evening, in my lead-off, that this department was not concerning itself to the extent it should with regard to the quality of life.



the province of Ontario through proper protection of the ecology and our environment. I would like to tell the minister that on numerous occasions I have asked specific questions of members of his department with regard to the samples that were taken of water in numerous places across the province.

I would like to refer the minister to various newsletters that were sent out by the department, and specifically to the rural landowners being surveyed by the Lands and Forests department.

I would refer him to a statement made by the Ontario Institute of Agrologists, to a statement made by a member of his own department in a weekly report from one of the offices of the district foresters in the province, where they say it is time we really got down to the nuts and bolts of protecting not only our water courses, but the resources that we have, which are not going to be with us much longer unless we come up with a realistic way of managing them in the best interests of the people of the province of Ontario.

To quote briefly from one of the weekly reports; it says:

The world's conservation problems are due primarily to ignorance of our role in the balance of nature. Man has striven for immediate economic gains rather than long-range social and economic benefits. Most of us are now aware that much of our environment is polluted. Our rivers and air attest to this. We have disregarded for too long our role in the balance of nature. We now face the difficult task of utilizing natural forces to restore our environment. Good judgement must be used and the steps taken one at a time in the restoration of our environment.

To hear the minister talk, you would think he was just protecting something that was ideal and that he was really on top of things. Any time you mention something, he talks about a survey that has been conducted, the steps that are being taken, or the very active consideration that is being given to these programmes. Well this is not enough.

I refer specifically to a land-use plan. He says—and he is right—we have surveys of a good many of the lakes in the province of Ontario to see what they are best suited for, but he is not taking any steps to make sure that these lakes are not being ravaged by human beings, whether they be industrial activities, refuse from raw sewage that is going in from municipalities, or individuals who are polluting our rivers and our lakes. He cannot come up with any overall pro-

gramme to demonstrate to this House that he has in a meaningful way done anything with regard to improving the quality of environment, which has deteriorated to the extent that we have even had to stop fishing or catching the fish in a good many areas in the province.

The minister has not come up with an overall land-use plan for the province of Ontario as suggested by the Ontario Institute of Agrologists. I have been talking about this for the last couple of years; sure, he can tell me that they surveyed 1,000 lakes out of 25,000 in the province of Ontario, but what about an overall land-use plan? It is all very well for the minister to say that we have isolated a certain number of lakes, we have tested the bottom of the lakes, we have tested spawning grounds on that particular lake, but have we done a comprehensive job of seeing whether a certain shoreline is best suited for swimming, or whether the lake is best suited for boating, or whether you have single or double tiers in cottage developments. That is all fine and dandy, but what is being done with regard to coming up with an overall programme of assessing what is the best use possible for land in the province of Ontario?

I realize you cannot do it on your own; you have to do it in concert with The Department of Agriculture and Food, with The Department of Mines, with The Department of Energy and Resources Management. But the point I am trying to make is that there is no overall programme, where you sit down in a realistic way to say, we have x number of thousands of square miles of land in the province of Ontario where we should reserve good agricultural land that is fast being taken away from us because it is not being put to the best use possible; where we are causing many problems that will be very difficult to solve unless this government decides to pull the province must sit down, and the people must sit down, in a realistic way, and decide what kind of development we should have in any given area.

This is not being done in southern Ontario at the present time. It is costing us more than it should for land assembly because everybody wants to reside within a 50- or 100-mile radius of Metropolitan Toronto; all of the industry wants to locate in the same place. It is costing you millions and millions of dollars for land assembly, expressways, for transmission lines; you are allowing industry to settle on prime recreational land down in Nanticoke on Lake Erie. This is all happening, it is continuing to happen and, by the minister's own words,

is costing a terrific amount of money to put this land back into the hands of the Crown, in order that the best possible use of it can be made.

It is common knowledge that we do not have too much recreational land left in the southern part of the province that has not fallen into the hands of speculators, whether they be resident or foreign. It has fallen into the hands of industrial enterprises, where the best use of that land is not going to be made.

What I am suggesting to the minister—and he cannot do it himself, but I think that he has to be the spearhead of that kind of activity where we sit down in a realistic way and say, “subdivision control”—is that we have got it way up in northwestern Ontario around Lake Shebandowan, where you have said no development can take place until they come up with an overall plan for the area.

This is not being done in southern Ontario, so that I can see the time when we are going to reach the point where you are going to have to spend tremendous amounts of money in order to repatriate a lot of the land that is being misused at the present time. Scrub land, in particular, is just being allowed to go to waste at a time when we should be making much greater use of it.

I would just like the minister to take that into consideration when he stands up and he says: “We are really on top of all of these things. We are concerned about the quality of life, and we are coming up with solutions to them.”

I do not think that, really, this department has done anything with regard to insisting that the best use possible be made of the lands that we do have in the province of Ontario. I really do not think that the minister has done anything in a meaningful way to assure the people of the province that he has a programme that will prevent the further deterioration of the ecosystems in the province.

I certainly have not been convinced by the remarks of the minister. He said that he was a little miffed that we should be taking such a negative point of view. If he has anything more definite to offer us with regard to the programme that he has instituted, maybe he is going to implement certain programmes as a result of all the surveys that he mentioned.

He also mentioned that he was well aware of what the Kennedy report said in 1948, of what the Ontario Tax Foundation said in 1957, what Brody said in 1964 and what

Hedlin-Menzies said in 1968. But really there has been nothing concrete announced by this minister and his department to indicate that he has really come to grips with it and that, at long last, he has a meaningful programme to resolve a lot of the problems that he admits to and which we have been bringing to his attention.

**Mr. B. Gilbertson (Algoma):** You will have to admit he has done a pretty good job of the same.

**Hon. Mr. Brunelle:** I am like a mosquito in a nudists' colony, I just do not know what to begin. He mentioned several matters.

Maybe I should begin with the reference to the private landowners survey. This was a questionnaire that the timber branch sent to private landowners in southeastern Ontario last summer. It was mainly questions about ownership, acreage of their lots, and so forth, and their interests—recreation, forestry. One of the main purposes of this, Mr. Chairman, was to try to find out what would be the attitude of the landowners with reference to their forest resources. This information was very helpful, after consolidation with information on the forest resources on crown lands. As a result we have a very active industry which is looking into southeastern Ontario for the establishment of a large kraft mill. This information, of course, will be available. Aside from the timber information, the recreational information will have a lot of considerable use.

With reference to pollution, again, Mr. Chairman, I would say that we are very concerned and very much involved and we have done a lot of thinking about it. For instance, I do not need to remind the hon. member that we are concerned. The direct responsibility for pollution comes under the Ministry of Energy and Resources Management, and our people, our conservation officers and personnel, take samples at provincial parks and at the beaches.

They take samples in our lakes and in our rivers and these are sent to the OWRC. They are the ones who lay the charges and we have the direct responsibility. This year, we have special funds whereby we will be hiring a biologist who has expertise in water pollution.

**Mr. Stokes:** You will be hiring?

**Hon. Mr. Brunelle:** Yes, that is right. We are in the process, or maybe he has already been hired. We have the funds allotted

this type of expertise. Also we are in the process of purchasing—we will have this within the next few weeks—special equipment. It is called an atomic absorption spectrometer and this instrument is to be used in a general programme of the research branch at Maple and will give us emergency facilities for mercury analysis. We are also interested in the background mercury levels in areas uncontaminated by industrial sources. We are also investigating the biological aspects of mercury movements throughout the environment and this new instrument will make possible such studies. Also within the next week I hope to have this new publication—I think this will be one of our best publications—entitled “Does Nature Have a Chance?” This will be available to schools; it will explain to our children—and they are the ones who must be made aware at an early stage—about the importance of the preservation of our environment. It is not only industries alone which are polluting; each and every one of us is polluting our environment, both on land and on water. This book is well illustrated and this will be of tremendous educational value to our own people.

**Mr. Lewis:** Why did you not use the new and exciting format of the Minister of Health (Mr. Wells)?

**Hon. Mr. Brunelle:** With reference to land use, Mr. Chairman, I do not understand the comments of the member. We are leaders in this. The Ontario land inventory is the most comprehensive land survey in Canada, if not on the continent.

Interjections by hon. members.

**Hon. Mr. Grossman:** The others are out leading them.

**Mr. Stokes:** You have not even got a facility for testing them.

**Hon. Mr. Brunelle:** The OWRC does this, and also the federal government.

**Mr. Stokes:** They had to send them to Winnipeg.

**Hon. Mr. Brunelle:** It is only in the last few months that this mercury problem has really come to light and as a result we acted immediately. Now the universities—the University of Toronto and Guelph University—also have facilities. Mr. Chairman, I fail to understand the comments of the hon. member when he says that we are not doing suffi-

cient for the preservation of our environment. We definitely are. Also he made refer-

**Mr. Stokes:** Can I have a copy of the land-use plan for the province of Ontario?

**Hon. Mr. Brunelle:** We will send you information on land-use plans that we have.

In my own region in Cochrane, in the township of Clackmeyer, Mr. Angus is one of the outstanding experts in Canada. He has prepared a plan and they are all in the provincial library. We have a lot of information on land-use planning. My colleague, the Minister of Agriculture, has been working very closely in that respect also.

**Mr. Chairman,** on this whole question of land-use planning and economic planning, I mentioned earlier, the minister, the provincial Treasurer, and his staff—I think I called the regional development branch—these studies. The study for northwestern Ontario, I understand, is available; the one for northeastern Ontario is coming out shortly.

**Mr. Chairman,** I feel that we are doing our share. The member referred to the Michigan Great Lakes management plans. In many years the department has had zone management and limited entry to the commercial fishing industry, and it is pleasing to see these practices being endorsed by other agencies which are now adopting them. Michigan's own natural resources commission has not accepted their plan in its entirety since it does eliminate the commercial fishery in Michigan in a rather rapid manner. They are really trying to control quickly a commercial fishery that previously was uncontrolled.

In Ontario, our limited-entry licence system for commercial fisheries has had long-term benefits for Lake Superior. In 1955 the plan for the accretion of this fishery was announced to the fisheries industry by Wil Spooner, the minister of this department. That plan has resulted in a decrease in licensees in the past eight years from 162 in 1933 to 93. The remaining fishermen are encouraged to develop their enterprises in a co-ordinating way.

Also, we have had zone management on Lake Superior for lake trout for nearly 20 years and have adjusted quotas a number of times. We believe, Mr. Chairman, our fisheries research programme on Lake Superior is one of the best on the Great Lakes, and we have just appointed a fisheries management biologist at Sault Ste. Marie to co-ordinate the management programme on that lake.

Hon. Mr. Grossman: The member for Thunder Bay is going to resign.

Mr. Chairman: Vote 1101. The member for Rainy River.

Mr. T. P. Reid: Thank you, Mr. Chairman.

Mr. Ruston: Fine fellow; I mean the Chairman.

Mr. T. P. Reid: I would just like to make a few general remarks on this vote. I would like to preface my remarks by a question to the minister. It has been reported in the *Toronto Daily Star*, I believe, that there is going to be an interdepartmental government study of the extent of U.S. control of the Ontario economy. I would like to ask the minister if this is true; and if it is true if this study will also study the effects and extent of foreign ownership of land in the province of Ontario?

Hon. Mr. Brunelle: At the present time, we have within our own department a study under way of this whole question of land ownership. I do not know the article the member refers to, but the government is studying this whole question of ownership, not of the land but of companies and so forth. This whole question is under active study.

Mr. T. P. Reid: And your department is studying the extent of foreign ownership of cottage land?

Hon. Mr. Brunelle: It refers to lands, such as cottage lands and holdings of that nature.

Mr. T. P. Reid: Mr. Chairman, I found the remarks of the member for Nipissing and the member for Thunder Bay rather interesting. I noticed, for instance, that very little news was brought into these estimates except for a couple of points made by the member for Nipissing in regard to taxing land held by foreigners. It is very interesting to go back and read *Hansard* every once in a while to see what one has said, to see if one has changed one's mind.

I note that the Ontario Economic Council's report on forest policy parallels almost exactly the remarks I made when I first did these estimates in 1968, and the remarks of the member for Thunder Bay also paralleled very much those same remarks. I am certainly glad to know that my speeches are being read and taken to heart by some people.

But I would like to comment, Mr. Chairman, on the information and education work and I want to comment on the minister's opening remarks. The minister will recall that I spent a great amount of my time during the opening remarks of this department last year talking about conservation and pollution and the minister's responsibility in this regard. And, while the minister did not slough off responsibility at that time, he did indicate that he felt that the main responsibility was under the Minister of Energy and Resource Management, and that he, as the Minister of Lands and Forests, had very little authority in this regard.

I am quite happy to see, Mr. Chairman, almost called it a complete turnaround reversal of the Minister of Lands and Forests in this regard—a large percentage of the remarks in this opening statement deal with conservation and pollution, and in reply the member for Thunder Bay just a few minutes ago, he indicated some of the things that the department was doing in regard to pollution especially. I am glad to see that the minister has accepted his responsibility and that his department is going to do something about it.

I do not believe, however, that the department is going as far as it could or should in this regard. The minister is given responsibility by statute, in the budget or estimates, called resource protection and development, and he, to my mind, has the prime responsibility for the conservation of the renewable resources. That, of course, has to take in the aspect of pollution, because if our land, our air, our clean water, our clean air in northern Ontario, for instance, are being polluted, our fish are dying, our wildlife are not able to be eaten; our wildlife are dying off and the ecosystem of our wilderness area is being destroyed; surely this is the minister's responsibility.

I come to information and education in this vote. I would like to ask the minister and bring to his attention, as I did last year, the fact that I do not believe that his department is doing enough in providing educational programmes for conservation and pollution. I was glad to see the minister indicate that he has a new booklet that, which, I gather, is going to be distributed to the school children across the province.

I think there are other ways in which the minister can involve himself in the educational process. Perhaps some of this must come under the Minister of Education, but I would think that surely conservation, pollution, eco-

and environment have reached the stage now that they should be a course given to our students in school. It would perhaps be one of those that are mandatory. As the minister well knows, a lot of our problems with pollution, especially garbage and litter, which the minister is well aware of through his department, in particular comes under his department, and it is mostly a matter of education.

People throw their garbage into the water. They do not realize that it will pollute the lake eventually, if it has not already. They do not realize that unbreakable bottles or throw-away bottles, disposable bottles, will get into the lake, no matter how deep, and eventually be washed up on the shore because of the actions of the waves on the lake, and that they will break into fragments and cause people, especially small children in many cases, to be cut.

As I say—guarding against pollution is mostly a matter of education. I would like to know from the minister if there are any other programmes that his department is undertaking in regard to pollution control and garbage control. I think maybe we can discuss the problem of garbage under this vote, or perhaps not, perhaps under the next vote.

But I would like to know, for instance, if any direction has been given to the Lands and Forests weekly newsletter to emphasize, especially, pollution problems and give more emphasis to conservation problems. Has any direction gone out from the minister in this regard?

**Hon. Mr. Brunelle:** I was pleased to hear the member's comments on the importance of the preservation of our natural environment.

Last year, our staff gave several lectures in schools on these various subjects of conservation.

With reference to pollution on crown lands, last year we had 172 garbage dumps, and this year we are adding 81 more. The littering of our crown lands is a real problem. Also, as indicated in my opening remarks yesterday, I intend to introduce legislation under The Public Lands Act to deal with this matter. We have had a considerable amount of studies on this very important problem. With reference to—what was the other matter?

**Mr. T. P. Reid:** Education matters!

**Hon. Mr. Brunelle:** Education matters!  
Well I agree. I concur with the member's

comments that under our education programme we should have such a course in schools but, at the present time, we are doing this just on a sort of voluntary basis with conservation officers.

**Mr. T. P. Reid:** For instance, let me give you two suggestions. One, a great deal could be done through the sportsmen's funds and the conservation authorities if they had the direction—and possibly funds, maybe, but certainly direction—and expertise of your department. And second, perhaps in the way of a question to the minister, is his department working with the curriculum branch of the Department of Education, devising a programme that can be given in schools on this most important subject?

**Hon. Mr. Brunelle:** We will be pleased to do this. Maybe this is already being discussed but I will make sure that it is with the Department of Education.

I would like to mention, Mr. Chairman, that, in addition to the educational lectures given, as the hon. member knows, we have booths at the CNE and also fairs and we have a lot of information available on this subject.

Also, in our parks this year, where we are this last year, we are intensifying, our audiovisual programmes on littering. We are coming out with books of matches with a picture on them, something like Litter Pete, to emphasize the message.

We are doing this also with plastic bags. Last year, on an experimental basis, we gave plastic bags to fishermen in the winter to use to ice fishermen and also to those tourists going into the wilderness on canoe trips. This year, this is being intensified.

So, our whole programme on the littering and conservation of our natural resources is being improved.

**Mr. T. P. Reid:** Mr. Chairman, one comment before we adjourn. I would like to commend the minister and his department for their efforts, particularly at the Canada Exhibition. I would just raise one point. I leave it for your consideration, Mr. Chairman.

At that exhibition in the building in front of the CNE, there were a great many animals and a great many birds there with sort of small signs explaining what they were, and so on. When I was there, there was not an officer to direct attendance around these exhibits to really explain anything or answer any questions that the people might have.

I was most disturbed in a way in two respects, Mr. Chairman. One, that these animals should be penned up the way they were. I wonder what happens to them ultimately? And secondly, they are in these glass cages, in most instances. Small children were wrapping on the glass, banging the glass as hard as they could.

The noise was rather frightful for the animals and birds that were caged there. It must have been a rather traumatic experience, if I may use that word. I wonder if there is any thought given to maybe putting an aisle, or some kind of separation, between the public and these exhibits for the protection of the animals?

**Hon. Mr. Brunelle:** Yes, we are doing all we can.

**Mr. Chairman:** Will there be more discussion on vote 1101?

**Mr. T. P. Reid:** I would like to hear what the minister has to say.

**Mr. Chairman:** If the hon. minister wishes to give a—

**Hon. Mr. Brunelle:** I will be brief. I am surprised to hear the comments of the hon. members because, frankly all of the comments we have had about our wildlife exhibits at the CNE have been most complimentary.

**Mr. T. P. Reid:** Oh yes.

**Mr. Gilbertson:** That is right.

**Hon. Mr. Grossman:** And these are not people in opposition.

**Hon. Mr. Brunelle:** However, we will look into his suggestions, Mr. Chairman.

**Mr. Chairman:** Shall vote 1101 carry?

Vote 1101 agreed to.

**Hon. Mr. Grossman** moves the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply reports that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, on Tuesday we deal with second readings standing in names of the Minister of Mines (Mr. A. Lawrence) and the Minister of Labour (Mr. Bales).

Hopefully we will go into Committee of the Whole House and deal with some legislation, and we will then proceed with estimates of The Department of Agriculture and Food. As hon. members may know, the Minister of Lands and Forests (Mr. Brunelle) will be away on Tuesday and Wednesday we will start with the Minister of Agriculture and Food (Mr. Stewart) in the meantime.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, before the motion for adjournment, could the minister advise us as to what bills might be considered in Committee of the Whole House on Tuesday? Does that include The Law Society Act? We had been previously informed The Law Society Act would not be dealt with until Thursday.

**Hon. Mr. Grossman:** I do not know what arrangements have been made in respect of any particular Act, but there are other bills in the name of the hon. Attorney General (Mr. Wishart) and presumably—

**Mr. Singer:** Those all go together.

**Hon. Mr. Grossman:** Pardon?

**Mr. Singer:** These bills all go together—The Law Society Act, The Solicitors Act, Barristers Act.

**Hon. Mr. Grossman:** There is The Bill of Sale and Chattel Mortgages Act, The Notaries Act—

**Mr. Singer:** The what?

**Hon. Mr. Grossman:** The Notaries Act.

**Mr. Singer:** Yes, that goes with The Law Society Act.

**Hon. Mr. Grossman:** This is the information. There are also the other second readings to deal with as well. I think there will be a full day.

**Mr. T. P. Reid** (Rainy River): May I ask Mr. Speaker, what the government intend to do on Thursday and Friday? Are we going to continue on with Agriculture or come back to the Minister of Lands and Forests?

**Hon. W. A. Stewart** (Minister of Agriculture and Food): We will be all through by then.

**Mr. T. P. Reid:** You hope!

**Hon. Mr. Grossman:** Mr. Speaker, I presume that it might take two days to deal with the Minister of Agriculture and Food. However, if it is all done on Tuesday we will proceed with other estimates.

**Mr. Speaker:** Before I put the motion, may I remind the members that Tuesday evening

there will be the annual supper meeting of the Commonwealth Parliamentary Association Ontario branch, at which Senator Connors, a member of the general executive will be present. I hope that the members will try to be present. The House will rise at 6 o'clock and resume at 8.30 that evening.

**Hon. Mr. Grossman** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.05 o'clock p.m.













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